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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 13, 2015.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

CONCESSIONS TO CUBA ARE JUST THE TIP OF THE ICEBERG

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

Ms. ROS-LEHTINEN. Mr. Speaker, as an 8-year-old child, I was forced to flee Havana, Cuba, with my family for the shores of the United States of America, this shining city on a hill and a beacon of hope and freedom to the world.

The Cuban American Members of Congress are all united by our love of this great country and our love and respect for freedom, for democracy, and the rule of law because of where we come from and whom we represent. For us, these principles aren't concepts that we take for granted. We cherish them because we know the alternative.

We need look no further than just 60 miles south of the United States to see the alternative, where the Castro regime has been entrenched for over 55 years and ruling the island with an iron fist.

This is Berta Soler, one of the leaders of Las Damas de Blanco, the Ladies in White, a peaceful dissident group. Berta has been detained so many times, she says to me, that she has lost count. That is why we stand united in a bipartisan manner, in steadfast opposition to any attempts by the Obama administration to normalize relations with the Castro regime.

President Obama's audacity of hubris has resulted in one exercise in folly after another, and engagement with Cuba is the height of that folly. What have we gotten in return? Let me turn to the next poster. This poster has a list of some of the many wanted criminals who have sought refuge and have gotten it in Castro's Cuba. We haven't gotten any reforms from this deal.

We haven't gotten the return of these dozens of criminals that Castro has been harboring because they have fled from justice in America, like convicted New Jersey State trooper killer Joanne Chesimard. After this deal was announced, the Castro regime said: Oh, no, all of these people, we will give them asylum. The FBI has put her on the most wanted terrorist list; yet Castro says: We will give them asylum.

What have the Cuban people received as a result of this administration's concessions? Well, 53 political prisoners supposedly were released, Mr. Speaker, like some of these activists, who were rounded up in a catch-and-release program of the Castro regime.

The administration hails this list of 53 as a victory, ignoring the fact that hundreds of political and anti-regime activists like these were arrested and detained immediately before and after the announcement of the changes, and almost 2,000 people were arrested or detained last year alone. This infamous list of 53 that has been praised by this administration and the Castro regime is another ruse.

Over a dozen individuals on that list were released prior to the December 17 announcement, including Carlos Andres Sanchez Perez. He was released over 1 year ago. Some were arrested even before June. Catch-and-release is the new program, the new playbook of the Castro regime, and Obama deliberately has fallen for that ruse.

Now, the regime will feel emboldened because the United States has just signed off on its mistreatment of its citizens, and President Obama has extended an economic lifeline to the regime that will allow it to continue this repression.

Before there can be any discussion of changing our policy toward Cuba, Mr. Speaker, all political prisoners must be released, not this fake list of 53; fair and multiparty elections must be held; and the fundamental human rights of every Cuban must be respected.

Mr. Speaker, I warn my colleagues to pay close attention to what the Obama administration is attempting to do in Cuba because this will track with its attempts at reconciliation with Iran, another rogue nation and state sponsor of terrorism. The administration's efforts in Cuba have been the test case for Iran, and the two have paralleled each other.

While the administration was holding secret talks with the Castro regime, we know that he was penning secret letters to Iran's Supreme Leader Khamenei and conceding to Iran the right to enrich uranium.

These concessions to Cuba are just the tip of the iceberg, and it will open the doors to similar measures in Iran

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where the Supreme Leader will see what is happening in Cuba and says: Hey, we can get away with that as well.

Both have serious consequences for our national security as other nations see that we lack the courage of our convictions, and they will be willing to test us. In fact, Nicolas Maduro after the prisoner exchange said, ''We will exchange Leopoldo Lopez,'' a human rights activist whom Nicolas Maduro has imprisoned in Venezuela, for one of the criminals in prison here in the United States. They want to test us; they want to see what they can get for holding innocents in prison.

Just look at the appeasements that this administration has made to Russia, to Iran, to North Korea. These rogue regimes will continue to act with impunity, and our allies have turned away from us because, instead of working with our allies, we have been appeasing our enemies.

Mr. Speaker, in closing, I would like for this Congress to take a close look at that list of 53 prisoners and remember that even if that were a true list, which it is not, it is not about 53. It is about freedom for all political prisoners, some of whose names we will never know.

WE NEED A NEW AUTHORIZATION FOR USE OF MILITARY FORCE

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

Mr. MCDERMOTT. Mr. Speaker, we are now in our 6th month of war against ISIS, and make no mistake about it, we are at war in Iraq, though I do not recall a debate or a vote in this Chamber authorizing that.

I would respectfully remind the President, who is well-versed in constitutional law, of something he already knows but appears unwilling to address: the executive is not permitted under the articles of the Constitution to unilaterally authorize military action in a situation that does not constitute an imminent threat.

There is no doubt that ISIS is a depraved and repugnant organization, but our intelligence community has repeatedly said it does not imminently threaten the United States. Even if that assessment were to change following the horror we witnessed in Paris, we would still need a clear authorization and a serious debate about yet another American war in Iraq.

I and several of my colleagues in both Chambers have been calling for such a debate since last August. In November, the President said he intended to work with the Congress to craft a new Authorization for Use of Military Force, or an AUMF, in the anti-ISIS campaign.

Before it adjourned last year, the Senate Committee on Foreign Relations drafted and passed a new, if vague, AUMF against the Islamic State of Iraq and the Levant.

Mr. Speaker, the 113th Congress abrogated its responsibility to acknowledge that the ongoing military campaign in Iraq and Syria cannot be sustained on the back of war powers notifications of two outdated AUMFs.

The start of this new Congress is a perfect time to actually do something about this urgent need by debating and voting on something required of us 6 months ago. Over 3,000 American troops have been deployed to retrain Iraqi Army brigades that will allegedly be the new and improved force to take over against ISIS.

The Chairman of the Joint Chiefs of Staff declined to say over the weekend how long this training would take, so the Prime Minister of Iraq volunteered a guess: 3 years. In 3 years, which seems awfully optimistic, Iraq may be able to rebuild and restructure its military.

Does this mean 3 more years of coalition airstrikes, if we even have a coalition by then? Does that mean 3 more years of military advisers to train forces that will never be ready? Does that mean 3 more years of American troops sent out to reoccupy those decrepit bases that served as a stark reminder of the last time—more than 10 years ago—we went to war in Iraq without a strategy?

Mr. Speaker, apparently, the reading of the Constitution on the House floor last week was gratuitous, since the Congress has no intention of following a key section of the Constitution. When it comes to war and peace, Mr. Speaker, the authority remains firmly with the Congress; yet we have sent our country's sons and daughters to war without a new bill, a serious debate, or a proper vote.

Where is our sense of priority, reading the Constitution or obeying it? Where is our sense of responsibility? We have already had 6 months of unilateral war against ISIS. Another 3 years is intolerable.

Mr. Speaker, it is up to you to invite the President to come up here and address this House, all 535 Members of Congress, to tell us what he needs and what he has decided is worth the sacrifice. It cannot be done, it should not be done, without an authorization from this Congress. To fail to do that is eroding to the very Constitution that we say we support in this House.

We have a civilian control of the military, not by one man, but by 535 Members of Congress. That is the way it is supposed to work. We need to have this debate now.

HELP FOR SMALL BUSINESSES

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

Mr. COSTELLO of Pennsylvania. Mr. Speaker, we were sent to Washington by our constituents to work together to encourage accountability, transparency, and limited government. Bigger government does not necessarily mean more responsive government, but it has come to mean more costly government.

When our small businesses and entrepreneurs, the backbone of our economy, are forced to divert resources to costly new mandates, it means less capital for growing their business, less capital to hire more employees, less money to raise employee wages.

Two statistics, to me, jump out. First, 64 percent of the new jobs created in this country in the past 15 years have been through small businesses. Last year alone, new regulations cost our economy $67 billion.

We are going to be dealing with several regulatory reform measures this week, bipartisan pieces of legislation that will modernize the Federal rulemaking process and put more power back in the hands of job creators.

We need to help those who are too often squeezed by regulation the most: small businesses. We need to give them a larger voice in the process. We need to be a country that continues to welcome new ideas and innovation, not a nation that overregulates from Washington and inhibits our full economic potential.

I look forward to forthcoming regulatory reform measures to help streamline our government, get Washington out of the way, bring stability and certainty to small businesses, and help grow our economy.

□ 1015

END HUNGER NOW

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

Mr. MCGOVERN. Mr. Speaker, I have come to the floor today to give a voice to those who are hungry, to share their struggles, and to challenge my House colleagues to take meaningful action to end hunger now.

Last week the Center on Budget and Policy Priorities released a troubling new report estimating that roughly 1 million unemployed Americans will be cut off from SNAP benefits over the course of 2016. The report anticipates that those affected will lose between $150 and $200 per person per month in food benefits—cuts that will cause serious hardship. Mr. Speaker, this is shameful, and it deserves our attention. We should be working to end hunger now, not making it worse.

The 1996 welfare law limits individuals aged 18 to 50 who are not disabled or caring for young children to 3 months of SNAP benefits in any 36-month period if they aren't employed or in a work training program for 20 hours or more a week. That sounds reasonable, but when jobs and job training are not available, it isn't so reasonable.

During times of high unemployment, Governors can request a waiver to the 3-month time limit for their State.

During the Great Recession, Governors, both Republicans and Democrats, in 46 States have requested and have been granted some type of waiver from the 3-month time limit. This enabled unemployed adults to continue to look for a job in a tough job market without going hungry.

Mr. Speaker, our economy continues to improve and unemployment rates across the country are falling, but we are not out of the woods yet. The most vulnerable among us—those with limited education and skills—continue to struggle to find work.

In October 2014, the Center on Budget and Policy Priorities estimated there were two unemployed workers for every available position. By that measure, even if every available job were filled by an unemployed individual, there still would not be enough jobs for everyone who needed one.

When the current 3-month time limit waivers expire, the problem is that most States offer few, if any, job training programs. They aren't required to do so. And in States that do offer work programs, the number of individuals who need them far outnumbers the available slots. Come 2016, an unemployed adult actively looking for work, no matter how many job postings they respond to or how many resumes they send out, will arbitrarily be cut off from receiving food benefits through no fault of their own.

The 3-month time limit as it is drafted is a severe penalty that hurts an already vulnerable population. According to USDA data, those who would be affected have an average monthly income of only 19 percent of the poverty line. They often do not qualify for any other types of assistance.

Mr. Speaker, it is unconscionable that 1 million of the poorest Americans would be cut off from food benefits because their State does not offer job training programs or does not have the capacity to meet the demand for those who need help improving their skills. These individuals would be left on their own at an already difficult time. They may be forced to choose between food and rent or other necessities.

Mr. Speaker, we need to adequately fund our job training programs, which this Congress has consistently failed to do, and we need to ensure that unemployed adults who are diligently searching for a job do not go hungry while they look for work.

I am concerned—deeply concerned—about reports that Republican leaders want to launch yet another assault against SNAP. They want to cut the program even more. That would be a mistake and a disservice to one of the most efficiently and effectively run Federal programs. Even more important, it would be a disservice to so many of our citizens who are struggling in poverty.

Mr. Speaker, I am also concerned about a Republican majority that is more interested in adhering to a political sound bite than in pursuing sound policy. Let's focus on ending hunger and ending poverty. Let's bring to an end the nasty, cruel, and negative rhetoric that has been used to demagogue SNAP and those who rely on the benefit that was so evident in the last Congress.

Mr. Speaker, it is tough to be poor in America. It is hard work. We in Congress should be part of the solution, not part of the problem. We can do better. We can and we should do more to end hunger now.

IN THE LINE OF DUTY

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

Mr. AL GREEN of Texas. Mr. Speaker, I am proud to say that I stand at the podium today to thank two Members of Congress who last week took the lead on LEAD. LEAD is Law Enforcement Appreciation Day. I want to thank Congresspersons JOLLY and REICHERT for what they did on last Friday in paying a special tribute, if you will, to the 900,000-plus who serve us as peace officers in the United States of America.

Mr. Speaker, I am very proud to say that in my family I had an uncle who was a peace officer, and he had an influence on my life that literally changed the course of my life and set me on the course that I currently am pursuing. My uncle and I were riding along together, and I was asking a lot of questions. He made a statement that became indelible with me. He said: This boy is asking so many questions, I think he is going to be a lawyer.

I was younger than 10. I don't think I knew what a lawyer was. I am not sure how old I was. I remember I was very young. But I also remember that if my uncle thought that being a lawyer was a good thing for me, then that was a thing that I should do.

This was a peace officer, a police officer, a deputy sheriff that had a lasting impact on my life. I am so grateful for his service to his community and the way he has been an outstanding citizen in his community. His name is Dallas Yates.

I am proud to tell you that when I saw these Congresspersons paying tribute to peace officers, police officers, I concluded that I would have to add to the RECORD some thoughts because there is a phrase that we use quite often when we reference peace officers. It is styled, ''in the line of duty''—''in the line of duty.'' And officers do so many things in the line of duty. Some of these things, quite frankly, are not things that they are expected to do, but they do them anyway.

The Washington Post reported that two officers delivered a baby on Christmas Day in the line of duty. They were on duty when they did it. Officers are not trained to deliver babies, but when called upon, they take the lead to do what needs to be done.

Think of the thousands of people who have been stranded and who were helped by peace officers: flood victims helped by peace officers, persons with something as simple as a flat tire helped by police officers, all in the course and scope of their duty. And then, of course, we have officers who have literally gone into fires to save lives. It has been reported that officers have done this. In fact, the Tulsa World recently reported that an officer saved a life from a fire in the line of duty, in the course and scope of duty.

That phrase means a lot more than simply lending a helping hand. ''In the line of duty'' means sometimes that officers lose their lives. In this country, we had 27 officers die in 2013 as a result of felonious incidents all occurring in the line of duty. We had 49 that died from accidents in the line of duty.

Mr. Speaker, when this term is used now, ''in the line of duty,'' to refer to these officers who make the ultimate sacrifice so that others may have a better life, you have better appreciation for what ''in the line of duty'' means. It is more than mere words. It means sacrifice. Many families have had to mourn the loss of a loved one in the line of duty.

So I am proud to salute the officers—the 900,000-plus—and I thank the Congresspersons who led the discussion celebrating, appreciating, and commemorating those who have served and have gone on to make their transition in the line of duty.

I think it appropriate to close with these words that express some thoughts about how we measure our lives and how the life of a person is measured and appreciated. Ruth Smeltzer reminds us:

Some measure their lives by days and years,
Others by heartthrobs, passion, and tears.
But the surest measure under the sun
Is what in your lifetime for others you have done.

I want to thank the 900,000-plus officers for what they have done for others in their lifetime in the line of duty. God bless you. God bless the United States of America.

THE GAS TAX

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

Mr. BLUMENAUER. Mr. Speaker, the momentum for an increase in the Federal gas tax continues to build. This weekend's excellent New York Times editorial made the case why the increase is needed and long overdue. Costs of repair increase dramatically the longer they are delayed. In the meantime, Americans paid billions of dollars for congestion, wasted gas, and repairing damage to their cars, and thousands of lives are lost due to unsafe roads. This followed an editorial in The Washington Post making the same argument, joining USA Today, L.A. Times, and a variety of newspapers across the country.

Recently, we have seen eight Senators from both parties who have been

identified as stepping up, either supporting a gas tax or at least being open to it. We have seen leadership at the State level as eight States in the last 2 years have increased gas taxes, including some very red States like Wyoming and New Hampshire. Here in the House, there are already 136 Members who have signed a bipartisan letter urging the leadership to act on providing appropriate funding that is sustainable and dedicated.

Well, Mr. Speaker, we do have a solution. This issue has been studied extensively, including two Presidential commissions during the Bush administration. The conclusion was that there is no better, more effective solution than simply raising the gas tax, which hasn't been increased in 22 years.

People know America is falling behind as it is falling apart. The concern about the financial impact of a gas tax increase on families is waning. As gas prices plummet, my corner gas station is selling gasoline at $1.60 per gallon less than its peak last year.

I will be reintroducing the funding proposal I had in the last Congress. That legislation was widely supported by a range of interests that included labor, business, the professions, local government, transit, environmentalists, truckers, AAA, and cyclists. They all agreed that there is a critical need to fund investments in rebuilding and renewing America.

Mr. Speaker, the arguments today are basically the same that were used by President Ronald Reagan in his Thanksgiving Day address in 1982. He used his nationwide radio speech 33 years ago to call for an increase that more than doubled the Federal gas tax. He pointed out that that tax is actually for the people who benefit from using it, that the user fee would cost less than the damage to repair their cars from damage due to poor conditions from roads and bridges. As President Reagan said, it would probably be less than a pair of shock absorbers.

He pointed out that the gas tax then, as now, had not been raised in more than two decades, and that repairing infrastructure that was failing would put hundreds of thousands of people to work while it protected the investment in our infrastructure as well as in our automobiles

Mr. Speaker, it is time for Congress to step up. The States are doing their part. People are exploring innovative financing approaches involving the private sector. People are looking at creative ways to design and build projects, but there is no substitute for the 25 percent of infrastructure funding that comes from the Federal partnership. It is absolutely essential for projects that are multiyear, projects that are multimodal and that involve a number of jurisdictions, often a number of States.

This May we face the expiration of the short-term highway trust fund fix from last summer. We are back in the exact same situation we were then. Failing to address the funding issue head-on has meant that we haven't had a 6-year reauthorization approved by Congress since 1997. Since then, we have had two ever-shorter reauthorizations and 21 temporary extensions. Over $60 billion of general fund money has been needed to just prop up our inadequate system.

□ 1030

Mr. Speaker, no country has become great planning and building its infrastructure 6 months at a time. It is time to capitalize on falling oil prices, on the momentum that is building around the country, and the realization that we need to act now.

I strongly urge my colleagues to join me and, indeed, President Reagan in this long overdue action. America will be better off, the economy will be stronger, communities will be more livable and our families safer, healthier, and more economically secure.

STRENGTH OF THE PUERTO RICO STATEHOOD MOVEMENT

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

Mr. PIERLUISI. Mr. Speaker, last week I spoke about Puerto Rico's mission to discard its status as a U.S. territory and to become a U.S. State. Today, I rise to inform my colleagues about the most recent phase of this mission.

A brief word of background. Puerto Rico has been a territory since 1898. Its status is incompatible with the principles this Nation strives to uphold at home and promotes abroad. There are 3.6 million American citizens in Puerto Rico. My constituents cherish their U.S. citizenship and have made countless contributions to this country in law, science, business, government, the arts, the armed services, and every other field of human endeavor. Yet they cannot vote for President, have no U.S. Senators, and send one Delegate to the House who has a voice but no vote in this Chamber.

The people of Puerto Rico, beyond lacking democratic rights, are deprived of equality under law. Congress has a license to discriminate against the territories, and Puerto Rico is treated worse than the States under a range of Federal programs. To compensate for the shortfall in Federal funding, the Puerto Rican government has borrowed heavily in order to provide adequate public services. This disparate treatment is the principal reason why Puerto Rico has endured severe economic problems for decades.

Inequality, both political and economic, is driving thousands of my constituents to depart for the States every month. It is human nature to go where you believe you can secure a better future for yourself and your family. However, residents of Puerto Rico have finally said enough is enough. They demand a status that is democratic and dignified, a proud status for a proud people.

In a referendum organized by the local government in 2012, voters in Puerto Rico rejected territory status and expressed a clear preference for statehood. In response, Congress provided an appropriation of $2.5 million to fund the first federally sponsored vote in Puerto Rico's history, with the clear goal of resolving the territory's status. This is the most significant step the Federal Government has ever taken to settle the status debate in Puerto Rico.

I have proposed that the funding be used to hold a federally sponsored ''yes'' or ''no'' vote on whether Puerto Rico should be admitted as a State. Some have complained that Puerto Rico has already voted for statehood and should not have to vote again. This argument is based on a fundamental misunderstanding of history and how Washington works. After expressing a strong desire for statehood in local referenda, the territories of Alaska and Hawaii each held federally sponsored ''yes'' or ''no'' votes on admission that led to statehood. If Puerto Rico wants to become a State, it must do the same.

My proposal has broad congressional support, since a bill I filed last Congress that endorsed this approach obtained 131 cosponsors and led to the filing of an identical Senate bill. My proposal also has significant local support. Yesterday, in a remarkable display of unity and resolve, all 22 members of the statehood delegation in the Puerto Rico house and all eight members of the statehood delegation in the Puerto Rico Senate introduced identical bills that proposed to use the appropriation from Congress to conduct a federally sponsored vote on Puerto Rico's admission as a State. Now all that remains is for Puerto Rico's Governor, speaker of the house, and senate president—each a defender of the failed status quo—to show some courage and schedule this vote. Real leaders do not fear the democratic process or its results.

Meanwhile, statehood forces continue our forward march, expanding in size and strength. Indeed, today statehood supporters are rallying outside the White House and are holding meetings here in Congress. In the coming weeks and months, our advocacy efforts will only intensify. As individuals, our ability to effect change is inherently limited, but as a united movement, we are as strong as steel. We are fighting for equality, and we will not stop until we achieve it.

OPPOSING THE REPUBLICAN AGENDA

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

Mr. ELLISON. Mr. Speaker, this Congress is still very young. This Congress

that we are in right now began last week when we were gaveled in and we were sworn in. It has taken very little time for my Republican colleagues to begin to message to the American people just where they stand.

The things we have seen last week from the very beginning—one thing we saw was an effort in the rules package which prohibited Social Security from sending money over to the Social Security disability fund. This has been done many times before; it is routine. It will certainly create pressure and undermine and create real damage and a scary situation for people who are on Social Security disability payments and who survive on it based on their documented, recorded illness.

But they didn't stop there. The very next day they began to erode the financial protections that protect Americans from the massive collapse that took place on Wall Street in 2008. Already they want to dismantle and chip away at the Volcker rule, a very commonsense rule which says that big banks that hold collateralized loan obligations have to move these big assets, these big financial instruments, outside of their banking business, wherein they have protected assets by the FDIC.

No sooner than we did that, the very next day we moved on to dismantling the Affordable Care Act, making it so you don't get health care coverage, can't mandate health care coverage until someone works 40 hours, as opposed to 30, which meant that there will be people who will lose out on health care coverage from their employer.

And the next day, we were here with the Keystone pipeline. They tried to push that under a bill that wasn't really a pure Keystone bill. It didn't have things like spill protection.

And then here we are this week about to see a bill on the floor very soon which will essentially prioritize Republican gamesmanship over immigration. It will prioritize that over our homeland security. The Homeland Security bill, this bill we passed last year, late last year—you may recall something called the CR/Omnibus bill. It was a CR omnibus bill. We passed a whole series of funding bills for a year's time, except for one particular bill. And the bill that is due to expire is the Homeland Security bill.

Now in the wake of Paris happening just a few days ago, the horrific murder, carnage, and barbaric behavior by terrorists that happened just a few days ago, we now are facing a big fight on what of all things—homeland security? And why are we having this big fight? It's because the Republicans want to show President Obama that they are not going to allow him to use executive authority that is well within his power to do.

Presidents have always used executive authority. The Emancipation Proclamation issued by President Lincoln was executive authority. The bills that Ronald Reagan passed used executive authority many more times than President Obama has. So has George W. Bush. It is routine. Presidents issue executive orders.

President Obama has done some because the Republican majority has refused to move on comprehensive immigration reform. He has used his authority to prioritize the deportation of criminals, people who have committed crimes, over kids who are valedictorians, and he has done this well within his right as the chief executive officer of this country.

And because the Republicans don't like the executive orders, because they have very divisive views, in my opinion, on immigration, they have decided to have a very short Homeland Security funding bill, which is putting us in a position where we are either going to capitulate and back off on things that the President wants to do or we are going to pass a Homeland Security bill with a lot of things in it that would be damaging to the action that the President has already taken.

Let me tell you, some of the things in the Homeland Security bill are of huge concern to me. I will just share just a few of them. One of them is the Blackburn amendment. The Blackburn amendment would prohibit the use of funds to continue for the Deferred Action for Childhood Arrivals program.

Pay close attention to this bill. This is not what the American people want. We urge the American people to pay close attention, and I intend to vote against these Republican measures.

TERRORISM AROUND THE WORLD

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

Ms. JACKSON LEE. Mr. Speaker, the new year has come with many blessings, but it has also come with a major wake-up call. I rise again to express my deepest sympathy to the people of France, the loss of lives, including our Jewish brothers and sisters targeted simply because of their faith and other innocents.

I stand as well to recognize my friends in the Muslim community who have all come together, to thank them for standing against violent and reckless terrorism. Their voices were loud and present and noted.

I recognize the heads of state, the work of the United States in standing alongside France, our early and longstanding partner in democracy and liberty. Yesterday, some of us had the privilege, hosted by the Foreign Affairs Committee, to greet the French Ambassador and to offer to the people of France our personal regrets and sympathy.

As we look to the incidents that are coming to our attention around the world, let me bring up again the girls in Nigeria, who were taken almost a year ago, 300 innocent school girls. The only thing that they wanted to do was to take their exams.

In the spring of 2014, I led a delegation of Members of Congress to the northern state of Borno. I met the pleading and crying and broken families. I met some of the girls who gave a harrowing story of how they escaped, sliding through the wooded forests, escaping for their lives with just the clothes on their back. Only through a light from a house along the road were they able to get some refuge, and then three of them escaped on a motorcycle with a hero whose name probably will never be noted.

But these girls have no more identity. We are saying bring the girls back, but maybe they are married and impregnated and indoctrinated in this instance with doctrines that were not their life. They were Christian.

□ 1045

The focus on Africa must be enhanced. I thank my good friend Congresswoman KAREN BASS, who has been working tirelessly as the ranking member of the Africa Subcommittee and had a brilliant meeting this morning.

I come now to announce that we cannot stand by as Boko Haram pillages violently, recklessly, with inhumanity, kills with reckless abandonment, with no one stopping them, 2,000 people along Lake Chad, bodies that people are tripping over and finding under bushes and trees. This is a cry for mercy; this is an outrage. The world cannot stand by idly and not look to this.

Nigeria cannot fight this alone, and just as we have announced a concerted global effort against ISIL and al Qaeda, we must do this against Boko Haram. They are not simply a group of thugs. They have connected to this vile institution of terrorism, and they are going up against ill-prepared military forces.

We could point the finger, and I am asking for the Government of Nigeria to stand and ask for help. There is no shame in asking for help. I am asking the United Nations to do more than it is doing. I am asking the African Union to collaborate with the forces that they have at their side with the collaboration of African countries to go to the rescue of the innocent persons in northern Nigeria.

How can we stand by when a 10-year-old girl who needs to be playing with dolls and going to school and looking into the sunshine for an aspirational light of things that she can do in 2014, probably a brilliant little girl, unbeknownst to her, strapped with a horrible bomb and now in death, with her little body splintered by a bomb—a suicide bomber—how can she even understand what they had told her she was doing?

Mr. Speaker, let me close by saying that I am calling upon the world to join in a global effort to fight the terrorist dastardly behavior of an uncaring Boko Haram, and I close by saying that we must reach out to young Muslim boys in northern Nigeria for an alternative to that life.

May God rest in peace those who have died at the hands of terrorists, and we ask for a unified global response.

RECESS

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

Accordingly (at 10 o'clock and 48 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at noon.

PRAYER

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

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

Bless the Members of this people's House. Help them to walk in the light, to share their strengths, and to build upon their common desire for the good of our Nation that they might better attend to the important issues of our day.

May they think clearly, speak confidently, and act courageously to make our Nation better today than it was yesterday. If it be Your will, we ask that men and women of good will from both sides of the political aisle might cooperate in the forming of law and policy.

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

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

Amen.

THE JOURNAL

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

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

Mr. LAMALFA. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

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

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Louisiana (Mr. BOUSTANY) come forward and lead the House in the Pledge of Allegiance.

Mr. BOUSTANY 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.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. MESSER. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 29

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON AGRICULTURE: Mr. Goodlatte; Mr. Lucas; Mr. King of Iowa; Mr. Neugebauer; Mr. Rogers of Alabama; Mr. Thompson of Pennsylvania; Mr. Gibbs; Mr. Austin Scott of Georgia; Mr. Crawford; Mr. DesJarlais; Mr. Gibson; Mrs. Hartzler; Mr. Benishek; Mr. Denham; Mr. LaMalfa; Mr. Rodney Davis of Illinois; Mr. Yoho; Mrs. Walorski; Mr. Allen; Mr. Mike Bost of Illinois; Mr. Rouzer; Mr. Abraham; Mr. Emmer of Minnesota; Mr. Moolenaar; and Mr. Newhouse.

COMMITTEE ON APPROPRIATIONS: Mr. Frelinghuysen; Mr. Aderholt; Ms. Granger; Mr. Simpson; Mr. Culberson; Mr. Crenshaw; Mr. Carter of Texas; Mr. Calvert; Mr. Cole; Mr. Diaz-Balart; Mr. Dent; Mr. Graves of Georgia; Mr. Yoder; Mr. Womack; Mr. Fortenberry; Mr. Rooney of Florida; Mr. Fleischmann; Ms. Herrera Beutler; Mr. Joyce; Mr. Valadao; Mr. Harris; Mrs. Roby; Mr. Amodei; Mr. Stewart; Mr. Rigell; Mr. Jolly; Mr. Young of Iowa; and Mr. Jenkins of West Virginia.

COMMITTEE ON ARMED SERVICES: Mr. Jones; Mr. Forbes; Mr. Miller of Florida; Mr. Wilson of South Carolina; Mr. LoBiondo; Mr. Bishop of Utah; Mr. Turner; Mr. Kline; Mr. Rogers of Alabama; Mr. Franks of Arizona; Mr. Shuster; Mr. Conaway; Mr. Lamborn; Mr. Wittman; Mr. Hunter; Mr. Fleming; Mr. Coffman; Mr. Gibson; Mrs. Hartzler; Mr. Heck of Nevada; Mr. Austin Scott of Georgia; Mr. Palazzo; Mr. Brooks of Alabama; Mr. Nugent; Mr. Cook; Mr. Bridenstine; Mr. Wenstrup; Mrs. Walorski; Mr. Byrne; Mr. Graves of Missouri; Mr. Zinke; Ms. Stefanik; Ms. McSally; Mr. Knight; and Mr. MacArthur.

COMMITTEE ON EDUCATION AND THE WORKFORCE: Mr. Wilson of South Carolina; Ms. Foxx; Mr. Hunter; Mr. Roe of Tennessee; Mr. Thompson of Pennsylvania; Mr. Walberg; Mr. Salmon; Mr. Guthrie; Mr. Rokita; Mr. Barletta; Mr. Heck of Nevada; Mr. Messer; Mr. Byrne; Mr. Brat; Mr. Carter of Georgia; Mr. Bishop of Michigan; Mr. Grothman; Mr. Russell; Mr. Curbelo of Florida; Ms. Stefanik; and Mr. Allen.

COMMITTEE ON ENERGY AND COMMERCE: Mr. Barton; Mr. Whitfield; Mr. Shimkus; Mr. Pitts; Mr. Walden; Mr. Murphy of Pennsylvania; Mr. Burgess; Mrs. Blackburn; Mr. Scalise; Mr. Latta; Mrs. McMorris Rodgers; Mr. Harper; Mr. Lance; Mr. Guthrie; Mr. Olson; Mr. McKinley; Mr. Pompeo; Mr. Kinzinger of Illinois; Mr. Griffith; Mr. Bilirakis; Mr. Johnson of Ohio; Mr. Long; Mrs. Ellmers of North Carolina; Mr. Bucshon; Mr. Flores; Mrs. Brooks of Indiana; Mr. Mullin; Mr. Hudson; Mr. Collins of New York; and Mr. Cramer.

COMMITTEE ON FINANCIAL SERVICES: Mr. King of New York; Mr. Royce; Mr. Lucas; Mr. Garrett; Mr. Neugebauer; Mr. McHenry; Mr. Pearce; Mr. Posey; Mr. Fitzpatrick; Mr. Westmoreland; Mr. Luetkemeyer; Mr. Huizenga of Michigan; Mr. Duffy; Mr. Hurt of Virginia; Mr. Stivers; Mr. Fincher; Mr. Stutzman; Mr. Mulvaney; Mr. Hultgren; Mr. Ross; Mr. Pittenger; Mrs. Wagner; Mr. Barr; Mr. Rothfus; Mr. Messer; Mr. Schweikert; Mr. Dold; Mr. Guinta; Mr. Tipton; Mr. Williams; Mr. Poliquin; Mrs. Love; and Mr. Hill.

COMMITTEE ON FOREIGN AFFAIRS: Mr. Smith of New Jersey; Ms. Ros-Lehtinen; Mr. Rohrabacher; Mr. Chabot; Mr. Wilson of South Carolina; Mr. McCaul; Mr. Poe of Texas; Mr. Salmon; Mr. Issa; Mr. Marino; Mr. Duncan of South Carolina; Mr. Brooks of Alabama; Mr. Cook; Mr. Weber of Texas; Mr. Perry; Mr. DeSantis; Mr. Meadows; Mr. Yoho; Mr. Clawson of Florida; Mr. DesJarlais; Mr. Ribble; Mr. Trott; Mr. Zeldin; and Mr. Emmer of Minnesota.

COMMITTEE ON HOMELAND SECURITY: Mr. Smith of Texas; Mr. King of New York; Mr. Rogers of Alabama; Mrs. Miller of Michigan; Mr. Duncan of South Carolina; Mr. Marino; Mr. Palazzo; Mr. Barletta; Mr. Perry; Mr. Clawson of Florida; Mr. Katko; Mr. Hurd of Texas; Mr. Carter of Georgia; Mr. Walker; Mr. Loudermilk; Ms. McSally; and Mr. Ratcliffe.

COMMITTEE ON THE JUDICIARY: Mr. Sensenbrenner; Mr. Smith of Texas; Mr. Chabot; Mr. Issa; Mr. Forbes; Mr. King of Iowa; Mr. Franks of Arizona; Mr. Gohmert; Mr. Jordan; Mr. Poe of Texas; Mr. Chaffetz; Mr. Marino; Mr. Gowdy; Mr. Labrador; Mr. Farenthold; Mr. Collins of Georgia; Mr. DeSantis; Mrs. Mimi Walters of California; Mr. Buck; Mr. Ratcliffe; Mr. Trott; and Mr. Bishop of Michigan.

COMMITTEE ON NATURAL RESOURCES: Mr. Young of Alaska; Mr. Gohmert; Mr. Lamborn; Mr. Wittman; Mr. Fleming; Mr. McClintock; Mr. Thompson of Pennsylvania; Mrs. Lummis; Mr. Benishek; Mr. Duncan of South Carolina; Mr. Gosar; Mr. Labrador; Mr. LaMalfa; Mr. Byrne; Mr. Denham; Mr. Cook; Mr. Westerman; Mr. Graves of Louisiana; Mr. Newhouse; Mr. Zinke; Mr. Jody Hice of Georgia; Mrs. Radewagen; Mr. MacArthur; Mr. Mooney of West Virginia; and Mr. Hardy.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM: Mr. Mica; Mr. Turner; Mr. Duncan of Tennessee; Mr. Jordan; Mr. Walberg; Mr. Amash; Mr. Gosar; Mr. DesJarlais; Mr. Gowdy; Mr. Farenthold; Mrs. Lummis; Mr. Massie; Mr. Meadows; Mr. DeSantis; Mr. Mulvaney; Mr. Buck; Mr. Walker; Mr. Blum; Mr. Jody Hice of Georgia; Mr. Russell; Mr. Carter of Georgia; Mr. Grothman; Mr. Hurd of Texas; and Mr. Palmer.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Mr. Sensenbrenner; Mr. Rohrabacher; Mr. Lucas; Mr. Neugebauer; Mr. McCaul; Mr. Palazzo; Mr. Brooks of Alabama; Mr. Hultgren; Mr. Posey; Mr. Massie; Mr. Bridenstine; Mr. Weber of Texas; Mr. Johnson of Ohio; Mr. Moolenaar; Mr. Knight; Mr. Babin; Mr. Westerman; Mrs. Comstock; Mr. Newhouse; Mr. Palmer; and Mr. Loudermilk.

COMMITTEE ON SMALL BUSINESS: Mr. King of Iowa; Mr. Luetkemeyer; Mr. Hanna; Mr. Huelskamp; Mr. Rice of South Carolina; Mr. Gibson; Mr. Brat; Mrs. Radewagen; Mr. Knight; Mr. Hurd of Texas; Mr. Curbelo of Florida; Mr. Mike Bost of Illinois; and Mr. Hardy.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Mr. Young of Alaska; Mr. Duncan of Tennessee; Mr. Mica; Mr. LoBiondo;

Mr. Graves of Missouri; Mrs. Miller of Michigan; Mr. Hunter; Mr. Crawford; Mr. Barletta; Mr. Farenthold; Mr. Gibbs; Mr. Hanna; Mr. Webster of Florida; Mr. Denham; Mr. Ribble; Mr. Massie; Mr. Rice of South Carolina; Mr. Meadows; Mr. Perry; Mr. Rodney Davis of Illinois; Mr. Sanford; Mr. Woodall; Mr. Rokita; Mr. Katko; Mr. Babin; Mr. Hardy; Mr. Costello of Pennsylvania; Mr. Graves of Louisiana; Mrs. Mimi Walters of California; Mrs. Comstock; Mr. Curbelo of Florida; Mr. Rouzer; and Mr. Zeldin.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Lamborn; Mr. Bilirakis; Mr. Roe of Tennessee; Mr. Benishek; Mr. Huelskamp; Mr. Coffman; Mr. Wenstrup; Mrs. Walorski; Mr. Abraham; Mr. Zeldin; Mr. Costello of Pennsylvania; Mrs. Radewagen; and Mr. Mike Bost of Illinois.

COMMITTEE ON WAYS AND MEANS: Mr. Sam Johnson of Texas; Mr. Brady of Texas; Mr. Nunes; Mr. Tiberi; Mr. Reichert; Mr. Boustany; Mr. Roskam; Mr. Tom Price of Georgia; Mr. Buchanan; Mr. Smith of Nebraska; Mr. Schock; Ms. Jenkins of Kansas; Mr. Paulsen; Mr. Marchant; Mrs. Black; Mr. Reed; Mr. Young of Indiana; Mr. Kelly of Pennsylvania; Mr. Renacci; Mr. Meehan; Mrs. Noem; Mr. Holding; and Mr. Smith of Missouri.

Mr. MESSER (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

HONORING ERIC GRANT ON HIS RETIREMENT

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

Mr. CRAWFORD. Mr. Speaker, I rise today in recognition of my friend Eric Grant, an extension agent for the University of Arkansas Division of Agriculture who will retire this week after 28 years of service to agriculture in my home county, Craighead County.

For nearly three decades, Mr. Grant has faithfully dedicated himself to all aspects of agriculture, including row crops, livestock, horticulture, family and consumer sciences, and 4–H. While Mr. Grant has rightfully earned a reputation throughout northeast Arkansas for knowing his trade, he has done so while cultivating meaningful and lasting relationships as well. Our region's agricultural producers and families have not only contacted him seeking information from a trusted adviser, they have also reached out to him as friends.

I can speak from experience about how Mr. Grant has helped me throughout the years, whether it involved my service as a TV news reporter, a farm broadcaster on the radio, or a legislator in the U.S. House of Representatives.

As Mr. Grant prepares to retire on Thursday, I wish him many days that reflect his outstanding service to Craighead County agriculture. Mr. Speaker, please join me and all of northeast Arkansas in honoring the service of Eric Grant and wishing him a happy retirement.

THE SECURE RURAL SCHOOLS PROGRAM NEEDS TO BE REAUTHORIZED

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

Mr. KILMER. Mr. Speaker, I rise today to call for the House to immediately take up legislation to reauthorize the Secure Rural Schools program.

For more than 100 years, the Federal Government has recognized the financial stresses that national forest land puts on local communities. The failure of Congress to reauthorize this program at the end of the last Congress has resulted in significant budget gaps and enormous uncertainty for county governments in my State and throughout the country.

School districts across the country are poring over their books, figuring out how to scale back essential services that they provide to students, to our kids, and to their families.

In Washington State, one county has seen its budget for the sheriff's office cut in half, making layoffs inevitable. The region I represent, Jefferson County, is now struggling to repair a key access road that was washed out from a storm.

Without Secure Rural Schools funding to complete the repairs, the county is left hoping a State emergency declaration will provide needed funds. Other counties are facing similar projects in limbo.

Mr. Speaker, let's maintain our Federal obligation to rural and timber communities and work in a bipartisan fashion to pass legislation that reauthorizes and funds this critical program as soon as possible.

CONGRESS NEEDS TERM LIMITS

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

Mr. WALKER. Mr. Speaker, it is a true honor to be here today, and I am humbled to serve in Washington following the Honorable Howard Coble. Before ever arriving in these hallowed Halls, I made a promise to always put the people before the politics.

Each day upon entering this most historic place, I am reminded that this House belongs to the people. This past November, these same individuals voiced their strong desire for change—real change—with fresh faces and new ideas.

As part of my commitment, I have joined several of my colleagues in supporting term limits for Members of Congress. As Members, we must always stay connected with our constituents without falling prey to special interests.

It is not always the most popular of choices, but I was sent to Washington to serve the people, and I believe that term limits are needed to ensure that we never lose sight of why we are here.

RAISE THE MINIMUM WAGE NOW

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

Mr. HIGGINS. Mr. Speaker, 29 States, including my home State of New York, and the District of Columbia guarantee a minimum wage higher than that required by Federal law. These States recognize that $7.25 an hour is not enough to support an individual or a family of four's basic needs. No American who works full time should have to live in poverty.

Because the minimum wage has not kept pace with inflation, today, it holds less buying power than it did in 1981. This is unacceptable. Raising the minimum wage will not only increase earnings for millions, but it will also increase consumer demand by bolstering the purchasing power of low-income Americans.

Eighty-eight percent of those who would benefit from a Federal minimum wage increase are 20 years old or older and 55 percent are women. While New York is on track to increase its minimum wage to $9 by 2016, State-by-State increases are not enough. Sixteen States remain at or below the Federal level, and disparities between the States creates economic uncertainty.

The time to raise the Federal minimum wage is now.

THE PRESIDENT'S IMMIGRATION ACTIONS

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

Mrs. WALORSKI. Mr. Speaker, I rise today in support of our opportunity as a Congress to stop an unconstitutional action by the President and allow Congress to perform its constitutional responsibilities: to write and create the laws of this great land.

Article I, section 8 of the Constitution is clear. It is Congress' responsibility to write the law; the President's job is to simply enforce those laws.

Unfortunately, President Obama has initiated some of the largest executive power grabs in American history by unilaterally rewriting our Nation's immigration laws. These actions have ignored the will of the American people.

This week, the House will address those reforms and prevent the President and future Presidents from abusing that authority, breaking the law,

and ignoring the Constitution at the expense of resolving a national crisis.

HONORING THE OHIO STATE BUCKEYES

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

Mrs. BEATTY. Mr. Speaker, I rise today to say congratulations to the Ohio State Buckeyes for their victory last night for the first College Football Playoff National Championship game.

Mr. Speaker, I have the proud honor of representing the Third Congressional District of Ohio, home of the victorious Buckeyes football team.

Mr. Speaker, last night, I joined my Ohio congressional delegation and others to cheer for the Buckeyes. Mr. Speaker, football is definitely a bipartisan activity.

The most valuable player, Ezekiel Elliott, broke national championship records for rushing yards and rushing touchdowns; and to our winning quarterback, Cardale Jones—who made the victory possible last night—to all the players, fans, the band, coaches, and athletic directors, I say, ''Congratulations.''

Go, Bucks.

GOOD SAMARITAN SEARCH AND RECOVERY ACT

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

Mr. HECK of Nevada. Mr. Speaker, it has been nearly 3 years since Las Vegas taxi driver Keith Goldberg was abducted, killed, and his body dumped in the Lake Mead Recreation Area.

When law enforcement searches for Keith's body were ended due to limited resources, the Goldberg family turned to Red Rock Search and Rescue, a nonprofit group of trained professionals, to continue the search.

They immediately hit a Federal regulatory roadblock. The team from Red Rock was told they needed to obtain a $1 million insurance policy for a special use permit to gain access to Federal lands.

It took 9 months for the group to raise the funds necessary to obtain the insurance. When they finally entered the park almost 1 year after Keith first went missing, it took the team all of 2 hours to locate Keith's remains.

Mr. Speaker, last Congress, I introduced legislation to allow Good Samaritan search groups to waive Federal liability and access public lands to conduct missing persons searches. It passed this House by an overwhelming bipartisan vote of 394–0. Unfortunately, time expired on the session before the Senate could take action.

I come to the floor today to announce that tomorrow I will, once again, introduce the Good Samaritan Search and Recovery Act. I urge the House to take swift action on this legislation because unnecessary red tape must not continue to get in the way of providing closure for families like the Goldbergs.

DEPARTMENT OF HOMELAND SECURITY FUNDING

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

Mrs. DAVIS of California. Mr. Speaker, in December, Congress passed a spending bill to keep the government open, finally providing some certainty to our economy.

Another shutdown was the last thing anyone needed, but we cannot forget that one agency was left out: the Department of Homeland Security. Creating uncertainty at Homeland Security is reckless because it threatens our national security.

The tragic events in France remind us that we need to be as vigilant as ever. So why is this funding held back? So the majority can try to force its immigration policy on the President and the full Congress.

We can and we should have the immigration debate, but it should not hold hostage the hardworking men and women who guard our ports and protect our borders.

Mr. Speaker, let's do the right thing. Let's fund Homeland Security and have a proper debate on immigration. This is not an either/or situation; it is a both/and.

THE CBP NEEDS TO PAY WHAT IT OWES

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

Mr. BOUSTANY. Mr. Speaker, I rise to draw attention to an issue with serious implications for Louisiana.

Over the past 20 years, Customs and Border Protection has not only failed to collect $2.3 billion in antidumping duties, it has doubled down by refusing to pay collected interest owed to American industries like Louisiana's crawfish processors.

Last October, CBP promised this Louisiana industry it would disburse $6 million in interest, only to reverse its decision 1 month later. This is just unacceptable.

While I was able to include language in the Homeland Security Appropriations bill to address this issue, I still don't believe it goes far enough to ensure that CBP is forced to follow through on paying what it owes under the law.

It is vitally important that Congress hold CBP accountable. This industry is not only an important job creator, it has deep Louisiana roots in Louisiana's culture.

Mr. Speaker, I will not allow CBP to run over this industry without a fight.

□ 1215

WE WILL NOT ALLOW THE WORLD TO STAND BY WHILE BOKO HARAM KILLS

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

Ms. JACKSON LEE. Mr. Speaker, I rise today again to join my colleagues whom you will hear from to challenge this dastardly act of our 300 girls that remain captured, abused, violated, impregnated, and maybe even married into the horrors of Boko Haram. These women and these voices that you see are the very women that we met when we went to Borno State just last year as they pleaded to be able to bring the girls back, but now their voices were turned toward the 2,000 who have been killed by the horrors of Boko Haram.

So, Mr. Speaker, as I join my colleagues today, I ask for a global response in the war on Boko Haram, a global response from the African Union, a global response from the United Nations, and a global response from the world to fight against Boko Haram and, at the same time, to save the boys that are being recruited by this violent and horrible leader. This leader is turning these young boys into violent killers. 2,000 dead bodies are all over the ground, and our girls now are still suffering.

So to these beautiful women who are now still in the midst saying bring the girls back, I want to tell them that we are coming to the rescue. We will not allow the world to stand by while Boko Haram kills.

THE RULE OF LAW

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

Mr. LAMALFA. Mr. Speaker, late last year we saw the President knowingly act to ignore Federal immigration law, claiming to grant legal status to millions who entered the country illegally—which looks a lot like amnesty to many Americans—an action done in complete defiance of our Nation's rule of law.

This week the House will act to defund the President's plan. Some have claimed this plan is funded by fees and fines and that Congress can't prevent it. I have one answer for them:

> No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

These are words straight out of Article I, section 9 of the Constitution. There are no exceptions, no asterisks, and no fine print.

The unilateral attacks on our rule of law and unprecedented power grabs from this President need to end. These measures included in H.R. 240 are important steps in doing just that.

Mr. Speaker, I urge my colleagues to support this legislation that will stop the President's executive overreach and defend the will of the American people.

DHS FUNDING BILL

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

Ms. ADAMS. Mr. Speaker, I rise today to urge my Republican colleagues to stop toying with our Nation's security. Disrupting funding to the Department of Homeland Security is an extreme and reckless form of partisan politics. Even Senate Republicans have expressed concern over the tactics used by their House colleagues.

Defunding key security infrastructure is unacceptable. Republican Senator MARK KIRK said it best: cooler heads must prevail, and we must defend critical security infrastructure.

In recent days both France and Nigeria experienced tragic terrorist attacks. These attacks highlight the threat here at home. Now is not the time to weaken our defenses.

Mr. Speaker, shutting down any government agency is irresponsible. House Republicans should have learned their lesson in 2013. When will they stop the partisan politics and start legislating?

HONORING THE MEMORY OF HUGH TARBUTTON

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise today to honor the life of Mr. Hugh Tarbutton. Hugh will be fondly remembered and sorely missed.

During his life, Hugh was many things: a husband, a father, a philanthropist, and an entrepreneur. Mr. Tarbutton attended the Sandersville high school and went on to Emory Oxford College.

Among his many accolades, Hugh received the Emory Medal, which is the highest medal given and honor granted to Emory alumni. In addition to advancing education, Mr. Tarbutton championed economic growth in Georgia while serving as president and CEO of the Sandersville Railroad Company.

Mr. Tarbutton is survived by his wife of 53 years, Gena, and their four children—Hugh, Jr., Charles, Ben, and Loulie—and their eight grandchildren.

Hugh will be remembered in many ways, but to those who knew him best, he will be remembered as a great friend.

Mr. Speaker, I ask my colleagues to join me in honoring the life and legacy of Hugh Tarbutton.

BRING BACK OUR GIRLS

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

Ms. WILSON of Florida. Mr. Speaker, since last year's kidnapping of over 200 Nigerian schoolgirls, Boko Haram's violence and attacks have not stopped. Instead, they have become more violent, more deadly, and more frequent.

Mr. Speaker, last week Boko Haram attacked the Nigerian town of Baga, killing 2,000 men, women, and children. Furthermore, as recently as Sunday, there have been reports of young girls as young as 10 years old being used as suicide bombers and sent into crowded markets by Boko Haram militants.

Mr. Speaker, we can no longer stand by idly and watch as innocent little girls are strapped with explosives and civilians are slaughtered by the thousands. Too many lives have been lost and innocent people murdered at the hands of those who use religion to propagate hate and oppression. My heart goes out to the victims and their families.

Mr. Speaker, I call on my colleagues to join me and members of the House Foreign Affairs Committee in condemning the devastating actions of Boko Haram. We must keep fighting those that would use terrorism and fear to oppress us, and we must keep tweeting, as I have for 273 days—#BringBackOurGirls and #JoinRepWilson—to show that we have not and we will not forget.

Tweet, tweet, tweet, tweet.

URGING THE PRESIDENT TO WORK WITH REPUBLICANS TO SOLVE PROBLEMS FOR THE AMERICAN PEOPLE

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

Mr. WALBERG. Mr. Speaker, I rise today to urge President Obama to work with Republicans in this new Congress.

After being sworn in last week, we immediately got to work voting on legislation to boost job creation, provide relief from ObamaCare, increase America's energy security, and create more job opportunities for veterans. All these bills passed with strong bipartisan support. Yet for some reason the President has already said he will veto at least two of them.

Mr. Speaker, building the Keystone pipeline will put Americans back to work and help secure our energy future. Restoring ObamaCare's definition of full-time employment from 30 hours to 40 hours will increase take-home pay for hourly workers.

Mr. Speaker, we are here to solve problems and deliver positive results for the American people. For the good of America, I hope the President will put down his veto pen and join us in that effort.

HOMELAND SECURITY APPROPRIATIONS

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I think they have reached a new low. The Republican majority has decided that they are willing to shut down the agency that detects, deters, and responds to threats in our homeland.

With an elevated terror alert status and in light of what just happened in Paris, they must have a good reason; right? Wrong. They are holding essential antiterrorism funding hostage because they want to deport the DREAM kids. They are putting our homeland security and our entire way of life at risk because they want to separate mothers from their children.

Mr. Speaker, there is a phrase in Spanish for this: ''no tienen verguenza,'' which means, ''they have no shame.''

Stop playing games with our homeland security and put forward a clean funding bill.

DEFERRED ACTION FOR CHILDHOOD ARRIVALS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to discuss President Obama's recent expansion of the Deferred Action for Childhood Arrivals, or DACA, which will protect a large number of unlawfully present aliens from deportation. In addition to constitutional concerns and national security implications, the action poses a range of unintended consequences.

Because illegal immigrants who are granted deferred action are exempt from being counted under the 2010 health care law's employer mandate, which requires employers with 50 or more employees to offer health insurance or pay a penalty, the President's policy, in effect, creates an incentive to hire illegal immigrants over lawfully present workers.

Mr. Speaker, the President's policy disadvantages the hiring of American citizens and those lawfully present in the United States—the men and women who have come through legal channels, worked hard, and played by the rules—by making it economically advantageous to hire workers who came to the country illegally.

This week Congressman MATT SALMON of Arizona and I intend to offer an amendment to the Department of Homeland Security appropriations that will address this injustice. I encourage my colleagues to join in support of the commonsense, necessary check on the Obama administration.

U.S. POSTAL SERVICE SETS HOLIDAY RECORD

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

Mrs. LAWRENCE. Mr. Speaker, I stand before you today to recognize a Federal agency that I am proud to say that I was a part of for many years: the United States Postal Service. I recall the pride and the sense of responsibility in delivering the U.S. mail.

I am honored to share the most recent achievement of the postal service with you. Sunday deliveries and other adjustments to mail processing were instrumental in allowing the United States Postal Service to set holiday season records, with 524 million packages delivered in December. That is up 18 percent from 2013.

The United States Postal Service has reported it delivered more than 28 million packages on December 22, the busiest day and the largest single day for package delivery in its history. The package delivery record on December 22 was set while the United States Postal Service also delivered about 463 million pieces of mail.

Mr. Speaker, I want to take this moment to recognize and applaud the hardworking individuals who made this possible and to also say another 118,000 packages were delivered on Christmas Day.

RENEWED OPTIMISM FOR THE AMERICAN PEOPLE

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

Mr. YODER. Mr. Speaker, I rise today humbled and thankful for the opportunity to represent the people of the great State of Kansas for a third time.

As we begin the 114th Congress, we start with renewed optimism for a fresh start for the American people. I am proud to join my colleagues here in the people's House from both sides of the aisle from across our great Nation as we work together to try to repair this institution and to represent the voices of the American people.

Mr. Speaker, last week we took steps to create jobs and unleash our economy by authorizing construction of the Keystone pipeline, rolling back job-killing portions of ObamaCare, and helping our heroic veterans get back to work.

This week we will move decisively to stop the flow of illegal immigration into our country and to reestablish the rule of law and to adhere to the Constitution that governs our great Nation.

Mr. Speaker, the American people are counting on us. Now is the time for bold leadership to do great things. Now is the time for the people's House to rise to the challenge and to stand up for the American people.

FIFTH ANNIVERSARY OF HAITI EARTHQUAKE

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

Ms. LEE. Mr. Speaker, I rise to commemorate the fifth anniversary of the devastating earthquake that struck the nation of Haiti. Monday marked 5 years since a magnitude 7.0 earthquake struck some 15 miles southwest of Port-au-Prince, Haiti's population center and the seat of its government.

Mr. Speaker, the aftermath of the quake was unimaginable. Estimates of as many as 316,000 people perished, and nearly 1.3 million were displaced. This tragedy struck in a nation already hobbled by grinding poverty, health disparities, and food insecurity. It crippled the infrastructure of government, destroyed the National Palace, ministry buildings, and tragically robbed the nation of some of its most talented civil servants.

In spite of the many challenges, once again, the Haitian people rose to the occasion, and our Nation, to date, has contributed billions to recovery efforts, along with donors around the world. The American people and the Haitian people deserve that this aid be delivered in the most effective way.

My bill, the Assessing Progress in Haiti Act, had bipartisan support and was signed into law by President Obama. This bill—now this law—provides critical oversight and reporting. And this week, along with my colleague Congresswoman FREDERICA WILSON, we are asking our colleagues to join us to reintroduce a resolution commemorating this tragic earthquake.

□ 1230

BOKO HARAM KILLS IN THE NAME OF RELIGION

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

Mr. POE of Texas. Mr. Speaker, on Saturday, a 10-year-old girl walked into a crowded Nigerian market with a bomb strapped around her body. She walked through a metal detector, and the bomb exploded, killing her and dozens around her. The device reportedly was controlled by Boko Haram terrorists.

Days earlier, Boko Haram invaded the town of Baga, Nigeria, armed with grenades, explosives, and assault rifles. News reports say up to 2,000 bodies have been found, many of them children and the elderly who could not escape.

Boko Haram means ''Western education is sinful.'' They have inflicted genocide in their reign of terror in Nigeria. Their goal is to impose shari'a law in that country.

This al Qaeda-affiliated group of thugs, bandits, and outlaws slaughter both Christians and Muslims in the name of religion. 10,000 people were killed last year in Boko Haram terror. Boko Haram abducted 200 Nigerian girls and made sex slaves out of them. These girls are still missing.

Mr. Speaker, Boko Haram is not going away. They are part of the cancer of radical Islamic terror that has to be eliminated.

And that is just the way it is.

DEPARTMENT OF HOMELAND SECURITY FUNDING

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

Mr. VEASEY. Mr. Speaker, I rise today to call on my Republican colleagues to just stop it; stop endangering the American public, stop endangering our national security and get to work for the American people.

The Department of Homeland Security should have been properly funded when the CR/Omnibus bill passed. Homeland Security is supposed to ensure our local law enforcement, emergency responders, antiterrorism experts, and border security professionals have the resources they need to keep our country safe. Instead, House Republicans continue to talk about deporting kids and pushing their anti-immigrant agenda against Dreamers and compromising our national security.

This way of thinking, this type of exclusion is what divides our Nation. In a time when we need to be strong and stand together, Republican House leadership continues to turn their backs on opportunities to work together. The only way to fix our broken immigration system is by passing true immigration reform that secures our borders, protects our workers, unites our families, and provides an earned pathway to citizenship.

It is time to pass a clean DHS funding bill and bring comprehensive immigration reform to a vote.

CONGRATULATING THE OHIO STATE UNIVERSITY

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

Mr. STIVERS. Mr. Speaker, I rise today to congratulate my alma mater, the Ohio State University, on being the first team to win the college football playoff. Go, Bucks.

After beating the number one-ranked University of Alabama team in the Sugar Bowl, the Ohio State University beat the number two-ranked team, the University of Oregon, last night 42–20 to become the first undisputed national champion. Go, Bucks.

This Buckeye team has heart, talent, and teamwork on their side. In fact, they are the first team in history to be ranked outside the top 10 in November and go on to win a national championship. Go, Bucks.

This championship is a result of coaches like Urban Meyer, Luke Fickell, and Chris Ash, and impressive scholar-athletes like Braxton Miller, J.T. Barrett, Cardale Jones, Ezekiel Elliott, Tyvis Powell, Darron Lee, Joey Bosa, as well as the entire Buckeye squad. Go, Buckeyes.

Mr. Speaker, before I yield back the balance of my time, I want to leave you with this: O-H.

ADMINISTRATION URGED NOT TO PROSECUTE GENERAL PETRAEUS

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

Mr. SHERMAN. Mr. Speaker, I will be circulating a letter for signature urging the administration not to prosecute General Petraeus. It will ask Eric Holder to use his prosecutorial discretion to close the file now. And if Attorney General Holder will not do so, to urge the President to immediately pardon General Petraeus.

Keep in mind that General Petraeus has an incredible record of service to our Nation. The items he disclosed, if any, were to an Army Reserve Officer who had security clearance, and the disclosure has not gone any further. Given his record to our country, we should not be spending taxpayer dollars in this prosecution.

But here is the delicious irony. While the prosecutors accuse General Petraeus of mistakenly disclosing confidential information—maybe they are right, maybe not—they themselves have clearly and intentionally violated law and disclosed confidential information, namely that they are making a recommendation to the Attorney General that he prosecute General Petraeus. So if the Justice Department has unlimited funds to investigate and prosecute, perhaps they should start with their own ranks and at least purge their ranks of those who violate their employment responsibilities and leak confidential information.

STOPPING EXECUTIVE AMNESTY

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

Mrs. BLACKBURN. Mr. Speaker, I rise today to speak about my amendment that is going to be offered to the Department of Homeland Security appropriations bill. It is part of our effort to stop President Obama's executive amnesty.

The amendment would freeze the Deferred Action for Childhood Arrivals Program by prohibiting any Federal funds or resources from being used to consider or adjudicate any new renewal or previously denied application for any alien requesting consideration for the deferral. Individuals currently in the program would be allowed to continue through the remainder of their deferral period.

Last year, I had the opportunity to visit the UAC facility at Fort Sill and also to spend some time on the southern border, where agents briefed me. The visits confirmed what we have known all along: DACA is the magnet for drawing Central American children here. Unaccompanied alien children believe they are going to receive amnesty. That is a false hope. There are also problems with the Office of Refugee Resettlement, with physical abuse of these children, and we know that the American people want us to take this action. Seventy-five percent reject executive amnesty.

I encourage the body to join me today in passing the Blackburn amendment.

DEFEAT DIVISIVE ANTI-IMMIGRATION AMENDMENTS

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

Ms. CLARK of Massachusetts. Mr. Speaker, almost every day I hear from the families in my district who are frustrated by the disconnect between what they need and the discussions that we have here in Congress and Washington. Only 1 week into the 114th Congress, the Republican majority is back with the same divisive agenda that is at the root of the public's frustration.

Instead of focusing on policies that help families succeed, House Republicans have introduced legislation that not only risks our national security but tears families apart. In this time of increased terrorism, what do these amendments target? American Dreamers, young people who were brought to this country as children. These amendments jeopardize our national security and do nothing to fix our broken immigration system. These amendments represent dangerous, mean-spirited, divisive politics at its worst, and I hope they are defeated.

ENDING EMBARGO AGAINST CUBA

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

Mr. POLIS. Mr. Speaker, for more than four decades the United States has pursued a policy of an embargo against our neighboring nation to the south, Cuba. President Obama has taken the first steps towards moving towards the end of isolating the Cuban people and the Cuban nation.

I applaud his efforts to reengage in a diplomatic way and through tourism with the country of Cuba. Clearly the policy of an embargo has failed to bring down the regime of Fidel and Raul Castro. Let's instead try a policy of engagement where the ideas of democracy and human rights can spread across Cuba and across much of the world after the ending of the cold war.

The time for the embargo is over. I call upon Congress to continue to pursue a repeal of the embargo and establishment of normal trade and diplomatic relations with the nation of Cuba so we can continue to, where appropriate, criticize their human rights record and engage them in respecting the rights of all people, and in trade, create jobs on both sides.

PROVIDING FOR CONSIDERATION OF H.R. 37, PROMOTING JOB CREATION AND REDUCING SMALL BUSINESS BURDENS ACT; PROVIDING FOR CONSIDERATION OF H.R. 185, REGULATORY ACCOUNTABILITY ACT OF 2015; AND PROVIDING FOR CONSIDERATION OF H.R. 240, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 27 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 27

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 37) to make technical corrections to the Dodd-Frank Wall Street Reform and Consumer Protection Act, to enhance the ability of small and emerging growth companies to access capital through public and private markets, to reduce regulatory burdens, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 185) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House

resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 4. The chair of the Committee on Appropriations may insert in the Congressional Record not later than January 14, 2015, such material as he may deem explanatory of H.R. 240.

The SPEAKER pro tempore (Mr. POE of Texas). The gentleman from Texas is recognized for 1 hour.

□ 1245

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

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, we are here today because of failed liberal policies of the President of the United States. Through his unilateral executive actions taken in November and through policies pursued throughout his administration for a number of years, the President's policies have harmed the American taxpayer.

Specifically, that is why we are here today as part of this funding bill, to make sure that we address those problems that we see. Today, the House of Representatives will fight the President's failed liberal Democratic dogma and provide for a Homeland Security bill that actually protects the homeland and the American taxpayer.

This past summer, the American people saw what happens when the executive branch pursues policies that are not in the best interests of the American people. Over 70,000 unaccompanied minors from South and Central America entered our country illegally. They did this because they believed that this administration would allow them entry into the United States—and, by the way, it looks like it worked.

This influx was a costly mistake for the taxpayer and for communities all across this country. Federal taxpayers paid $553 million. We put local schools at risk and stretched the resources of communities all across this country to a tipping point.

Mr. Speaker, that is why we are here engaged in this fight. This bill represents conservative Republican solutions on how to protect the homeland and the rule of law. Within this rule is a bill to fund the Department of Homeland Security, as well as five amendments that represent a united fight against the President's executive amnesty plan.

Let me be perfectly clear. I believe that the President's actions on executive amnesty are unwise and unconstitutional, and they must be stopped. This package provides this body with the opportunity to effectively block and reverse the President's unilateral amnesty, reassert the rule of law, and uphold our Constitution.

America became the laughing stock of the world by the way we dealt with this issue, and it lands directly at the feet of the President of the United States. That is why we are here today and are issuing this bill to the United States Senate, to have them take the appropriate action that is necessary, so that we may work together so that America is safe and that we do not have actions that America should not undertake.

We have a number of Republicans who wish to speak on this rule today. I look forward to hearing their thoughts, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman from Texas for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this rule.

First of all, when we have spending bills that make it here to the floor of the House, we traditionally have had an open amendment process for those appropriations bills. That allows Members on both sides of the aisle to offer cuts to move things around.

At the time of bloated budget deficits, why aren't the Republicans allowing any cuts to be made from this bill? They are not allowing Democrats or Republicans under a closed rule to offer savings to the Federal Government from bloated budgets.

They are limiting amendments on two other bills, a completely unrelated anti-regulatory bill and also a bill with regard to Financial Services that I offered an amendment along with Mr. ISSA to improve are not allowed under this rule as well.

It is a very bad precedent for congressional procedure here in our second week to shut down ideas from both sides of the aisle to make either of these bills better beyond a select few ideas that have apparently been blessed by the Republican majority.

I heard in the Rules Committee last night—and my friend, the chair, did as well—a number of very good amendments that were offered, some that I didn't agree with, but I still thought we ought to be able to discuss and debate—I offered a few myself—but hardly any of these are actually allowed to be debated or voted on by the Members of this body.

Instead, what the Republicans have done is effectively hijack the discussion of homeland security and safety to instead have a discussion about our broken immigration system. Well, I was ready to go for that.

I offered an amendment that would have allowed us to vote on an immigration reform bill as part of the rule, one that passed the Senate with more than two-thirds support last session, one that I believe would still carry the support of more than 60 Senators—I think it would likely pass the House if it had been made in order—but I was shut down.

Instead of allowing a discussion about a solution to our broken immigration crisis, the Republicans seek to keep it alive, conflict for the sake of conflict, and to somehow lump families and children in with criminals for the same enforcement priority, which makes no sense to any law enforcement professional or any of our communities, which is why we have a broad coalition of the business community, the faith-based community, the law enforcement community, all outraged over the most recent Republican actions, which seem to cater to the far rightwing of their party, rather than seek pragmatic practical solutions to replace our broken immigration system with one that works.

With regard to the Financial Services bill, I offered a bipartisan amendment along with my colleagues, Mr. ISSA and Mr. ELLISON, to improve transparency, to modernize our financial reporting standards, to ensure that digital data was available and searchable by investors everywhere, to increase transparency with regard to public companies. Unfortunately, it was not allowed to be debated or voted on here on the floor of the House to improve this bill.

This is truly an obstructive and undemocratic approach to governing. Instead of the Members of this body—Democrat and Republican—being able to work together and propose ideas to improve bills, we are presented with bills that are ''our way or the highway,'' bills that will never become law, bills that have the threat of veto from

the President of the United States, and are presumably only being done to appease the rightwing Republican base.

Well, we should have started off this Congress with a fresh sensibility. We could have brought forward a clean Homeland Security Appropriations bill, allowed Members to improve it, to make cuts, to balance our budget deficit, to move things from programs that didn't work to programs that did. We could have brought forth a real jobs bill addressing the needs of working families.

Instead, what the Republicans have chosen to do is to play politics and jeopardize the safety of our country and our homeland security over a debate that they want to have with regard to immigration without offering any solutions.

One of the things that I took away from the meeting in the Rules Committee last night, in the testimony from Members on both sides of the aisle, is that nobody thought—Democrats or Republicans—that this Republican bill that defunded DACA and undid the executive action would actually solve our broken immigration system. Republicans and Democrats acknowledged it wouldn't.

So rather than playing politics with our defense of our homeland, why don't we roll up our sleeves and get to work to actually fix our broken immigration system and replace it with one that works?

Now, look, the bill provides for consideration of the Homeland Security bill, but everybody knows it is not a serious attempt at funding the Department of Homeland Security. There is a manufactured crisis, the first step in a sure-to-fail legislative process that the President himself has said he would veto.

Why is anybody in this body—reasonable lawmakers, all of them—placing the funding of Homeland Security at a time of increased national threat—we saw the events in France this last week—putting our defense of our homeland at risk?

Yes, our President took action. Some agree with it; some disagree with it. He used the authority that he has been given by this body to establish enforcement priorities with regard to the 10, 11, 12 million people who are here illegally.

Guess what, Mr. Speaker, if we don't solve our broken immigration system, there is only going to be more people here illegally; instead of 10 or 11 million, there could be 12 million, 14 million, 15 million, until we get serious about border security, about enforcement, about restoring the rule of law.

This bill doesn't do it. This bill says let's support children rather than criminals; let's prevent people that have registered, gotten right by the law, paid a fee, had a background check, had their fingerprints taken, let's prevent them from legally working or going to school; let's hang the threat of tearing them apart from their American kids over their heads.

Both sides acknowledge that is not the answer to fixing our broken immigration system. So let's move past this discussion, let's secure our homeland, and let's get to the discussion of how to fix our broken immigration system, which both sides agree this debate is not about.

This bill also provides for consideration of the Regulatory Accountability Act, another recycled bill from the last Congress. It is not an immigration reform bill; it is not a jobs bill. It is actually a bill that makes government function even less efficiently than it currently does.

It adds 84 new bureaucratic hurdles to make sure our food is toxin-free and safe to eat. It would bury agency rulemaking under a bureaucratic blizzard of hurdles and documentation requirements. This is a paperwork creation bill, this is a government inefficiency bill, the opposite of the direction we should be moving with regard to making government streamlined and more efficient.

Finally, this rule provides for consideration of the Financial Services bills, which this body considered last week, but again, when something doesn't pass under suspension, a procedure that requires two-thirds, the rule should hopefully enable Members on both sides of the aisle to improve upon the bill. I offered just such an improvement, as did some of my colleagues.

If the goal was to get to two-thirds rather than just pass this bill with a Republican majority, why don't we begin the difficult work of making this bill better, of improving on it, of taking ideas from Democrats and Republicans, to get this bill to the point where two-thirds of this body support it? Unfortunately, that did not occur, and this bill is being brought under a very restrictive rule.

We can do better. We can do better than closing down the traditional open process we have around amending appropriations bills. We can restore regular order and allow bills to actually be considered through the committee process here in this Congress, instead of appearing with 48 hours to read for Members of Congress, without even giving the opportunity to amend them. Unfortunately, in the second week here, the Republican majority is already making good governance a farce.

I urge my colleagues to vote ''no'' on this rule, to show that Congress can and will do better if you give the Democrats and Republicans who serve in this body the ability to legislate, to offer their ideas, to work with Members on their side of the aisle and the opposite side of the aisle, and to get to a point where we can present a bill that the President of the United States will sign and will become the law of the land.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Pennsylvania, Congressman LOU BARLETTA, who came to the Rules Committee last night to speak about the importance of this bill, the former mayor of Hazleton, Pennsylvania.

Mr. BARLETTA. Mr. Speaker, I rise in support of the rule and the amendments offered to the Department of Homeland Security Appropriations bill, including the amendment I coauthored with my colleagues, Congressman ADERHOLT of Alabama and Congressman MULVANEY of South Carolina.

Our amendment defunds President Obama's unlawful executive amnesty program for illegal immigrants.

Now, when I was mayor of my hometown of Hazleton, Pennsylvania, I saw firsthand how illegal immigration can affect a community. I believe that my stance against illegal immigration was why I was elected to Congress in the first place.

I am someone who has dealt with this as a smalltown mayor. I know what it looks like on the back end when the Federal Government doesn't do its job. Very simply, we are making sure that, at long last, we enforce the law.

First, it prevents the funding of carrying out the President's actions announced on November 20 of last year.

□ 1300

But let's be clear about something. The President's amnesty program did not just begin all of a sudden 2 months ago. It goes back much further than that, to the so-called Morton memos of 2011. They instructed immigration officers to ignore broad categories of illegal immigrants and halt deportation proceedings for them. In short, these memos told immigration officers to view the law the way that President Obama wished it had been written rather than how Congress actually wrote it.

We defund the implementation of the Morton memos. We also say that no funds can be used to implement any similar amnesty policies. That simply means that this or any other President cannot try to tweak their policies or try more trickery to try another end around past Congress without our approval.

Mr. Speaker, this states unmistakable congressional intent. The amendment says that the President's policies have no basis in law and are not grounded in the Constitution. We prevent anyone who receives such executive amnesty from being awarded any Federal benefits.

There are other amendments being considered, including stopping the Deferred Action for Childhood Arrivals program, or DACA, which was born out of the Morton memos. I support that amendment and all of the others as well.

Mr. Speaker, our Constitution is clear: the President of the United States does not have unilateral power. In America, we also have a legislature. As such, the President cannot simply make laws on his own. The Aderholt-Mulvaney-Barletta amendment makes that clear.

I urge support of the rule and the accompanying amendments to the DHS Appropriations bill.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I rise in strong opposition to this unfair rule. Here we are, just 2 weeks into the brandnew Congress, and the Republican leadership has decided to combine three major controversial bills into one rule. They aren't content to exclude amendments. Now they also want to stifle debate. It is ridiculous, it is shameful, it is undemocratic, and it needs to stop.

And why are they doing all of this? To what end? So they can attach poison pill amendments to the Homeland Security Appropriations bill.

We had a perfectly fine bipartisan bill ready to go last year, but no, the Republicans would rather play Russian roulette with our homeland security. They are being driven by the most extreme anti-immigrant voices in the Republican caucus. So we are going to waste at least this entire week and maybe even more weeks to come debating ugly anti-immigrant amendments that are likely dead on arrival in the Senate and will most certainly be vetoed by the President.

I say to my Republican friends: I get it. You can't stand this President, and it is making you irrational to the point that you are doing real harm to this country. And I understand that you would rather tear immigrant families apart than keep them together. But you had the opportunity last Congress—for months and months and months—to legislate on this issue. You chose not to. Instead, you have chosen to make a mess of a very important Homeland Security Appropriations bill. You have chosen to demagogue rather than legislate. With all that is going on in the world and with what happened in France, I ask my Republican friends: What are you thinking, playing politics with our national security?

For 6 years, the Republicans have blocked all efforts to fix our broken immigration system, and then they keep wailing and whining about it being broken. They keep punishing individuals and families who have been in our country for years, working hard, paying taxes, raising families. Enough is enough.

I urge my colleagues to choose fairness and compassion and to vote down this shameful rule.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Lewisville, Texas, Dr. BURGESS, from the Rules Committee.

Mr. BURGESS. I thank the chairman for yielding.

Mr. Speaker, I rise today to encourage people on both sides of the dais, both sides of the aisle, to support the rule and the underlying appropriations bill with its attached amendments.

I do tire of hearing people talk about our broken immigration system. Mr. Speaker, last year, in the United States of America, 1.1 million people came into this country, raised their right hand, took the oath of citizenship, and came in legally. And it has been that way every year that I have been in Congress since 2003. So, by my arithmetic, that is well over 12 million people that have become naturalized United States citizens in the last 10 or 12 years.

Does that sound like a system that is broken?

For comparison, let's look at other countries. The fact of the matter is, when you combine every other country on the face of the Earth, they don't match half of the number of people that are allowed to come into the United States and take the oath of citizenship.

But I will tell you what is broken. What is broken is the enforcement of our immigration laws, and we have seen that demonstrated time and again.

The President made some unilateral decisions in June of 2012, and we in Texas, particularly in the Lower Rio Grande Valley, understand very much what happens when someone makes adjustments without going through the rule of law. As a consequence, in late 2013, and then throughout the spring and summer of last year, we saw unprecedented amounts of unaccompanied minors simply coming across the border and turning themselves in to Customs and Border Patrol.

Now, why did they do that? Did someone just suddenly wake up one day in Honduras or Guatemala and say: I'm going to make that dangerous trek across the Mexican desert? No, it is because child traffickers, coyotes, saw what the President did, and said: Here's a business plan. Let's go to these families, charge them thousands of dollars, with the admonition that if you don't do it now, this door is going to close. But right now the President has got the door open for you to come up and get your amnesty. Step up and get it while you can.

So what did the President do in November? He doubled down on that. The message to the child traffickers around the world is: Y'all come. Y'all come and it will be all right.

But the fact of the matter is it is not all right. In fact, our homeland security is threatened.

This is an important bill. Judge CARTER has done enormous work to bring this bill to the floor. For that, I thank him. The bill is important, along with the amendments. I urge adoption of the rule, and I urge adoption of the underlying bill with its accompanying amendments.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I rise to oppose this rule.

Let us be perfectly clear about what is happening here today. House Republicans are holding our national security hostage to the extreme policies of their most radical Members. I speak from experience, having been one of the three or four that started this committee back after 9/11. You know that.

A vote for this rule and the poison pill amendments that will follow is a vote to shut down the Department of Homeland Security, plain and simple. It is a vote against the brave men and women in our Border Patrol, Secret Service, Coast Guard, and local public safety departments who put their lives on the line every day.

As the cochair of the Congressional Fire Caucus and the Public Safety Caucus, I am outraged that this stunt will jeopardize important funding under the Fire and SAFER grants programs. It provides community firefighters with the equipment they need and the ability to hire additional firefighters to help keep the risk of loss of life and property damage at a minimum.

I welcome a debate about immigration, but this is another ruse. This is an exact ruse. Whether you are talking about border security or whether you are talking about ''amnesty,'' it is a ruse. It doesn't matter whether it is this or something else to stop immigration, House Republicans have done nothing but run from that conversation.

Speaker BOEHNER has been sitting on a bipartisan comprehensive immigration bill since June of 2013. He has done nothing to move the bill through the House. He hasn't proposed an alternative. And if you don't like the President's executive actions to help address our broken immigration system, why haven't you put your own on the table?

Policies like the President's executive order provide responsible solutions to prevent families from being torn apart. Don't we want family unification? Don't we support that? In the bowel of our values, don't we support that more than anything else: keeping families together?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. Republicans have no solutions for these families—and they are out there. They are all over. It is quite simply unbelievable that they are willing to put politics before national security and shut down the Department of Homeland Security to block the President from implementing his solutions.

Let's end this charade now. You want to have a debate about immigration? Great. We welcome it. But we will not play along with this dangerous plan to jeopardize the safety and security of the American people. I urge my colleagues to oppose this rule.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from Ranger, Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. Mr. Speaker, I would like to read to you a few quotes. First:

With respect to the notion that I can just suspend deportations through executive order, that's just not the case, because there are laws on the books that Congress has passed.

Congress passes the law. The executive branch's job is to enforce and implement those laws.

The problem is that I'm the President of the United States, I'm not the emperor of the United States. My job is to execute laws that are passed.

I can't do it by myself. We're going to have to change the laws in Congress.

I am President. I am not king. I can't do these things just by myself.

I'm not a king. You know, my job as the head of the executive branch ultimately is to carry out the law.

I'm bound by the Constitution; I'm bound by separation of powers. There are some things we can't do.

Congress has the power of the purse, for example.

These are the words and the statements of the President of the United States. And words matter. But, even after the President said all of this in a politically motivated action last November, he pursued a course that could allow up to 5 million undocumented immigrants to remain in the United States illegally and without consequence.

Like my constituents, I am outraged. President Obama defied the will expressed by the American people last November and blatantly contradicted his own statements about the limits of the executive branch.

Now, let's be clear, lest others confuse this issue today. This is not a debate about immigration. That will come later. But this is about the rule of law. This is about the constitutional separation of powers. This is about the respect we owe the American people.

In this appropriations bill, we are exercising the power of the purse and we are taking a strong, narrow approach that will, first and foremost, provide security to our homeland and, secondly, deny any funds whatsoever from being used to carry out the President's unwise and, in my opinion, unconstitutional actions.

Now, I have to say, the President was right about a couple of things. He is not an emperor, and he is surely not a king. House Republicans are united in making sure that he doesn't get away with acting like one either. And yet before the debate even begins, last night the President has already issued threats. He is threatening to shut down the Department of Homeland Security because this bill prevents him from implementing his own ideology.

But make no mistake: a veto threat is a threat to our national security; a veto threat is an open invitation to our enemies. In the wake of the horrific terrorist attack this week in France, is the President really willing to compromise the safety of 320 million Americans to appease his base and score political points? God help us if that is the case.

Today, it is up to us in the House. Let us vote to defend the constitutional role of this legislature, let us vote to stop the President's blatant overreach, and let us vote to secure our homeland.

□ 1315

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. Mr. Speaker, I think my good friends who are on the floor today, my good friends on the Republican side of the aisle, have failed to read the Constitution, which includes, clearly, the President's authority for executive actions and not, as they have articulated, an executive order.

And it says in the ''take care clause'' that he has the ability to manage this government, as Presidents Reagan and Eisenhower did.

What I would offer to say is, there is nothing in what the President has done but to exercise executive action. But I will say to them that Secretary Johnson of Homeland Security has said that we are placing ourselves in a dangerous position, not because of the President's actions, not because of the appropriations bill, but because of these enormous poison pills that are stamping and stomping on the President's right to executive action.

I oppose all of the bills that are presently in this rule, including the regulatory bill, the Financial Services—all of them have poison pills. The regulatory bill, for example, wants 70 criteria before any agency can pass a regulation.

Yes, to my Republican friends, we are in a moment, a historic moment. France was more than a wake-up call. But what I will say to you is that we can pass a clean Homeland Security appropriations bill and we can end this dangerous condition that we are in.

I would ask my colleagues to eliminate the poison pills of pulling back on the President's constitutional authority.

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition to the rule for H.R. 240, the Homeland Security Appropriations Act for Fiscal Year 2015.

I oppose the rule because, if passed, the five Republican amendments made in order by the Rules Committee guarantee the bill will be vetoed by the President at a time when ensuring that the agencies charged with securing our border and protecting the homeland have the resources needed to keep us safe should be our highest priority.

House Republicans are playing a dangerous game of Russian Roulette with the security of America's homeland by recklessly adding this ''poison pill'' to legislation needed to fund the agencies and programs charged with securing the border and protecting the homeland.

Mr. Speaker, the amendments to H.R. 240 made in order by the Rules Committee are simply the latest attempt by House Republicans to prohibit the executive branch from exempting or deferring from deportation any immigrants considered to be unlawfully present in the United States under U.S. immigration law, and to prohibit the administration from treating those immigrants as if they were lawfully present or had lawful immigration status.

The rule we are being asked to accept makes in order amendment that seek to block the executive actions taken President Obama to address our broken immigration system by providing smarter enforcement at the border, prioritize deporting felons—not families—and allowing certain undocumented immigrants, including the parents of U.S. citizens and lawful residents, who pass a criminal background check and pay taxes to temporarily stay in the U.S. without fear of deportation.

Mr. Speaker, the executive actions taken by President Obama are reasonable, responsible, and within his constitutional authority.

Under Article II, Section 3 of the Constitution, the President, who is the nation's Chief Executive, ''shall take Care that the Laws be faithfully executed.''

In addition to establishing the President's obligation to execute the law, the Supreme Court has consistently interpreted the Take Care Clause as ensuring presidential control over those who execute and enforce the law and the authority to decide how best to enforce the laws. See, e.g., Arizona v. United States; Bowsher v. Synar; Buckley v. Valeo; Printz v. United States; Free Enterprise Fund v. PCAOB.

Every law enforcement agency, including the agencies that enforce immigration laws, has ''prosecutorial discretion''—the power to decide whom to investigate, arrest, detain, charge, and prosecute.

Agencies, including the U.S. Department of Homeland Security (DHS), may develop discretionary policies specific to the laws they are charged with enforcing, the population they serve, and the problems they face so that they can prioritize resources to meet mission critical enforcement goals.

Executive authority to take action is thus ''fairly wide,'' indeed the federal government's discretion is extremely ''broad'' as the Supreme Court held in the recent case of *Arizona* v. *United States,* 132 S. Ct. 2492, 2499 (2012), an opinion written Justice Kennedy and joined by Chief Justice Roberts:

> Congress has specified which aliens may be removed from the United States and the procedures for doing so. Aliens may be removed if they were inadmissible at the time of entry, have been convicted of certain crimes, or meet other criteria set by federal law. Removal is a civil, not criminal, matter. A principal feature of the removal system is the broad discretion exercised by immigration officials. Federal officials, as an initial matter, must decide whether it makes sense to pursue removal at all. If removal proceedings commence, aliens may seek asylum and other discretionary relief allowing them to remain in the country or at least to leave without formal removal. (emphasis added) (citations omitted).

The Court's decision in Arizona v. United States, also strongly suggests that the executive branch's discretion in matters of deportation may be exercised on an individual basis, or it may be used to protect entire classes of individuals such as ''[u]nauthorized workers trying to support their families'' or immigrants who originate from countries torn apart by internal conflicts:

Discretion in the enforcement of immigration law embraces immediate human concerns.

Unauthorized workers trying to support their families, for example, likely pose less danger than alien smugglers or aliens who commit a serious crime. The equities of an individual case may turn on many factors, including whether the alien has children born in the United States, long ties to the community, or a record of distinguished military service.

Mr. Speaker, in exercising his broad discretion in the area of removal proceedings, President Obama has acted responsibly and reasonably in determining the circumstances in which it makes sense to pursue removal and when it does not.

In exercising this broad discretion, President Obama not done anything that is novel or unprecedented.

Here are a just a few examples of executive action taken by several presidents, both Republican and Democratic, on issues affecting immigrants over the past 35 years:

1. In 1987, President Ronald Reagan used executive action in 1987 to allow 200,000 Nicaraguans facing deportation to apply for relief from expulsion and work authorization.

2. In 1990, President George H.W. Bush issued an executive order that granted Deferred Enforced Departure (DED) to certain nationals of the People's Republic of China who were in the United States.

3. In 1992, President George H.W. Bush granted DED to certain nationals of El Salvador.

Mr. Speaker, because of the President's leadership and far-sighted executive action, 594,000 undocumented immigrants in my home state of Texas are eligible for deferred action.

If these immigrants are able to remain united with their families and receive a temporary work permit, it would lead to a $338 million increase in tax revenues, over five years.

America's borders are dynamic, with constantly evolving security challenges. Border security must be undertaken in a manner that allows actors to use pragmatism and common sense.

And as shown by the success in the last Congress of H.R. 1417, the bipartisan "Border Security Results Act, which I helped to write and introduced along with the senior leaders of the House Homeland Security Committee, we can do this without putting the nation at risk or rejecting our national heritage as a welcoming and generous nation.

This legislation has been incorporated in H.R. 15, the bipartisan "Border Security, Economic Opportunity, and Immigration Modernization Act," legislation which reflects nearly all of the core principles announced professed last year by House Republicans.

As a nation of immigrants, the United States has set the example for the world as to what can be achieved when people of diverse backgrounds, cultures, and experiences come together.

We can and should seize this historic opportunity pass legislation to ensure that we have in place adequate systems and resources to secure our borders while at the same preserving America's character as the most open and welcoming country in the history of the world and to reap the hundreds of billions of dollars in economic productivity that will result from comprehensive immigration reform.

President Obama has acted boldly, responsibly, and compassionately.

If congressional Republicans, who refused to debate comprehensive immigration reform legislation for more than 500 days, disapprove of the lawful actions taken by the President, an alternative course of action is readily available to them: pass a bill and send it to the President for signature.

Mr. Speaker, I urge all Members to vote against the rule so we can put an end to the dangerous game of playing Russian Roulette with the security of America's homeland.

Let us defeat this rule and bring to the floor a clean Homeland Security spending bill that the President can sign into law.

Mr. SESSIONS. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. ALLEN), one of our brand new freshmen.

Mr. ALLEN. I thank the gentleman from Texas for yielding.

Mr. Speaker, I rise in strong support of this combined rule and the underlying bills. Specifically, I came to the floor to speak in support of H.R. 240, the Department of Homeland Security Appropriations Act of 2015.

First, I applaud House leadership for bringing up this clean legislation in a timely fashion and allowing the full House of Representatives the opportunity to work the will of the body, which is, in fact, the will of the American people.

The amendments approved in this rule are vital to protecting the constitutionally mandated separation of powers between Congress and the executive branch, while keeping the Department of Homeland Security funded through fiscal year 2015.

I would like to remind my colleagues who are opposed to this bill, just last week, Members of the House read on this floor the Constitution of the United States, myself included, and renewed our commitment to defending the principles in our Nation's founding document.

In that Constitution, article I gave all legislative powers and authority to Congress and established the framework of our legislative process.

The President's executive action on immigration threatens this separation of powers, ignores our Constitution, disregards the right of the American people to have a voice in important legislation through their elected representatives.

Americans sent a clear message on November 4. They did not want the President to act alone on immigration. Now, this bill and the accompanying amendments are sending a strong message that Congress will not stand by as the President attempts to rewrite our Nation's laws.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. THOMPSON), the distinguished ranking member of the Committee on Homeland Security.

Mr. THOMPSON of Mississippi. I thank the gentleman from Colorado (Mr. POLIS) for yielding me time.

Mr. Speaker, I rise in strong opposition to the rule. Just over 1 month ago, I stood on this floor urging the majority to allow Members of this Chamber to fund the Department of Homeland Security in the omnibus. The majority did not listen.

In the past month, even as the majority plotted to punish the Department for the President's action on immigration, a series of terrorist incidents across the globe have brought into sharp focus the need for a fully funded and fully functional DHS.

First, in Sidney, Australia, we witnessed a terrorist attack on a cafe where, at the end of a lengthy standoff, two innocent people lay dead.

The crippling cyber attack on Sony Pictures Entertainment's network raised awareness of the damage that hacks can do.

Then, last week in Paris, there were a series of terrorist attacks that have sent shock waves beyond the borders of France.

The execution-style murders of 12 members of the creative team of Charlie Hebdo, followed by the indiscriminate killing at a Jewish supermarket, are not simply tragic incidents; they serve as a reminder that the terrorist threats we face are evolving, and they are evolving quickly.

As Members of Congress, we have a responsibility to give the Department of Homeland Security the resources it needs to be dynamic and agile in response to these evolving threats.

The underlying DHS appropriations bill under consideration today, although not perfect, could certainly pass both Chambers and be enacted into law with the President's signature.

However, the likelihood, dare I say inevitability, that one or more of the poison pill amendments that the Rules Committee approved will get attached ensures a DHS shutdown or slowdown continues.

And to what end?

The majority decries the administration's immigration actions but offers no solution.

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. THOMPSON of Mississippi. I thank the gentleman for the additional 30 seconds.

The majority decries the administration's immigration actions, but offers no solution or alternatives of its own. Instead, it plays and replays the game of we will or we won't fund the government.

Mr. Speaker, the game of chicken has come and run its course. It is time to provide full-year funding to DHS so it can continue its critical mission.

Mr. SESSIONS. Mr. Speaker, I yield 1½ minutes to the gentleman from the First District of Georgia, Pooler, Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman from Texas for yielding some of his time.

This bill is necessary to make sure that the negative effects associated

with the President's actions do not cause long-term damage to our country.

As a new Member of Congress, I was sent to Washington to represent the people of southeast Georgia against the numerous harmful actions taken by the President and his administration.

From the time that I have been here, I have been shocked by the actions of the President and the way he directly ignores the will of the American people, statutory law, and, most importantly, the Constitution of this country.

This bill makes sure that no funds will be used to implement the President's executive order that allowed thousands of illegal immigrants to stay in this country.

This bill also makes sure that no funds will go to implement any rule or regulation that has been issued by the administration over the last several years.

It is time to stand up to the President and say, no more. No more, Mr. President. No more rewarding bad behavior. No more rules that ignore the will of the American people. No more ignoring statutory law. And most importantly, no more ignoring the Constitution of the United States.

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

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. I thank my friend from Colorado.

Mr. Speaker, I rise in opposition to the rule for H.R. 240. It is sad, Mr. Speaker, that just 2 weeks into this new Congress, Republicans have turned a bipartisan issue, funding our Department of Homeland Security, into a cesspool of despicable amendments that cater to the most extremist anti-immigrant fringe.

There is the Blackburn amendment mandating that we deport thousands of students who are as American in their hearts as you or I.

There is the Aderholt amendment prohibiting DHS from prioritizing whether we deport hardworking parents or hardened criminals.

And there is the Schock amendment decrying the legal immigration backlog but doing nothing, absolutely nothing, to fix it.

Guess whose amendment wasn't accepted?

The Deutch-Foster amendment, which would save taxpayers over $1 billion a year by ending the detention bed mandate, effectively an earmark that requires 34,000 beds be filled by immigrants every single day inside for-profit detention centers.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Mr. DEUTCH. Mr. Speaker, I thought we were here to solve problems. What this bill reveals instead, unfortunately, is a majority with no interest in solving our broken immigration system. If they had that interest, we would have passed comprehensive immigration reform 2 years ago.

Mr. SESSIONS. Mr. Speaker, I yield 1½ minutes to the gentleman from Monroe, Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank the gentleman for yielding me time.

I rise in strong support of this rule and the underlying bill, H.R. 240, the fiscal year 2015 Homeland Security Appropriations Act.

Mr. Speaker, the primary responsibility of the President of the United States is to faithfully carry out the laws sent to him by Congress. Unfortunately, this President, over the past several years, has chosen time and time again to ignore our immigration laws in order to achieve his executive amnesty objectives.

His actions continue to fundamentally threaten the separation of powers set forth by the Constitution that was read on this floor last Friday, and it needs to stop.

This rule will provide the House with the opportunity to completely defund and end this executive amnesty. With the adoption of the amendments made in order under this rule, H.R. 240 will responsibly fund the Department of Homeland Security for the remainder of the fiscal year and ensure the protection of our borders, while, at the same time, restoring the boundaries between the legislative and executive branches of the Federal Government.

In addition to defunding this power grab by the President, we will also consider an amendment that will express the sense of Congress that we should stop putting the interests of illegal immigrants above legal immigrants, who are being punished for simply obeying the law.

Mr. Speaker, I urge my colleagues to support this rule and the underlying bill.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, if you trample on democracy and discard regular order, you can run a remarkably efficient House of Representatives.

This rule is an abomination of procedure, wrapped in another abomination of procedure, all wrapped up in a third abomination. It deals with three bills, but one of those bills contains 11 bills. Add it up. One rule, 14 bills.

Let's look at the 11 Financial Services bills. Eleven bills, zero amendments allowed. Why? We are told that, well, all 11 of those bills have gone through the committee without controversy or gone to the floor without controversy. Not true.

One of those bills extends until 2019 when banks have to comply with an important part of the Volcker rule. Has that extension to 2019 ever been voted on in committee? No. Has it ever been discussed on the floor? No.

And when the Rules Committee was asked, can we have an amendment to deal with this new matter, which has never been subject to a markup or a discussion on this floor, the answer is ''no.'' Why is that?

Because we need to improve Dodd-Frank.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman 15 seconds.

Mr. SHERMAN. The Financial Services bill contains quite a number of noncontroversial provisions that will improve Dodd-Frank, and we could improve our economy today and have a bill on the President's desk by the end of the month.

But no, the majority has structured this to force Democrats to vote against nearly a dozen good provisions so that they can say, look at those Democrats; they won't help the economy.

They are playing politics instead of legislating. It is morally wrong. Vote ''no'' on the rule.

Mr. SESSIONS. Mr. Speaker, that is a very sad way to explain what we are doing here today. The gentleman knows that these 11 bills have all been heard, most of them voted on the floor, overwhelming majorities, if not——

Mr. SHERMAN. Will the gentleman yield for a point of truth?

Mr. SESSIONS. No, sir. We covered this yesterday in the Rules Committee, and we intend to move forward. And they are great bills that will help the economy and jobs in this country.

Mr. Speaker, at this time I yield——

Mr. SHERMAN. Mr. Speaker——

Mr. SESSIONS. Mr. Speaker, I have the time and I appreciate that.

□ 1330

PARLIAMENTARY INQUIRY

Mr. SHERMAN. Mr. Speaker, a point of parliamentary inquiry.

Is there any method that allows me to object when a Member says something demonstrably false?

The SPEAKER pro tempore. The gentleman from Texas is under recognition and has not yielded for the purpose of a parliamentary inquiry.

Mr. SESSIONS. Mr. Speaker, I yield 1½ minutes to the gentleman from Cassville, Georgia, Congressman LOUDERMILK, a freshman Member of this delegation.

Mr. LOUDERMILK. Thank you, Mr. Chairman, for the time.

Mr. Speaker, John Adams, as President of these United States, stated:

> Our Constitution is for religious and moral people. It is wholly inadequate to the government of any other.

What John Adams was referencing is that our Constitution is only as solid—it is only as resolute—as the willingness of the people to uphold the limits of its power.

What has sustained the United States of America as the longest continual constitutional republic in the history of the world is our commitment to recognizing and our respecting the limits of power inscribed in this Constitution. A clear and distinct division of those

powers among the three separate branches of government is what we have all sworn to uphold.

The President through his recent executive orders has seized the constitutional authority of the United States Congress.

Mr. Speaker, while this bill does not bring an immediate end to the President's pattern of executive overreach, it does, within the rule of law, begin to restore the constitutional authority of this governing body.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank the gentleman for yielding time.

Mr. Speaker, this is a terrible time for Republicans in Congress to play political games with America's homeland security. Our country and its citizens must remain safe and secure. International travel, border crossings, and our transportation systems must be protected. In Florida, this is an economic issue as well.

In a recent Gallup Poll, Americans named politicians as their top concern over even the economy and jobs, and this Republican bill is a fine example of why that is: at the heart of the House Republicans' obstruction of homeland security is their inattention to bipartisan solutions and their continued dodging of needed immigration reform.

Remember last session? The Senate passed a bipartisan bill. It was passed overwhelmingly, but it hit a roadblock here in the House, and this roadblock continues to be a drag on the economy. One particularly heartless amendment will be offered by Republicans that directs young DREAM Act students to pack their bags and leave America, even though America is the only country they have ever known.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 15 seconds.

Ms. CASTOR of Florida. I am perplexed with the heartless amendments from the Republicans in Congress because, in the State of Florida, our Republican legislature passed a law last year to provide instate tuition to the same DREAM Act students.

Now, the Republican Congress wants to send them packing. This is unnecessarily harsh, and it is inconsistent with our American values. I urge a ''no'' vote.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from the Seventh Congressional District of Texas, Congressman CULBERSON, the gentleman from the Appropriations Committee.

Mr. CULBERSON. Today, Mr. Speaker, the Republican House takes an important step in restoring the trust of the American people in their elected Representatives and in restoring the rule of law in our Nation.

Two of the most important principles underlying our entire system of government are trust and the rule of law. The American people in the election last November decisively rejected the aggressive, liberal agenda of this President and of the Democrats in Congress.

They elected this Republican majority to stop the President from doing further damage to our system of laws and further damage to our Constitution. The American people elected us to preserve and protect and defend the Constitution of the United States, but that work begins with trust.

We, today, are doing what the voters of America asked us to do in enforcing our laws on the border to ensure that our laws are respected, to ensure that our immigration law is fair, and that it treats everyone equally as the Constitution requires.

We are keeping our word to the American people to do precisely what we said we would do, and that is to overturn these illegal executive memos that are attempting to ignore what the law says the President must do. Not even King George III had the authority to waive a law enacted by the Parliament.

Mr. Speaker, once we have begun this path today of restoring that bond of trust, we will restore the rule of law in America because, without the law, there is no liberty.

In fact, the first design on one of the first coins ever minted in the Republic of Mexico, a coin which I have here with me, shows the liberty cap—liberty and law. There is no liberty without law enforcement, and the House today is doing what the American people hired us to do: to restore their trust and to restore the rule of law.

This is a law enforcement issue. Border security and immigration, these are matters of law enforcement. We trust the good hearts and the good sense of the officers in the field to do the right thing for the right reasons, which is to enforce our laws fairly and equally, because the people on the Rio Grande understand better than anyone else that if the law is not enforced, there cannot be safe streets and that you cannot have good schools and a strong economy without law enforcement.

We in Texas understand better than anyone else that this debate is far larger than it just being about immigration or border security. It is far larger than just these individual issues we will debate today.

Today, we in the Republican House are honoring the will of the American people. We will keep our word. We will make sure that the laws of the United States are enforced equally and fairly for all.

Above all, we will preserve and protect the Constitution and the America that we know and love. That was the message of the election last November.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, the world is mourning. Millions have marched in Paris in memory of the victims and to stand against terrorism; yet, at a time when we should strengthen our response against terrorism, Republicans are playing games.

By hijacking this bill with measures that dismantle the President's executive action, Republicans are threatening to endanger the security of our entire Nation for the sole purpose of playing partisan politics.

Despite claims of support for reform, we are not being asked to vote for a better immigration system; we are being asked to vote for a crueler one—a system of mass deportation, one that tears parents away from children, disrupts communities, and weakens our economy, one that replaces the open hands of the Statue of Liberty with a sign that reads: You are not welcome here.

Worse, Republicans know that this will not become law, so today's debate serves only to placate an extreme wing of their party while making millions of hardworking and aspiring Americans afraid and unsettled.

Undocumented or not, immigrants are integrated into our communities, and pulling a thread once woven just weakens the fabric. I urge my colleagues to vote against this toxic bill.

Mr. SESSIONS. Mr. Speaker, I yield 1½ minutes to the gentleman from Raleigh, North Carolina, Congressman HOLDING.

Mr. HOLDING. Mr. Speaker, I rise in support of the rule and of the underlying DHS bill and relevant amendments.

Already, the United States admits 1 million legal permanent immigrants per year, so long as they follow our Nation's legal immigration process. Unfortunately, like those coming to the United States illegally, this administration wants to ignore our Nation's immigration laws and immigration process.

The problem is twofold, Mr. Speaker. This not only undermines the rule of law in our country, but it also unfairly treats those who follow our legal immigration process, as complicated as it is.

After this administration established DACA in 2012, unilaterally granting amnesty to illegal minors, the number of unaccompanied children at the border increased almost tenfold in just 3 years.

The President's most recent amnesty actions send a resounding message to wishful immigrants that our Nation may have immigration laws, but that it is just not important that they are respected.

Simply put, this is wrong, so I support this rule, and I support restoring the rule of law.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I rise in strong opposition to the rule and to the bill.

For over 500 days, Republican leadership refused to bring comprehensive

immigration reform for a vote, this despite ample support from both sides of the aisle to pass bipartisan legislation from the Senate.

In the face of Republican inaction, however, President Obama made the appropriate and the lawful move to expand the Deferred Action for Childhood Arrivals program and to create deferred action for parents. Now, Republicans have decided to hold our national security hostage in order to placate the anti-immigrant fringe.

Make no mistake, this rule and bill have nothing to do with our national security and have everything to do with tearing down the President's legal executive action on immigration.

It has been clear to me, though, that whatever this President puts forward, Republicans will oppose; but it is hard to believe, given the dangers we face, that Republicans won't work in a bipartisan manner to keep our country safe.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 15 seconds.

Ms. LEE. Thank you for the additional time.

This is cynical. It is anti-immigrant. We should defeat this rule, and we should defeat the underlying legislation if these poison pill amendments are adopted.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Appleton, Wisconsin, REID RIBBLE.

Mr. RIBBLE. Thank you, Mr. Chairman.

Mr. Speaker, it is unfortunate, but the President has dropped a poison pill with his executive amnesty—of his own choosing, I might add—into the well of goodwill in this Chamber.

Now, before anything even gets sent over to him, he is issuing a veto threat on the front end. The President has now made it abundantly clear that he is willing to risk national security to protect those who have come here illegally.

What the President should be doing is exactly what the gentlewoman just mentioned a moment ago: working in a bipartisan fashion with Congress, through the rule of law, to pass immigration reform.

This debate is no longer about immigration reform. The debate, unfortunately, isn't even about homeland security. The debate has become about choices and the President's choices, about the choices that the President, himself, has made in regard to this issue. He will soon have another choice to make.

I wish this were just about immigration reform because I believe, quite frankly, that we can find a path forward on immigration reform, Mr. Speaker. We need to fix our immigration system. Every single person here, unless Native American, is a son or a daughter of an immigrant.

We need to address our immigration system to make it easier for people to enter our Nation legally and to make it more difficult to come here illegally. This appropriations bill does that very thing: it puts more guards on the border than ever before, and it creates security that is necessary.

Mr. Speaker, I encourage the President not to veto this piece of legislation but to work with this Congress to do this in the correct way, which is within the confines of the Constitution.

I encourage my fellow colleagues to pass this bill as fast and as quickly as possible.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. CASTRO).

Mr. CASTRO of Texas. Mr. Speaker, this piece of legislation is both risky and callous. It asks Americans to give into their worst instincts. If you or someone you know is out of a job, blame an immigrant; if an undocumented person commits a crime, they are all like that.

We are at a moment when there are growing security threats to our Nation, and Republicans in this House of Representatives are willing to play Russian roulette with the security of the American people. The American people know better.

Wide majorities support comprehensive immigration reform, including those in my home State of Texas. Majorities disagree with taking away DACA for young kids who came here through no fault of their own.

□ 1345

I will leave with you with this question to ponder, Mr. Speaker: What do you tell somebody who was 3 years old when they were brought here to the United States of America, knows no other country and no other language but the English language, what do you tell that person when you tell them that they have got to leave here? This is the only life that they have ever known. How are they not as American as you and I?

Mr. SESSIONS. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Gainesville, Georgia, Congressman COLLINS, a member of the Rules Committee.

Mr. COLLINS of Georgia. I thank the chairman for yielding me the time.

Mr. Speaker, I rise in very strong support of this rule and the underlying bills, many of which have not been discussed because we have been discussing the one that is, frankly, the most effective and have been discussing what the President has done and the funding issues. But the one thing that I want to emphasize is what is not being discussed here, and what is not being discussed is the simple opportunity to restore constitutional checks and balances.

My friends across the aisle have talked about what question would you want to talk about. Well, let's talk about immigration. When they had the opportunity, they punted on that issue, so I wouldn't want to talk about it if I were them either.

They want to talk about how we are going to leave the country in jeopardy. No, we are not. The President can sign this bill, get back to proper constitutional order, and then everything is funded; and there, order is restored.

What I find amazing is the blame on running other things. And even when we bring up this, some of my friends from across the aisle will bring up, well, other Presidents have done it. Well, that reminds me of what my mother used to say: If everybody jumped off the roof, would you?

Just because it was wrong then does not make it right now.

It is time. And what people in America tell us all the time is it is time for Congress to reassert its congressional authority. That is what this is about. Throw the blame anywhere you want to, try to direct us, but you are not deceiving the American people, as the speaker just said. The American people do know the difference when you are trying to misdirect them.

So this package of rules, these bills underneath, they get at the heart of restoring constitutional order, of taking back regulations that need to be rolled back so that our businesses can function, our markets can function, and we can get back to doing exactly what we are supposed to be in here doing.

So as long as we hear the distractions, I know the American people aren't fooled because I am not fooled. I did what I have said I would do—I came here to fight—back at the first of the year: to fight what was being done around Congress and around this executive order. I will continue that fight. That is the promise that we made to the American people. That is the promise the Republicans are bringing forth. Jobs, people, and kitchen table. That is what we are about. It is about what the Founding Fathers said we would do.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, the Republicans offer a very clear immigration plan today: Deportation now. Deportation tomorrow. Deportation forever.

They don't just want to roll back what the President has recently done with pro-family action; they would roll back previous protection for our DREAMers, young adults brought here as children, who have so much to offer. Republicans would deny them that opportunity, just as they would deny an opportunity for families that pay their taxes, work hard, and pass a criminal background check—they would deny them an opportunity to stay together.

Republicans want to deport Pedro. Pedro is a young man who came to America at age three. He excelled in school. He graduated near the top of his class at the University of Texas. And he hopes to work for the district attorney's office, securing our community from crime, or in some other public service. This bill does not just deny

opportunity to Pedro; it denies our entire community the opportunity to benefit from his talents. I say let these DREAMers help us build a better and stronger America.

Sadly, we have had so many broken promises in this House that the day would come when people of goodwill in both parties could come together and consider broader reform. Yet we are still denied that opportunity. Republican leaders have apparently given up on resolving the broken immigration system. They will stop at nothing to avoid doing anything.

This amended bill would deny the right to learn, the right to work. It would deny hope for so many of these young people who pledge allegiance to America, who have so much to offer. Pandering to angry isolationists is not a sound immigration policy. It is not what this country, where the Statue of Liberty stands so tall, is all about.

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. DOGGETT. Vote for the dream, Mr. Speaker, and vote ''no'' on this nightmare of an amended bill.

Mr. SESSIONS. Mr. Speaker, I have no further requests for time, but I would like to ask how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Texas has 3 minutes remaining, and the gentleman from Colorado has 3½ minutes remaining.

Mr. SESSIONS. I will reserve the balance of my time.

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

Mr. Speaker, unfortunately, the Republicans are playing partisan games with our country's border security and our safety. By tacking on unrelated immigration measures to a basic funding bill for Homeland Security, they are putting us on a path that could shut down our Department of Homeland Security and endanger the people of our Nation.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule that would allow the House to consider a clean version of the Homeland Security bill.

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

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

There was no objection.

Mr. POLIS. We do not need to start this new Congress going down a path of legislative brinkmanship and crises of our own making. We shouldn't be treating funding for our national security like a political pawn.

There are differences of opinion about how to solve immigration. There are differences of opinion about the President's actions. The venue for taking out those disagreements is not to put the homeland security of our country at risk. We don't have to attach these controversial amendments to a must-pass bill to keep our borders secure. We have no shortage of other things we should be focusing on.

There seems to be pent-up frustration about our broken immigration system. I share that. Let's address our broken immigration system and fix it and pass immigration reform. I tried to do that in the Rules Committee yesterday. Unfortunately, that discussion is not allowed under this rule, and I urge my colleagues to vote down the rule.

Instead, we are spending our time here in Congress with yet another crisis of our own making. Instead of solving pressing issues, instead of creating jobs, instead of protecting our homeland, we are putting a bipartisan, important appropriations bill right smack in the middle of an unrelated political fight.

The American people can no longer afford an immigration enforcement system that spends extraordinary sums of money every year detaining and deporting individuals with strong ties to their community and who pose no meaningful threat to anyone. We should focus on criminals rather than children. That is exactly what the President's actions do.

If the Republicans don't like it, we are happy to work with them to address the underlying issues of immigration and why we have 11 million people living here illegally in the first place. Until we do, this bill doesn't solve a thing. But let's not get hung up over the side issue and make sure that we continue to protect our homeland against a terrorist threat.

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

Mr. SESSIONS. I yield myself the balance of my time.

Mr. Speaker, we are here because the law requires that the House of Representatives pass funding bills. Today we are here because we are going to fund Homeland Security, and that we are. We are going to fund Homeland Security because every single member of this Republican Conference, and I believe every single Member of this House, understands how important Homeland Security funding is to protect this country and our citizens.

But we also need to understand that the President of the United States last year, and perhaps the year before, took actions which we disagreed with, which I believe embarrassed this country, which I believe we were unprepared to fulfill the responsibilities, and that is directly related to issues of executive orders and ideas that he had about illegal immigration.

Mr. Speaker, we are here because we feel passionately about the rule of law and the Constitution of the United States. It is the President of the United States who we believe has gone well past not only his constitutional authority, but the authority that I believe is vested in him: well and faithfully executing the laws of the country, which is his oath of office.

So we have gathered together, united in support of this rule and the underlying legislation. We are also going to follow the Constitution and pass it here today and tomorrow with the bill and send it to the United States Senate and let them deal with it.

Thank goodness we have Republican control in the Senate; otherwise, it might not even be heard with the other 360 pieces of legislation that the former head of the Senate decided not to take up in that body to debate or to have a vote on.

So we stand today prepared to fight the President's unwise and unconstitutional executive amnesty plan. It is time for this House to fight, I believe, for what is a constitutional issue, and we are going to politely do this. There was no screaming and yelling on our side. We have great resolve. We have an understanding about what is in the best interest of the United States.

So I urge my colleagues to support this rule and the underlying legislation.

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

AN AMENDMENT TO H. RES. 27 OFFERED BY MR. POLIS OF COLORADO

Strike section 3 and insert the following (and redesignate subsequent sections accordingly):

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. When the Committee of the Whole rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 240.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote

against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 242, nays 181, not voting 9, as follows:

[Roll No. 20]

YEAS—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—181

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

NOT VOTING—10

Cleaver
Duckworth
Garamendi
Hardy
Nugent
Nunnelee
Perlmutter
Ryan (OH)
Titus
Wasserman Schultz

□ 1421

Mrs. DINGELL changed her vote from ''yea'' to ''nay.''

Mrs. LUMMIS changed her vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. WESTMORELAND). The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 242, noes 180, not voting 10, as follows:

[Roll No. 21]

AYES—242

Abraham
Aderholt
Allen
Amash
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin

NOES—180

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

NOT VOTING—11

Amodei
Bishop (UT)
Cleaver
Duckworth
Garamendi
Nunnelee
Perlmutter
Ryan (OH)
Titus
Wasserman Schultz
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1430

Mr. DESAULNIER changed his vote from ''aye'' to ''no.''

Ms. STEFANIK changed her vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore (Mr. DENHAM). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 261, nays 160, answered ''present'' 1, not voting 10, as follows:

[Roll No. 22]

YEAS—261

Abraham
Adams
Allen
Amodei
Babin
Barletta
Barr
Barton
Beatty
Becerra
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carson (IN)
Carter (TX)
Cartwright
Castro (TX)
Chabot
Chu (CA)
Cicilline
Clark (MA)
Clay
Cole
Collins (NY)
Comstock
Conyers
Cook
Cooper
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
Dent
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle (PA)
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emmer
Engel
Eshoo
Esty
Farr
Fattah
Fleischmann
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gibbs
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (LA)
Grayson
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hastings
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Huelskamp
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jeffries
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jolly
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
King (IA)
King (NY)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Larsen (WA)
Larson (CT)
Lawrence
Lieu (CA)
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maloney, Carolyn
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McHenry
McMorris Rodgers
McNerney
McSally
Meadows
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (PA)
Nadler
Napolitano
Neugebauer
Noem
Nunes
O'Rourke
Olson
Palmer
Pascrell
Pelosi
Pingree
Pitts
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Ribble
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schiff
Schock
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Takai
Takano
Thornberry
Tonko
Torres
Trott
Tsongas
Upton
Van Hollen
Vela
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—160

Aderholt
Aguilar
Amash
Ashford
Bass
Benishek
Bera
Bost
Boyle (PA)
Brady (PA)
Brownley (CA)
Buck
Bucshon
Burgess
Capuano
Carney
Carter (GA)
Castor (FL)
Chaffetz
Clarke (NY)
Clawson (FL)
Clyburn
Coffman
Cohen
Collins (GA)
Conaway
Connolly
Costa
Costello (PA)
Crowley

Davis, Rodney	Jenkins (WV)	Poe (TX)
DeFazio	Johnson (OH)	Poliquin
Delaney	Jones	Price (GA)
Denham	Jordan	Ratcliffe
DeSantis	Joyce	Reed
DeSaulnier	Kaptur	Reichert
Dingell	Kilmer	Renacci
Dold	Kind	Rice (NY)
Duffy	Kinzinger (IL)	Rice (SC)
Ellmers	Kirkpatrick	Rigell
Farenthold	Lance	Rooney (FL)
Fincher	Langevin	Ros-Lehtinen
Fitzpatrick	Latta	Roybal-Allard
Fleming	Lee	Rush
Flores	Levin	Sánchez, Linda T.
Forbes	Lewis	Sanchez, Loretta
Foxx	LoBiondo	Sarbanes
Fudge	Lowey	Schakowsky
Gallego	Lynch	Schrader
Garrett	MacArthur	Sewell (AL)
Gibson	Maloney, Sean	Sires
Graves (GA)	Marchant	Smith (MO)
Graves (MO)	McDermott	Stivers
Green, Al	McGovern	Swalwell (CA)
Green, Gene	McKinley	Thompson (CA)
Griffith	Meehan	Thompson (MS)
Gutiérrez	Meeks	Thompson (PA)
Hahn	Moore	Tiberi
Hanna	Mulvaney	Tipton
Hartzler	Murphy (FL)	Turner
Heck (NV)	Neal	Valadao
Herrera Beutler	Newhouse	Vargas
Hice (GA)	Nolan	Veasey
Hill	Norcross	Velázquez
Holding	Nugent	Visclosky
Honda	Palazzo	Walberg
Hoyer	Pallone	Walker
Hudson	Paulsen	Waters, Maxine
Huffman	Payne	Weber (TX)
Huizenga (MI)	Pearce	Woodall
Israel	Perry	Yoder
Issa	Peters	Young (AK)
Jackson Lee	Peterson	
Jenkins (KS)	Pittenger	

ANSWERED ''PRESENT''—1

Gohmert

NOT VOTING—11

Blum	Grijalva	Slaughter
Cleaver	Nunnelee	Titus
Duckworth	Perlmutter	
Garamendi	Pompeo	
	Ryan (OH)	

□ 1437

So the Journal was approved.

The result of the vote was announced as above recorded.

REGULATORY ACCOUNTABILITY ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 27 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 185.

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

□ 1439

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 185) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, with Mr. WESTMORELAND in the chair.

The Clerk read the title of the bill.

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

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

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

The American people are now four elections and more than 6 years into the worst period after an economic crisis since the Great Depression. Despite some encouraging recent signs, jobs have not truly recovered. Wages have definitely not recovered. The rate of new business startups has not recovered. Instead, permanent exits from the labor force are at historic levels, real wages have fallen, and dependency on government assistance has increased. People have been giving up because they can't find a confident path forward.

In this recovery, we are not recovering; we are losing something precious. We are losing what has allowed this Nation to contribute more to human happiness than any other nation in history. We are losing the opportunity to live the American Dream. What is that dream? It is the dream that if you work hard, if you take responsibility for your life, if you reach for the opportunity that your human potential makes possible, you will be free to succeed. You will be free to pursue your happiness. And as you achieve that happiness, your children will have a better chance in life than you did.

All across this country, people who have been struggling, people whose jobs and wages have been disappearing, people who have been leaving the labor pool for the dependency pool, people who have seen no way possible to start a new business, can feel in their bones that this American Dream, the dream that they cherish and their children need, is slipping away.

What is killing the American Dream?

It is not ordinary Americans. It is not foreign enemies. It is not global phenomena. It is not natural disasters. More than anything else, it is the endless drain of resources that takes working people's hard-earned wages to Washington, and Washington's endless erection of regulatory roadblocks in the path of opportunity and growth.

Today, the combined economic burden of Federal taxation and regulation is over $3 trillion, almost 20 percent of our economy. Of that, the larger part is the burden of regulation—now estimated to reach at least $1.86 trillion. That Federal regulatory burden is larger than the 2013 gross domestic product of all but the top 10 countries in the world. It is half the size of Germany's entire gross domestic product. It is more than one-third the size of Japan's. Most important, that burden is $15,000 per American household, nearly 30 percent of average household income in 2013.

No one says we need no regulation, but who can credibly say we need regulation that costs this much.

□ 1445

America cannot possibly retain its competitive position in the world and create opportunity and prosperity for all Americans if the Federal Government continues to drop such a crushing weight on our economy.

My Regulatory Accountability Act addresses head on the problem of endlessly escalating, excessive Federal regulatory costs, and it addresses it in clear, commonsense ways that we can all support because it is based on principles proven in bipartisan practice from Presidents of both parties since Ronald Reagan.

What are those principles? Here are some of the most important: require agencies to choose the lowest cost rulemaking alternative that meets statutory objectives; if needed to protect public health, safety, or welfare, allow flexibility to choose costlier rules, but make sure the added benefits justify the added costs; improve public outreach and agency factfinding to identify better, more efficient regulatory alternatives; require agencies to use the best reasonably-obtainable science; provide on-the-record but streamlined administrative hearings in the highest-impact rulemakings—those that impose $1 billion or more in annual costs—so interested parties can subject critical evidence to cross-examination; require advanced notice of proposed major rulemakings to increase public input before costly agency positions are proposed and entrenched; strengthen judicial review of new agency regulations to make sure the Federal Courts can enforce these requirements.

In a nutshell, this bill says to every agency: Fulfill the statutory goals the United States Congress has set for you. Protect health. Protect safety. Protect consumers. Protect the vulnerable. You are free to do that, and you should do that whenever Congress gives you those orders, but as you achieve those goals, make sure you do it with better public input, better-tested information, and in the least-costly way.

The minute this bill becomes law, what will start to happen? America will start to save hundreds of billions of dollars it doesn't need to spend. That is real money that can be put to better use creating jobs and wages for our constituents, real money that hardworking Americans can use to start and grow their own businesses, real money that can be used to restore the American Dream, all without stopping a single needed regulation from being issued.

I reserve the balance of my time.

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

Members of the House, I strongly oppose H.R. 185, the so-called Regulatory Accountability Act. Under the guise of attempting to improve the regulatory process, H.R. 185 will, in truth, undermine that process. It invites increased industry intervention and imposes more than 60—6–0—new analytical requirements that could add years to the regulatory process.

They make no bones about it in this bill. As a result, H.R. 185 would seriously hamper the ability of government agencies to safeguard public health and safety, as well as environmental protections, workplace safety, and consumer financial protections. That is what we are debating at this moment.

My greatest concern is that H.R. 185 will undermine the public health, safety, and well-being of Americans. The ways in which it does it are almost too numerous to list here, but I will mention a few.

First, H.R. 185 would override critical laws that prohibit agencies from considering costs when public health and safety are at stake. Imagine, we would pass a law that would override critical laws that prohibit agencies from considering costs when public health and safety are at stake, including the Clean Air Act, the Clean Water Act, and the Occupational Safety and Health Act.

This means that agency officials will now be required to balance the costs of an air pollution standard with the costs of anticipated deaths and illnesses that will result in the absence of such regulations.

At a hearing on an earlier version of this bill in the 112th Congress, one witness—our witness—testified that if this measure were in effect in the 1970s, the government ''almost certainly would not have required the removal of most lead from gasoline until perhaps decades later.''

This explains why numerous respected agencies, consumer organizations, public interest groups, labor movements, and environmental organizations all strongly oppose this dangerous legislation.

For example, the Coalition for Sensible Safeguards—consisting of more than 70 national public interest, labor, consumer, and environmental organizations—say the bill will ''grind to a halt the rulemaking process at the core of implementing the Nation's public health, workplace safety, and environmental standards.''

Another organization, very much respected, the Natural Resources Defense Council, adds that the practical impact of the measure before us now, H.R. 185, ''would be to make it difficult, if not impossible, to put in place any new safeguards for the public, no matter what the issue.''

Now, I am not sure if the authors of this measure understand the deep criticism and reservation that the scientific and academic community have about the practical impact of this measure.

Another, the Consumer Federation of America states that H.R. 185 ''would handcuff all Federal agencies in their efforts to protect consumers'' and that it ''would override important bipartisan laws that have been in effect for years, as well as more recently-enacted laws to protect consumers from unfair and deceptive financial services, unsafe food, and unsafe consumer products.''

Do we understand what it is we are dealing with here this day?

Further, the AFL–CIO warns that the bill's procedural and analytical requirements add years to the regulatory process—adds years to the regulatory process—delaying the development of major workplace safety rules and will ''cost workers their lives.''

As more than 80 highly-respected administrative law academics and practitioners observe, the bill's many ill-defined new procedural and analytical requirements will engender ''20 or 30 years of litigation before its requirements are clearly understood.'' What do we have in mind? What is trying to be accomplished here?

My next concern is that this legislation would give well-funded business interests the opportunity to exert even greater influence over the rulemaking process and agencies.

We already know that the ability of corporate and business interests to influence agency rulemaking far exceeds that by groups representing the public. In other words, the groups representing the public already have less influence to influence agency rulemaking, and we are here proposing in broad daylight to make it even worse, much worse.

But rather than leveling the playing field, this measure will further tip the balance in favor of business interests by giving them multiple opportunities to intervene in the rulemaking process, including through less differential judicial review.

Finally, this measure is based on the faulty premise that regulations result in economically stifling costs, kill jobs, and promote uncertainty.

While supporters of H.R. 185 will undoubtedly cite a study claiming the cost of regulation exceed $1.8 trillion, the Congressional Research Service, Center for Progressive Reform, and the Economic Policy Institute all found that a prior iteration of this study was based on incomplete and irrelevant data.

In fact, the majority's own witnesses at a hearing on nearly identical legislation clearly debunked this argument. Mr. Christopher DeMuth, who appeared on behalf of the conservative think tank American Enterprise Institute, testified that the employment effects of regulation ''are indeterminant.''

The other central argument put forth by proponents of this legislation—that regulatory uncertainty hurts businesses—has similarly been debunked.

Bruce Bartlett, a senior policy analyst in the Reagan and George H.W. Bush administrations observes:

> Regulatory uncertainty is a canard invented by Republicans that allows them to use current economic problems to pursue an agenda supported by the business community year in and year out. In other words, it is a simple case of political opportunism, not a serious effort to deal with high unemployment.

That is from a Bush administrator, who was a senior policy analyst in the Reagan administration, Bruce Bartlett.

Not surprisingly, the administration issued a strong veto threat just yesterday, stating that the bill ''would impose unprecedented and unnecessary procedural requirements on agencies that will prevent them from efficiently performing their statutory responsibilities.''

Rather than heeding these serious concerns, the supporters of H.R. 185 simply want to push forward without any hearings, markups, or deliberative process in this Congress with a bill that has absolutely no political viability.

I urge, I plead with my colleagues to oppose this very dangerous legislation, and, Mr. Chair, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, at this time, it is my pleasure to yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON), who has worked with us across the aisle on this legislation for the last two Congresses. This issue goes back far before that as well. I want to thank him for his work on this.

□ 1500

Mr. PETERSON. I thank the gentleman.

Mr. Chairman, I rise in support of H.R. 185, the Regulatory Accountability Act of 2015. This is commonsense legislation, and I urge my colleagues to support it. Our farmers, ranchers, and businesses are all feeling the burden of increased regulation, and we need to act to ensure that they are not regulated out of business.

We all understand how difficult it is to pass legislation, but it is sometimes often even harder to get the regulations written correctly. Sometimes you don't recognize the legislation that passed when they are done with it. Rather than following the intent of the law, we have seen interest groups using the regulatory process to interpret the law in their best interests. This should not be the case.

H.R. 185 will create a more streamlined, transparent, and accountable regulatory process and give the American people a stronger voice in agency decision-making. Specifically, the bill requires agencies to choose the lowest cost rulemaking alternative, streamlines administrative hearings to provide for more stakeholder input, and provides for more judicial review of new agency regulations.

Similar legislation received bipartisan support in the House in previous Congresses, and I urge my colleagues to again support these commonsense reforms.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Georgia, HANK JOHNSON, a distinguished member of the Judiciary Committee

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to H.R. 185, the Regulatory Accountability Act of 2015, and on behalf of my amendment to protect jobs.

H.R. 185 is a sweeping revision of the Administrative Procedure Act that

convolutes the agency rulemaking process through numerous analytical requirements. These requirements, which are largely opposed by the Nation's leading administrative law experts, would cause years of delays in rulemaking or deregulate entire industries through rulemaking avoidance by agencies.

As a result of this deregulation, H.R. 185 would seriously undermine the critical role of agencies in protecting public health and safety, undermining protections across every regulated industry, from consumers' health and product safety, environmental protections, workplace safety, to consumer financial protections.

The only basis for this bill is the unsupported claims that regulations erode employment and economic growth. Contrary to my Republican colleagues' assertion that regulations kill jobs, a wealth of unimpeachable, bipartisan evidence has repeatedly and effectively debunked this claim.

The Office of Management and Budget estimated over the last decade that major regulations benefited the economy between $217 billion and $863 billion a year, at a mere cost of $57 billion to $84 billion.

Regulations don't cause economic loss, ladies and gentlemen. Instead, they have produced billions of dollars in economic gains. In fact, a 2013 study from the San Francisco Federal Reserve found that since the recession, there is zero correlation between job growth and regulations. Moreover, the San Francisco Federal Reserve also found that there is no evidence showing that increased regulations and taxes have any effect on the unemployment rate. If anything, weak growth was due to weak consumer demand, not cost of regulations. Earlier studies by the New York Federal Reserve made similar findings.

So what is the evidence that regulations harm the economy? The only evidence—literally, the one study supporting the faulty premise that regulations harm the economy—relied on for the absurd figures repeated by the proponents of this bill derives from a study roundly unproven by the nonpartisan Congressional Research Service, which found that the study's cost figures were cherry-picked, inaccurate, and based on evidence from decades ago without contemporary value.

The CHAIR. The time of the gentleman has expired.

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

Mr. JOHNSON of Georgia. Indeed, the very authors of this study have since repudiated its use in policy debates, and any of their claims should be discredited as ideologically driven.

Under President Obama, the economy has roared back to life. Unemployment is falling at the fastest rate in three decades. Consumer and business spending have catalyzed the most growth in over a decade. Our Nation's gross domestic product grew at 5 percent between July and September last year—the fastest since 2003—and that will continue to grow throughout this year.

Granted, the bottom 99 percent of Americans have not felt the economic uptick that the top 1 percent have enjoyed, but that fact is not due to the cost of regulation but, rather, stagnant wage growth.

Mr. Chairman, it is clear that our economy is growing at its fastest rate. I would ask that my amendment, which has been ruled to be in order, will rule the day. I ask for your support.

Mr. GOODLATTE. Mr. Chairman, it is my pleasure to yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the Subcommittee on Regulatory Reform, Commercial, and Antitrust Law of the House Judiciary Committee.

Mr. MARINO. Mr. Chairman, I rise in strong support of H.R. 185, the proposed Regulatory Accountability Act. Simply put, this legislation requires Federal regulatory agencies to choose the lowest cost rulemaking alternative that meets the statutory objectives.

In the 113th Congress, members of the Judiciary Committee and the Subcommittee on Regulatory Reform, Commercial, and Antitrust Law heard over and over again how these regulatory costs have been key factors that hold back our economic recovery and stand in the way of job creation. Our regulatory reform agenda for the 114th Congress begins today with the passage of the Regulatory Accountability Act. It is a good place to start. After all, it has been almost 70 years since enactment of the Administrative Procedure Act. Unfortunately, the act has never been modernized nor even amended in any material way.

As chairman of the Subcommittee on Regulatory Reform, Commercial, and Antitrust Law, it is my honor to support Chairman GOODLATTE, and I urge Members to support H.R. 185, a bill that passed with strong bipartisan support in both the 112th and 113th Congress, so the bill can finally be given serious consideration in the new House, the U.S. Senate, and reach the President's desk.

If the President is serious about job creating, helping small businesses, and growing our economy, he will work with us and sign the Regulatory Accountability Act and other important regulatory reform measures into law.

Mr. Chairman, it is about time that we deliver real and permanent regulatory solutions to create jobs. Doing that starts with passage of the Regulatory Accountability Act.

I want to leave the American people with one thought. It is an example how the EPA, the Environmental Protection Agency, is doing what this bill tries to prevent.

I live in the middle of five farms. I have been there for almost two decades. Just recently, the EPA has attempted to get more control over farmland by saying that if there is a rainstorm and there is a puddle, or a farmer even spills milk, through the Navigable Waters Act, EPA has control over that land. As I said, I have been living in the middle of five farms for a couple of decades, and I have yet to see as much as a rowboat go through those farmlands.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), one of our most effective members of the Judiciary Committee.

Ms. JACKSON LEE. I thank the gentleman, the distinguished ranking member, for yielding the time.

Mr. Chairman, I would almost attempt to bring back ''Swanee River,'' or some old song that reflects ''here we go again.''

This is a bill that has been recycled. It has been recycled and it has been recycled. I believe the underlying premise of the bill is contrary to the values of the American people. This is proposed as a Regulatory Accountability Act to generate jobs and opportunity. I rise in opposition to a bill that stymies progress, hinders clean water and clean air, and provides mountainous obstacles to the national security of America.

What is the underlying premise of H.R. 185? The underlying premise of this bill is to require 70 new analytical requirements to the Administrative Procedure Act, and it requires Federal agencies to conduct an estimate of all indirect costs and benefits of proposed rules and all potential alternatives without providing any definition of what constitutes or does not constitute an indirect cost.

Mr. Chairman, is there logic to saying that you are streamlining the APA process when you are adding a mountainous, tall, multifloor skyscraper of requirements? Is it accurate to suggest that you are making the process better when you are causing agencies of varying sizes already suffering from the restraints of the budget-cutting process of my friends on the other side of the aisle, are you suggesting that they can then analyze indirect costs and actually save money?

We live in a climate and an era of difficult times. As a member of the Homeland Security Subcommittee, as our Secretary of Homeland Security has said, these are dangerous times. We have already indicated our sympathy for the people of France and viewed it as a wake-up call. Do you realize that some of the agencies facing this crisis will be Homeland Security, Health and Human Services? Does anyone recall the tragedy of Ebola and how quickly action was needed?

This undermines the integrity of the process by increasing the procedural burdens for Federal agencies when they try to carry out their mandates. In fact, this is not helpful when we entrust our agency personnel to help protect the American people against threats near and far.

So, Mr. Chairman, I am asking the question: What are we saving here?

What money are we saving? Why are we undermining the very protection of this Nation?

Again, the Clean Air Act, the Clean Water Act, the Occupational Safety and Health Act, the Consumer Product Safety Improvement Act, and, again, homeland security, all of these very important elements of safety for the American people will be undermined by H.R. 185. Today, Mr. Chairman, I ask my colleagues to stand on the side of the American people and vigorously oppose H.R. 185.

Mr. Chair, I rise in opposition to H.R. 185, the Regulatory Accountability Act of 2015.

This bill modifies the federal rule-making process by codifying many requirements included in presidential executive orders and requiring agencies to consider numerous new criteria when issuing rules, including alternatives to any rule proposal, the scope of the problem that the rule is meant to address, and potential costs and benefits of the proposal and alternatives.

In essence though—this H.R. 185 only adds to the procedural burdens of federal agencies—making it harder for them to effectively carry out their missions.

THE REGULATORY ACCOUNTABILITY ACT:

Creates confusion and delay by adding over 70 new analytical requirements to the Administrative Procedure Act and requires federal agencies to conduct an estimate of all the ''indirect'' costs and benefits of proposed rules and all potential alternatives without providing any definition of what constitutes or does not constitute an indirect cost.

Mr. Chair, the tragedy last week in France was a wake-up call—and we simply cannot delay, obfuscate, and slow down the regulatory process.

Slows down the rulemaking process by significantly increasing the demands on already constrained agency resources to produce the analysis and findings that would be required to finalize any new rule.

Undermines the integrity of the process by increasing the procedural burdens for federal agencies when they try to carry out their mandates. Mr. Chair, this is not helpful legislation when we entrust our agency personnel to help protect the American people against threats near and far such as franchise terrorism, keep our water clean, and our food safe.

Allows any interested person has the ability to petition the agency to hold a public hearing on any ''genuinely disputed'' scientific or factual conclusions underlying the proposed rule.

HINDERS THE PRODUCTION OF GUIDANCE DOCUMENTS

''Super-mandates'' cost-benefit analysis measures for major guidance documents. In addition it makes it much harder for agencies to issue guidance, thus leading to increased regulatory uncertainty.

Provides regulated industries and companies multiple opportunities to challenge agency data and science and thus further stretch out the already lengthy rulemaking process—again—undermining the process.

MAKES THE LEAST COSTLY RULE THE DEFAULT CHOICE

Requires that an agency default to the ''least costly'' rule unless it can demonstrate—out of all the possible alternative rules—that additional benefits justify any additional costs and offer a public health, safety, environmental, or welfare justification clearly drawn from the authorizing statute including such critical measures as the Clean Air Act, the Clean Water Act, the Occupational Safety and Health Act, and the Consumer Product Safety Improvement Act.

EXPANDS JUDICIAL REVIEW OF AGENCY JUDGMENTS

This bill discourages agencies from rulemaking and from being able to do their jobs because judges are emboldened to substitute their own opinions for the findings of agencies.

Expands the scope of judicial review.

The Regulatory Accountability Act is designed to further obstruct and hinder rulemaking rather than improve the regulatory process.

Mr. Chair, I urge my colleagues to VOTE AGAINST the Regulatory Accountability Act and ensure that progress is not thwarted and government operations not unnecessarily delayed by this legislation.

Mr. GOODLATTE. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Michigan (Mr. TROTT), a new member of the House Judiciary Committee.

Mr. TROTT. Thank you, Mr. Chairman.

Today, this House will vote on important bipartisan legislation designed to rein in costly Federal regulations. The Regulatory Accountability Act will modernize the Federal rulemaking process by directing the executive branch to fulfill its statutory goals in the least costly method and requires agencies to solicit input from, of all places, the public to find the most efficient regulatory solutions.

The Regulatory Accountability Act is necessary because ineffective, inefficient regulations from Washington have increased prices, lowered wages, killed jobs, and made our Nation less competitive. There is no question that these regulations are hurting hard-working families in Michigan's 11th District and throughout our great Nation.

The facts on Washington's overregulation are shocking. Federal regulations now impose an estimated burden of $1.86 trillion. That burden is suffocating America's job creators. It equals roughly $15,000 per household and 11 percent of our gross domestic product. To make matters worse, the new regulations cooked up in Washington are often unnecessary and have unintended consequences.

I spent 30 years in business and have seen firsthand the devastating impact overregulation from Washington can have on our economy. We cannot expect our job providers to grow and hire more employees if Washington is creating uncertainty, surprises, and continuing to bury our businesses in costly regulations.

Every dollar that is spent complying with needless regulations is one less dollar that can be spent by families who are trying to put food on the table and make ends meet in a challenging economy.

Mr. Chairman, the American people sent us here to work together to address the many challenges facing our Nation. They sent us here to craft solutions to create jobs and make opportunities for all Americans.

□ 1515

So I urge my colleagues to join me in supporting the Regulatory Accountability Act so we can begin to lift the burden of Federal regulations off the American people. It is time to get the government out of the way.

Mr. CONYERS. Mr. Chair, I am pleased now to yield 4 minutes to the distinguished gentleman from Virginia (Mr. SCOTT), a man who has served the House Judiciary Committee with great distinction.

Mr. SCOTT of Virginia. Mr. Chairman, I thank the gentleman for yielding.

I rise against the underlying bill.

Mr. Chairman, we have heard a lot about job growth. We just want to remind people that our economy has experienced job growth in excess of 200,000 for 11 consecutive months, a record that hadn't been seen since the Clinton administration, and 58 consecutive months of private sector job growth, a string that hasn't been seen in recorded history.

So, continued economic growth and strong regulatory protections are not mutually exclusive. In fact, regulations are often necessary to protect the investments the American taxpayer makes in our economy and to ensure stability, order, and safety inside and outside of the workplace.

Unfortunately, this legislation will impose unnecessary burdens and delays on agencies seeking to issue or improve rules and regulations, burdensome delays that can threaten taxpayer dollars and the lives and health of workers.

Mr. Chairman, I offered two amendments that would have improved the bill, but neither was accepted by the Rules Committee. The first would have insured that inspector general recommendations would not be subject to the potentially dangerous delays and extra hurdles found in the bill.

Inspectors general are taxpayers' independent watchdogs who investigate and seek out problems and inefficiencies in our government. For example, two alarming audits issued last year by the Department of Education's inspector general found that criminal fraud rings were preying on money available through distance learning programs and that expensive, bank-sponsored debit cards were used to perpetuate waste, fraud, and abuse in the financial aid program.

Fortunately, in both of these situations the inspector general urged the Department of Education to quickly issue new rules to ensure that billions of dollars aren't wasted.

Unfortunately, without my amendment, this bill would deeply impair the ability of the Department of Education and other agencies to address similar known abuses of taxpayers' funds.

Delays in inspector general recommendations can also threaten the

lives and health of workers. For example, the Department of Labor's inspector general found that the Mine Safety and Health Administration had a regulatory gap that allowed mine operators who habitually violated mine safety standards to easily avoid sanctions and continue to operate unsafe mines.

The unfortunate consequence of these loopholes was seen at the Upper Big Branch mine in West Virginia, where 29 mine workers were killed in the largest coal mine disaster in the United States in 40 years.

Following that disaster, the inspector general recommended fixes that would close these loopholes, and the administration quickly adopted new regulations that are estimated to prevent about 1,800 miner injuries every 10 years. Had this bill been in effect, these regulations might not have ever been adopted in a timely manner.

My second amendment, Mr. Chairman, would have also strengthened protections of workers' health and safety. The amendment would have exempted regulations or guidance proposed by the Occupational Safety and Health Administration to prevent health care workers from contracting infectious diseases.

As it stands, the legislation could possibly delay OSHA's workforce protections and make it far more difficult for OSHA to prevent health care workers from contracting lethal infectious diseases.

Under current regulations that govern OSHA's rulemaking, it takes OSHA an average of 7 years to issue standards, and this bill could add another 3 years, possibly delaying and essentially shutting down OSHA's ability to issue rules altogether.

Mr. Chairman, this legislation will seriously compromise the ability of agencies to protect both taxpayers and workers, so I urge my colleagues to oppose the legislation.

Mr. GOODLATTE. Mr. Chairman, at this time it is my pleasure to yield 3 minutes to the gentlewoman from Washington (Ms. HERRERA BEUTLER).

Ms. HERRERA BEUTLER. Mr. Chairman, I rise today in support of the Regulatory Accountability Act. It is funny to me to stay here and listen to claims that the sky is going to fall if we just bring some common sense into how our Federal agencies promulgate rules. I want to ask, really?

Let me show you something. What I have in my hand is the Federal Register. It is not the Federal Register for the year or for a number of months. This is the Federal Register and the rules that have been promulgated just for this first week of January, just a week.

See, this first one here is for January 2. It is a little slim, but you know, they had just gotten back in the office.

This second one right here, this is for January 6, so I think they are making up for it.

This is just for the rest of the week. And believe it or not, that is actually a small stack compared to what happens when the juices really get flowing.

Now, here is the challenge with this stack. My challenge is, say I have a small business—and I do, actually. There are several small businesses in Lewis County, for example. It is a small area compared to the State of Washington, and they have got a lot of rural folks who work very hard, whether it is farms or family-owned businesses that they have been passing down.

Now, that small business in Centralia, they are responsible to know what is in this and the ones that come every single day after it for the entire year.

Mr. Chairman, we are not talking about big corporations with legal departments and government affairs folks who are hired to comb through this. We are talking about mom-and-pop shops. We are talking about 50 people or less. They have to dedicate a whole employee to knowing what is in here or they could be in violation of a Federal rule.

I have heard it said that you are 400 times more likely to come into contravention or violation of a Federal rule than a Federal law. So actually, it doesn't just apply to small businesses. It applies to all of us. We better know what is in here.

Or, time out: we could just create a little bit of space for some common sense, and that is exactly what this bill does.

This bill says, hey, Federal agencies, you just have to take a few extra things into account, like the impacts on the economy, like the impacts on the cost for taxpayers. Do you know we are talking about $1.86 trillion on the U.S. economy every year?

That is about $15,000 per every American household. That is real money. Fifteen, grand is a lot of money. That could provide a family of four in Castle Rock with groceries for 62 weeks.

Mr. Chairman, we are not trying to bring down this Federal bureaucracy, although some would appreciate it if we did. We are simply trying to bring some common sense into how they operate.

Look, the Regulatory Accountability Act delivers the reform that will make lives better for hardworking Americans and, hopefully, it will help them begin to recover a little bit of that $15,000 they are spending on unnecessary regulations. We can do this, Mr. Chairman.

The CHAIR. The time of the gentlewoman has expired.

Mr. GOODLATTE. Mr. Chairman, I am happy to yield an additional minute to the gentlewoman from Washington.

Ms. HERRERA BEUTLER. I thank the gentleman.

I believe this is what people need to understand. The bill is very simple. It leaves intact and supports consumer protections and reasonable environmental impacts. It doesn't jeopardize the health of our kids.

Come on. Let's use some common sense. It simply makes it easier for that family of four. It really does try and connect the Federal regulations with real lives of real Americans, and that is why this act is so important.

That is why it is bipartisan, Mr. Speaker. This isn't some extreme idea. This is something that brings good government to the people. We are trying to serve the people, not be their masters, and I think this bill does just that.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. I thank the ranking member for yielding the time.

Mr. Chairman, I rise in opposition to H.R. 185, the Regulatory Accountability Act of 2015, a bill that puts us all in danger by making it harder for Federal regulators to do their job.

This bill would delay regulations that prevent big banks from gambling with our economy. Just as seriously, it would weaken the implementation of laws such as the Endangered Species Act, the Clean Air Act, and the Clean Water Act that protect our environment, natural resources, and the public health of the American people.

Supporters of this bill tell us that regulations impose huge costs and prevent economic growth. As other speakers have noted, these claims are not just untrue, they are fabrications.

Choosing not to regulate polluting industries doesn't save taxpayers money. When we fail to prevent pollution, we impose more costs on the public. Allowing unchecked emissions from coal-fired power plants, for example, would mean more mercury and smog polluting our air and water, causing respiratory ailments and premature death.

To see what happens when a government chooses to allow polluters to have their way, one need only to look at China. By burning coal without adequate air quality regulations, China caused an additional 670,000 deaths in 2012 alone, this according to a recent study by the National Resources Defense Council.

The failure to regulate is causing a massive drag at this time on the Chinese economy. This bill leads us down the same path. The Chinese model of economic growth at the expense of public health and the environment is not sustainable and does not represent American values.

We have laws on the books today mandating environmental conservation and natural resource management through regulation. This bill does not repeal those laws, which have been a major benefit to the Nation, to the American people since they were enacted. Today's bill just makes their implementation less efficient, more costly, more time-consuming to the very industries it is allegedly trying to help.

If this bill were to become law, annual regulations needed to open a fishery or establish fishing industry catch levels would be endlessly delayed.

If this bill were to pass, it would delay the Forest Service regulations needed to allow thinning projects and increase the potential for costly and deadly wildfires throughout the West. Each year, new fire seasons seem to break the record for financial costs and acres burned. This bill, if enacted, would make that cycle worse.

The bill fails to appropriate any new money to the agencies facing these unnecessary, burdensome requirements. Instead, agencies like NOAA and the Department of the Interior will be forced to divert existing resources to develop and implement the regulations needed to fulfill this new congressional mandate.

The results? For example, permits for energy development on Federal lands, currently at an all-time high, will be delayed, as will be permits for other activities.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield Mr. GRIJALVA another minute.

Mr. GRIJALVA. This is not about making government more efficient. It is about making it impossible for many government agencies to do their jobs on behalf of the American people. In the name of regulatory reform, Republicans are intentionally cutting off the people who oversee our lands and waters at their knees.

Those who claim that this bill is a good idea ignore China's example at their own peril. Federal agencies trying to keep us safe cannot do more with less. Instead of placing more burdens on Federal agencies, we should provide them with the resources they need to do their jobs better and faster and protect the American people.

For all these reasons, I urge opposition to H.R. 185.

Mr. GOODLATTE. Mr. Chairman, at this time I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, the Obama administration released 300 new rules and regulations in the first 7 days of 2015. This is on top of over 3,500 new rules and regulations the administration created last year.

We have got a problem in our country. Unelected regulators in Washington, D.C., are out of control. From your mortgage to your health care plan to your child's lunchroom, and even your own backyard, the regulatory arms of this Capital are encroaching every facet of American life.

□ 1530

Agencies are churning out hundreds of thousands of pages of regulations, many of which have a substantial effect on particular communities and industries across western Pennsylvania. Washington's central planners are regulating solid, good-paying jobs right out of existence.

The legislation under consideration includes a provision I offered in the last Congress with my friend Mr. BARR of Kentucky. Our provision simply says that if a regulation decreases employment or wages by 1 percent or more in an industry, it will be subjected to heightened review and transparency requirements.

The principle is simple: if bureaucrats implement rules that harm Americans' wages or jobs, they must take responsibility for it.

I am proud to support the bill, and I urge my colleagues to join me in supporting H.R. 185 and in holding Federal agencies accountable.

Mr. CONYERS. Mr. Chairman, how much time remains on both sides?

The CHAIR. The gentleman from Michigan has 5 minutes remaining, and the gentleman from Virginia has 13 minutes remaining.

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

I notice that my friends on the other side have not named one person, academic scholar, or organization that supports this measure. I would now like to identify the letters that we have received on our side that have been very critical—very disturbed—by the gross approach of the authors of this measure.

Supporting us and opposing the bill is the American Federation of State, County, and Municipal Employees. The AFL–CIO is opposed to this measure. The American Bar Association is opposed. The Americans for Financial Reform is opposed.

The Center for Effective Government is opposed. The Center for Progressive Reform is opposed. The Center for Responsible Lending is opposed. The Coalition for Sensible Safeguards, representing more than 70 national consumer, public interest, labor, and environmental organizations and more than 80 State and local organizations and affiliates is opposed.

The Consumer Federation of America is opposed. The Consumers Union is opposed to this measure. The Natural Resources Defense Council does not support this measure. Public Citizen is opposed to this. United Steelworkers is opposed. The Union of Concerned Scientists is opposed. The United States PIRG, which is the Public Interest Research Group, is opposed.

Ladies and gentlemen, I think that our case against this measure has been well-made.

I reserve the balance of my time.

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

I am pleased that my colleague from Michigan has raised the issue of support for this legislation because there is a lot of it. I have in front of me a list of 156 organizations that support this legislation. They cover a wide array of organizations, of groups, of businesses, of small business associations, and of chambers of commerce.

I will name just a few: the 60 Plus Association, the Indoor Environment & Energy Efficiency Association, the Aggregate and Ready Mix Association of Minnesota, the American Architectural Manufacturers Association, the American Chemistry Council, the American Coatings Association, the American Composites Manufacturers Association, the American Concrete Pressure Pipe Association, the American Council of Engineering Companies, the American Council of Independent Laboratories, the American Exploration & Mining Association, the American Forest & Paper Association, the American Foundry Society, the American Fruit and Vegetable Processors and Growers Coalition, the American Highway Users Alliance, the American Iron and Steel Institute, the American Loggers Council, the American Road & Transportation Builders Association, the American Subcontractors Association, the American Supply Association, the American Trucking Associations, the American Wholesale Marketers Association, the American Wood Council.

We haven't even gotten all the way through the A's on this list which covers, as I say, a wide array of organizations that is interested in manufacturing good-quality products for Americans and in providing services, like architectural services and others. I want to make sure that everyone understands that there is broad-based support for this.

I also want to correct a misimpression left by some of the speakers on the other side who have pointed to a study that we have not relied upon for the basis of this legislation. I want to call to everyone's attention—in fact, at the appropriate time, I will request that it may be made a part of the RECORD—a study from the Competitive Enterprise Institute, CEI, entitled—not the 10 Commandments, which we are all familiar with—but ''Ten Thousand Commandments, An Annual Snapshot of the Federal Regulatory State,'' by Clyde Wayne Crews, Jr., which has provided valuable information with regard to this.

Another thing people have said is, Oh, this is going to add a tremendous burden to the regulators when they write these regulations.

I can tell you we don't have 160 different organizations supporting this legislation because they think their regulatory burden is too low; they think the burden is too high and that not enough energy and effort is going in on the part of those regulators to pay attention to what they are doing when they write regulations.

They have complained about the new things that this bill requires, and let me just read a few of them to you.

It requires documentation that the agency has considered the specific nature and significance of the problem the agency may address with a rule . . .

It seems to make pretty good common sense that, if you are going to write a regulation, you should be studying and understanding the nature of the problem you are supposed to be addressing with the regulation.

. . . documentation that the agency has considered whether existing rules could be

amended or rescinded to address the problem in whole or in part; documentation that the agency has considered reasonable alternatives for a new rule or other response identified by the agency or interested persons; documentation that the agency has considered the alternative of no Federal response . . .

In other words, they may not need to do anything.

. . . documentation that the agency has considered the potential direct costs and benefits associated with potential alternative rules and other responses; documentation that the agency has estimated impacts on jobs that are associated with potential alternative rules and other responses.

The requirements are like that throughout, and they are commonsense reforms. In fact, they are so common sense that many of these were initiated by President Reagan, and many of these have been carried forward by subsequent administrations, including the current administration.

What we are asking for today is don't hide the ball on the American people when you write regulations. Provide the documentation of how you wrote the regulation, what you considered when you wrote the regulation, whether or not that regulation is the most cost-effective way to do it, and whether or not the regulation is even needed at all. These are commonsense reforms, and I urge my colleagues to support this legislation.

I reserve the balance of my time.

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

Ladies and gentlemen of the House, last evening, the President of the United States indicated that he will not sign this bill, that he will veto it if it were to pass, and I am hoping that that doesn't happen.

The measure fails in a great way. It would create needless regulatory and legal uncertainty and would further impede the implementation protections for the American public.

This bill would make the regulatory process more expensive, less flexible, and more burdensome, dramatically increasing the costs of regulation of the American taxpayer and working class families.

This is an incredible situation that we have to debate here. I am hopeful that the logic, the rationale, the threat of the executive branch to veto the bill will all cause us to carefully consider how unnecessary this measure is. I urge that we not support H.R. 185.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. FARENTHOLD), the vice chairman of the Regulatory Reform, Commercial, and Antitrust Law Subcommittee.

Mr. FARENTHOLD. Thank you very much, Chairman GOODLATTE.

Mr. Chairman, I rise today in strong support of the Regulatory Accountability Act of 2015.

There is no question that the Federal Government and Federal regulations take a heavy toll on businesses of all sizes. That toll isn't just financial; it is also stress, it is also time, it is also emotional. Dealing with the government is difficult. Just the dollars-and-cents cost of Federal regulation has been estimated at $1.86 trillion—or so the expert tells me. That adds up to roughly $15,000 per household.

It is simply not right for unelected bureaucrats to put that much weight on the shoulders of the American people without making all efforts to minimize the costs and give the people of south Texas and everywhere in this country the opportunity and a chance to weigh in.

In Texas in particular, we have seen how onerous EPA and Department of the Interior and other regulations have slowed job growth and the American energy boom, costing our domestic energy companies millions of dollars.

This bill would put public discussion back on the table when it comes to regulations and would ensure that the economic costs are fully considered and minimized. We have a lot of work to do to peel back some of the needless, overburdensome regulations that are strangling our businesses, but this bill will help us plug the hole in the boat while we get rid of—start pumping out—some of the water.

The other side likes to say that it is going to make it more difficult to regulate. It is supposed to be difficult to enact laws and regulations. We have to pass something out of the House, and we have got to pass something out of the Senate and get it signed by the President to enact a law; but a bureaucrat can do it, basically, with the stroke of a pen and a publication in the Federal Register.

This act is going to do something to curb that. We need less government, fewer laws, fewer regulations—and not more.

Mr. GOODLATTE. Mr. Chairman, it is my pleasure to yield 2 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the subcommittee.

Mr. MARINO. I thank the chairman.

Mr. Chairman, right now, we have the worst of both worlds: more regulation and less scrutiny.

In looking at a recent 7-year period, the Government Accountability Office found that 35 percent of major rules were issued without the opportunity for public comment. The GAO also found a lack of responsiveness. In the case of one ObamaCare regulation—one—4,627 comments were received, but no responses were issued.

Regulatory costs disproportionately hit small manufacturers, which incur regulatory costs of $34,671 per year, per employee—more than three times that of the average American economy. Our energy boom is a perfect example of failed regulatory policy.

Oil and natural gas resources do not know Federal versus State boundaries, but it takes 10 times as long for the Federal Government to issue a permit as it does the States. As a result, oil and gas production is going up sharply on State lands and down on Federal lands.

Finally, ObamaCare is an epicenter of red tape. In its first 4 years, ObamaCare's effects on small business amounted to $1.9 billion in regulatory costs and in 11.3 million hours of compliance. This amounts to a regulatory tax of 3 to 5 percent. Again, this is the cost of just one law's regulations.

□ 1545

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time and urge my colleagues to support this commonsense legislation which will help to rein in the excessive power of the executive branch of the Federal Government and provide for common sense being brought to the writing of Federal Government regulations, saving American taxpayers and consumers billions if not trillions of dollars. It is badly needed. It is long overdue.

I urge my colleagues to support the legislation, and I yield back the balance of my time.

TEN THOUSAND COMMANDMENTS: AN ANNUAL SNAPSHOT OF THE FEDERAL REGULATORY STATE 2014 EDITION

COMPETITIVE ENTERPRISE INSTITUTE EXECUTIVE SUMMARY

(By Clyde Wayne Crews Jr.)

In February 2014, the Congressional Budget Office (CBO) reported outlays for fiscal year (FY) 2013 of $3.454 trillion and projected spending for FY 2014 at $3.543 trillion. Meanwhile, President Barack Obama's federal budget proposal for FY 2015 seeks $3.901 trillion in discretionary, entitlement, and interest spending. In the previous fiscal year, the president had proposed outlays of $3.778 trillion. Despite high debt and deficits, we have been unable to avoid entering the era of $4 trillion in annual spending.

We experienced trillion dollar deficits between 2009 and 2012, and CBO projects that deficits will exceed $1 trillion again by FY 2022. Trillion dollar deficits were once unimaginable. Such sums signified the level of budgets themselves, not of shortfalls. Yet at no point is spending projected to balance in the coming decade. President Obama's 2015 budget projects deficits that are smaller than recent heights—with 2014's claimed $649 billion to fall to $413 billion in 2018—before heading back into the CBO-predicted stratosphere.

Many other countries' government outlays make up a greater share of their national output, compared with 20 percent for the U.S. government, but in absolute terms, the U.S. government is the largest government on the planet. Only four other nations top $1 trillion in annual government revenues, and none but the United States collects more than $2 trillion.

REGULATION: THE HIDDEN TAX

The scope of federal government spending and deficits is sobering. Yet the government's reach extends well beyond Washington's taxes, deficits, and borrowing. Federal environmental, safety and health, and economic regulations cost hundreds of billions—perhaps trillions—of dollars annually in addition to the official federal outlays that dominate policy debate.

Firms generally pass the costs of some taxes along to consumers. Likewise, some regulatory compliance costs that businesses face will find their way into the prices that consumers pay and out of the wages workers

earn. Precise regulatory costs can never be fully known because, unlike taxes, they are unbudgeted and often indirect. But scattered government and private data exist about scores of regulations and about the agencies that issue them, as well as data about estimates of regulatory costs and benefits. Compiling some of that information can make the regulatory state somewhat more comprehensible. That compilation is one purpose of the annual Ten Thousand Commandments report, highlights of which follow:

Among the five all-time-high Federal Register page counts, four have occurred under President Obama.

The annual outflow of more than 3,500 final rules—sometimes far above that level—means that 87,282 rules have been issued since 1993.

There were 51 rules for every law in 2013. The ''Unconstitutionality Index,'' the ratio of regulations issued by agencies to laws passed by Congress and signed by the president, stood at 51 for 2013. Specifically, 72 laws were passed in calendar year 2013, whereas 3,659 rules were issued. This disparity highlights the excessive delegation of lawmaking power to unelected agency officials.

This author's working paper, ''Tip of the Costberg,'' which is largely based on federal government data, estimates regulatory compliance and economic impacts at $1.863 trillion nnually.

U.S. households ''pay'' $14,974 annually in regulatory hidden tax, thereby ''absorbing'' 23 percent of the average income of $65,596, and ''pay'' 29 percent of the expenditure budget of $51,442. The ''tax'' exceeds every item in the budget except housing. More is ''spent'' on embedded regulation than on health care, food, transportation, entertainment, apparel and services, and savings.

The estimated cost of regulation exceeds half the level of the federal budget itself. Regulatory costs of $1.863 trillion amount to 11.1 percent of the U.S. gross domestic product (GDP), which was estimated at $16.797 trillion in 2013 by the Bureau of Economic Analysis.

When regulatory costs are combined with federal FY 2013 outlays of $3.454 trillion, the federal government's share of the entire economy now reaches 31 percent. The regulatory ''hidden tax'' surpasses the income tax. Regulatory compliance costs exceed the 2013 estimated total individual income tax revenues of $1.234 trillion.

Regulatory compliance costs vastly exceed the 2013 estimated corporate income tax revenues of $288 billion and approach corporate pretax profits of $2.19 trillion.

If it were a country, U.S. regulation would be the 10th largest economy, ranked between India and Italy.

U.S. regulatory costs exceed the GDPs of Australia and Canada, the highest-income nations among the countries ranked most free in the annual Index of Economic Freedom and Economic Freedom of the World reports.

The Weidenbaum Center at Washington University in St. Louis, Missouri, and the Regulatory Studies Center at George Washington University in Washington, D.C., jointly estimate that agencies spent $57.3 billion (on budget) to administer and police the federal regulatory enterprise. Adding the $1.863 trillion in off-budget compliance costs brings the total regulatory enterprise to $1.92 trillion.

The Federal Register finished 2013 at 79,311 pages, the fourth highest level in history.

Federal Register pages devoted specifically to final rules rose to a record high of 26,417.

The 2013 Federal Register contained 3,659 final rules and 2,594 proposed rules.

Since the nation's founding, more than 15,177 executive orders have been issued. President Obama issued 181 as of the end of 2013.

President George W Bush averaged 63 major rules annually during his eight years in office; Obama's five years so far have averaged 81.

Although there are over 3,500 rules annually, public notices in the Federal Register exceed 24,000 annually, with uncounted ''guidance documents'' among them. There were 24,261 notices in 2013 and 477,929 since 1995.

According to the fall 2013 ''Regulatory Plan and the Unified Agenda of Federal Regulatory and Deregulatory Actions'' (which lists federal regulatory actions at various stages of implementation), 63 federal departments, agencies, and commissions have 3,305 regulations at various stages of implementation.

Of the 3,305 regulations in the pipeline, 191 are ''economically significant'' rules, which the federal government defines as imposing at least $100 million in annual costs. Assuming that those rulemakings are primarily regulatory implies roughly $19 billion yearly in future off-budget regulatory effects.

Of the 3,305 regulations now in the works, 669 affect small businesses. Of those, 391 required a regulatory flexibility analysis: 278 were otherwise noted by agencies to affect small businesses.

The five most active rule-producing agencies—the Departments of the Treasury, Interior, Commerce, Transportation, and Health and Human Services—account for 1,451 rules, or 44 percent of all rules in the Unified Agenda pipeline.

The Environmental Protection Agency (EPA), which was formerly consistently in the top five, is now sixth, but adding its 179 rules brings the total from the top six rulemaking agencies to 1,630 rules, or 49.3 percent of all federal rules.

The most recent Small Business Administration (SBA) evaluation of the overall U.S. federal regulatory enterprise estimated annual regulatory compliance costs of $1.752 trillion in 2008. Earlier SBA reports pegged costs at $1.1 trillion in 2005 and at $843 billion in 2001. The Office of Management and Budget (OMB) agreed with those figures at the time. Meanwhile, a subset of 115 selected major rules reviewed during 2002–2012 by the OMB notes cumulative annual costs of between $57 billion and $84 billion.

The short-lived series of budget surpluses from 1998 to 2001—the first since 1969—seems like ancient history in today's debt and deficit-drenched policy setting, as the CBO projects annual deficits of hundreds of billions of dollars over the coming decade. When it comes to stimulating a limping economy, reducing deficits and relieving regulatory burdens are key to the nation's economic health. Otherwise, budgetary pressures can incentivize lawmakers to impose off-budget regulations on the private sector, rather than add to unpopular deficit spending. A new government program—for example, job training—would require either increasing government spending or imposing new regulations requiring such training. Unlike on-budget spending, the latter regulatory costs remain largely hidden from public view, which makes regulation increasingly attractive to lawmakers.

THE DISCLOSURE AND ACCOUNTABILITY IMPERATIVES

Cost-benefit analysis at the agency level is already neglected; thus, at minimum, some third-party review is needed. Like federal spending, regulations and their costs should be tracked and disclosed annually. Then, periodic housecleaning should be performed.

A problem with cost-benefit analysis is that it largely relies on agency self-policing. Having agencies audit their own rules is like asking students to grade their own exams. Regulators are disinclined to emphasize when a rule's benefits do not justify the costs involved. In fact, one could expect new and dubious categories of benefits to emerge to justify an agency's rulemaking activity.

A major source of overregulation is the systematic overdelegation of rulemaking power to agencies. Requiring expedited votes on economically significant or controversial agency rules before they become binding would reestablish congressional accountability and would help affirm a principle of ''no regulation without representation.''

Openness about regulatory facts and figures can be bolstered through federal ''regulatory report cards,'' similar to the presentation in Ten Thousand Commandments. These could be officially issued each year to distill information for the public and policy makers about the scope of the regulatory state.

The CHAIR. All time for general debate has expired.

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

The text of the bill is as follows:

H.R. 185

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Regulatory Accountability Act of 2015''.

SEC. 2. DEFINITIONS.

Section 551 of title 5, United States Code, is amended—

(1) in paragraph (13), by striking ''and'' at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(15) 'major rule' means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose—

''(A) an annual cost on the economy of $100,000,000 or more, adjusted annually for inflation;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local, or tribal government agencies, or geographic regions;

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(D) significant impacts on multiple sectors of the economy;

''(16) 'high-impact rule' means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose an annual cost on the economy of $1,000,000,000 or more, adjusted annually for inflation;

''(17) 'negative-impact on jobs and wages rule' means any rule that the agency that made the rule or the Administrator of the Office of Information and Regulatory Affairs determines is likely to—

''(A) in one or more sectors of the economy that has a 6-digit code under the North American Industry Classification System, reduce employment not related to new regulatory compliance by 1 percent or more annually during the 1-year, 5-year, or 10-year period after implementation;

''(B) in one or more sectors of the economy that has a 6-digit code under the North American Industry Classification System,

reduce average weekly wages for employment not related to new regulatory compliance by 1 percent or more annually during the 1-year, 5-year, or 10-year period after implementation;

''(C) in any industry area (as such term is defined in the Current Population Survey conducted by the Bureau of Labor Statistics) in which the most recent annual unemployment rate for the industry area is greater than 5 percent, as determined by the Bureau of Labor Statistics in the Current Population Survey, reduce employment not related to new regulatory compliance during the first year after implementation; or

''(D) in any industry area in which the Bureau of Labor Statistics projects in the Occupational Employment Statistics program that the employment level will decrease by 1 percent or more, further reduce employment not related to new regulatory compliance during the first year after implementation;

''(18) 'guidance' means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory or technical issue or an interpretation of a statutory or regulatory issue;

''(19) 'major guidance' means guidance that the Administrator of the Office of Information and Regulatory Affairs finds is likely to lead to—

''(A) an annual cost on the economy of $100,000,000 or more, adjusted annually for inflation;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local or tribal government agencies, or geographic regions;

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(D) significant impacts on multiple sectors of the economy;

''(20) the 'Information Quality Act' means section 515 of Public Law 106–554, the Treasury and General Government Appropriations Act for Fiscal Year 2001, and guidelines issued by the Administrator of the Office of Information and Regulatory Affairs or other agencies pursuant to the Act; and

''(21) the 'Office of Information and Regulatory Affairs' means the office established under section 3503 of chapter 35 of title 44 and any successor to that office.''.

SEC. 3. RULE MAKING.

(a) Section 553(a) of title 5, United States Code, is amended by striking ''(a) This section applies'' and inserting ''(a) APPLICABILITY.—This section applies''.

(b) Section 553 of title 5, United States Code, is amended by striking subsections (b) through (e) and inserting the following:

''(b) RULE MAKING CONSIDERATIONS.—In a rule making, an agency shall make all preliminary and final factual determinations based on evidence and consider, in addition to other applicable considerations, the following:

''(1) The legal authority under which a rule may be proposed, including whether a rule making is required by statute, and if so, whether by a specific date, or whether the agency has discretion to commence a rule making.

''(2) Other statutory considerations applicable to whether the agency can or should propose a rule or undertake other agency action.

''(3) The specific nature and significance of the problem the agency may address with a rule (including the degree and nature of risks the problem poses and the priority of addressing those risks compared to other matters or activities within the agency's jurisdiction), whether the problem warrants new agency action, and the countervailing risks that may be posed by alternatives for new agency action.

''(4) Whether existing rules have created or contributed to the problem the agency may address with a rule and whether those rules could be amended or rescinded to address the problem in whole or part.

''(5) Any reasonable alternatives for a new rule or other response identified by the agency or interested persons, including not only responses that mandate particular conduct or manners of compliance, but also—

''(A) the alternative of no Federal response;

''(B) amending or rescinding existing rules;

''(C) potential regional, State, local, or tribal regulatory action or other responses that could be taken in lieu of agency action; and

''(D) potential responses that—

''(i) specify performance objectives rather than conduct or manners of compliance;

''(ii) establish economic incentives to encourage desired behavior;

''(iii) provide information upon which choices can be made by the public; or

''(iv) incorporate other innovative alternatives rather than agency actions that specify conduct or manners of compliance.

''(6) Notwithstanding any other provision of law—

''(A) the potential costs and benefits associated with potential alternative rules and other responses considered under section 553(b)(5), including direct, indirect, and cumulative costs and benefits and estimated impacts on jobs (including an estimate of the net gain or loss in domestic jobs), wages, economic growth, innovation, and economic competitiveness;

''(B) means to increase the cost-effectiveness of any Federal response; and

''(C) incentives for innovation, consistency, predictability, lower costs of enforcement and compliance (to government entities, regulated entities, and the public), and flexibility.

''(c) ADVANCE NOTICE OF PROPOSED RULE MAKING FOR MAJOR RULES, HIGH-IMPACT RULES, NEGATIVE-IMPACT ON JOBS AND WAGES RULES, AND RULES INVOLVING NOVEL LEGAL OR POLICY ISSUES.—In the case of a rule making for a major rule, a high-impact rule, a negative-impact on jobs and wages rule, or a rule that involves a novel legal or policy issue arising out of statutory mandates, not later than 90 days before a notice of proposed rule making is published in the Federal Register, an agency shall publish advance notice of proposed rule making in the Federal Register. In publishing such advance notice, the agency shall—

''(1) include a written statement identifying, at a minimum—

''(A) the nature and significance of the problem the agency may address with a rule, including data and other evidence and information on which the agency expects to rely for the proposed rule;

''(B) the legal authority under which a rule may be proposed, including whether a rule making is required by statute, and if so, whether by a specific date, or whether the agency has discretion to commence a rule making;

''(C) preliminary information available to the agency concerning the other considerations specified in subsection (b);

''(D) in the case of a rule that involves a novel legal or policy issue arising out of statutory mandates, the nature of and potential reasons to adopt the novel legal or policy position upon which the agency may base a proposed rule; and

''(E) an achievable objective for the rule and metrics by which the agency will measure progress toward that objective;

''(2) solicit written data, views or argument from interested persons concerning the information and issues addressed in the advance notice; and

''(3) provide for a period of not fewer than 60 days for interested persons to submit such written data, views, or argument to the agency.

''(d) NOTICES OF PROPOSED RULE MAKING; DETERMINATIONS OF OTHER AGENCY COURSE.—(1) Before it determines to propose a rule, and following completion of procedures under subsection (c), if applicable, the agency shall consult with the Administrator of the Office of Information and Regulatory Affairs. If the agency thereafter determines to propose a rule, the agency shall publish a notice of proposed rule making, which shall include—

''(A) a statement of the time, place, and nature of public rule making proceedings;

''(B) reference to the legal authority under which the rule is proposed;

''(C) the terms of the proposed rule;

''(D) a description of information known to the agency on the subject and issues of the proposed rule, including but not limited to—

''(i) a summary of information known to the agency concerning the considerations specified in subsection (b);

''(ii) a summary of additional information the agency provided to and obtained from interested persons under subsection (c);

''(iii) a summary of any preliminary risk assessment or regulatory impact analysis performed by the agency; and

''(iv) information specifically identifying all data, studies, models, and other evidence or information considered or used by the agency in connection with its determination to propose the rule;

''(E)(i) a reasoned preliminary determination of need for the rule based on the information described under subparagraph (D);

''(ii) an additional statement of whether a rule is required by statute; and

''(iii) an achievable objective for the rule and metrics by which the agency will measure progress toward that objective;

''(F) a reasoned preliminary determination that the benefits of the proposed rule meet the relevant statutory objectives and justify the costs of the proposed rule (including all costs to be considered under subsection (b)(6)), based on the information described under subparagraph (D);

''(G) a discussion of—

''(i) the alternatives to the proposed rule, and other alternative responses, considered by the agency under subsection (b);

''(ii) the costs and benefits of those alternatives (including all costs to be considered under subsection (b)(6));

''(iii) whether those alternatives meet relevant statutory objectives; and

''(iv) why the agency did not propose any of those alternatives; and

''(H)(i) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule; and

''(ii) if so, whether or not the agency proposes to amend or rescind any such rules, and why.

All information provided to or considered by the agency, and steps to obtain information by the agency, in connection with its determination to propose the rule, including any preliminary risk assessment or regulatory impact analysis prepared by the agency and all other information prepared or described by the agency under subparagraph (D) and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by

that Office in consultations with the agency, shall be placed in the docket for the proposed rule and made accessible to the public by electronic means and otherwise for the public's use when the notice of proposed rule making is published.

''(2)(A) If the agency undertakes procedures under subsection (c) and determines thereafter not to propose a rule, the agency shall, following consultation with the Office of Information and Regulatory Affairs, publish a notice of determination of other agency course. A notice of determination of other agency course shall include information required by paragraph (1)(D) to be included in a notice of proposed rule making and a description of the alternative response the agency determined to adopt.

''(B) If in its determination of other agency course the agency makes a determination to amend or rescind an existing rule, the agency need not undertake additional proceedings under subsection (c) before it publishes a notice of proposed rule making to amend or rescind the existing rule.

All information provided to or considered by the agency, and steps to obtain information by the agency, in connection with its determination of other agency course, including but not limited to any preliminary risk assessment or regulatory impact analysis prepared by the agency and all other information that would be required to be prepared or described by the agency under paragraph (1)(D) if the agency had determined to publish a notice of proposed rule making and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the determination and made accessible to the public by electronic means and otherwise for the public's use when the notice of determination is published.

''(3) After notice of proposed rule making required by this section, the agency shall provide interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation, except that—

''(A) if a hearing is required under paragraph (4)(B) or subsection (e), opportunity for oral presentation shall be provided pursuant to that requirement; or

''(B) when other than under subsection (e) of this section rules are required by statute or at the discretion of the agency to be made on the record after opportunity for an agency hearing, sections 556 and 557 shall apply, and paragraph (4), the requirements of subsection (e) to receive comment outside of the procedures of sections 556 and 557, and the petition procedures of subsection (e)(6) shall not apply.

The agency shall provide not fewer than 60 days for interested persons to submit written data, views, or argument (or 120 days in the case of a proposed major or high-impact rule).

''(4)(A) Within 30 days of publication of notice of proposed rule making, a member of the public may petition for a hearing in accordance with section 556 to determine whether any evidence or other information upon which the agency bases the proposed rule fails to comply with the Information Quality Act.

''(B)(i) The agency may, upon review of the petition, determine without further process to exclude from the rule making the evidence or other information that is the subject of the petition and, if appropriate, withdraw the proposed rule. The agency shall promptly publish any such determination.

''(ii) If the agency does not resolve the petition under the procedures of clause (i), it shall grant any such petition that presents a prima facie case that evidence or other information upon which the agency bases the proposed rule fails to comply with the Information Quality Act, hold the requested hearing not later than 30 days after receipt of the petition, provide a reasonable opportunity for cross-examination at the hearing, and decide the issues presented by the petition not later than 60 days after receipt of the petition. The agency may deny any petition that it determines does not present such a prima facie case.

''(C) There shall be no judicial review of the agency's disposition of issues considered and decided or determined under subparagraph (B)(ii) until judicial review of the agency's final action. There shall be no judicial review of an agency's determination to withdraw a proposed rule under subparagraph (B)(i) on the basis of the petition.

''(D) Failure to petition for a hearing under this paragraph shall not preclude judicial review of any claim based on the Information Quality Act under chapter 7 of this title.

''(e) HEARINGS FOR HIGH-IMPACT RULES.—Following notice of a proposed rule making, receipt of comments on the proposed rule, and any hearing held under subsection (d)(4), and before adoption of any high-impact rule, the agency shall hold a hearing in accordance with sections 556 and 557, unless such hearing is waived by all participants in the rule making other than the agency. The agency shall provide a reasonable opportunity for cross-examination at such hearing. The hearing shall be limited to the following issues of fact, except that participants at the hearing other than the agency may waive determination of any such issue:

''(1) Whether the agency's asserted factual predicate for the rule is supported by the evidence.

''(2) Whether there is an alternative to the proposed rule that would achieve the relevant statutory objectives at a lower cost (including all costs to be considered under subsection (b)(6)) than the proposed rule.

''(3) If there is more than one alternative to the proposed rule that would achieve the relevant statutory objectives at a lower cost than the proposed rule, which alternative would achieve the relevant statutory objectives at the lowest cost.

''(4) Whether, if the agency proposes to adopt a rule that is more costly than the least costly alternative that would achieve the relevant statutory objectives (including all costs to be considered under subsection (b)(6)), the additional benefits of the more costly rule exceed the additional costs of the more costly rule.

''(5) Whether the evidence and other information upon which the agency bases the proposed rule meets the requirements of the Information Quality Act.

''(6) Upon petition by an interested person who has participated in the rule making, other issues relevant to the rule making, unless the agency determines that consideration of the issues at the hearing would not advance consideration of the rule or would, in light of the nature of the need for agency action, unreasonably delay completion of the rule making. An agency shall grant or deny a petition under this paragraph within 30 days of its receipt of the petition.

No later than 45 days before any hearing held under this subsection or sections 556 and 557, the agency shall publish in the Federal Register a notice specifying the proposed rule to be considered at such hearing, the issues to be considered at the hearing, and the time and place for such hearing, except that such notice may be issued not later than 15 days before a hearing held under subsection (d)(4)(B).

''(f) FINAL RULES.—(1) The agency shall adopt a rule only following consultation with the Administrator of the Office of Information and Regulatory Affairs to facilitate compliance with applicable rule making requirements.

''(2) The agency shall adopt a rule only on the basis of the best reasonably obtainable scientific, technical, economic, and other evidence and information concerning the need for, consequences of, and alternatives to the rule.

''(3)(A) Except as provided in subparagraph (B), the agency shall adopt the least costly rule considered during the rule making (including all costs to be considered under subsection (b)(6)) that meets relevant statutory objectives.

''(B) The agency may adopt a rule that is more costly than the least costly alternative that would achieve the relevant statutory objectives only if the additional benefits of the more costly rule justify its additional costs and only if the agency explains its reason for doing so based on interests of public health, safety or welfare that are clearly within the scope of the statutory provision authorizing the rule.

''(4) When it adopts a final rule, the agency shall publish a notice of final rule making. The notice shall include—

''(A) a concise, general statement of the rule's basis and purpose;

''(B) the agency's reasoned final determination of need for a rule to address the problem the agency seeks to address with the rule, including a statement of whether a rule is required by statute and a summary of any final risk assessment or regulatory impact analysis prepared by the agency;

''(C) the agency's reasoned final determination that the benefits of the rule meet the relevant statutory objectives and justify the rule's costs (including all costs to be considered under subsection (b)(6));

''(D) the agency's reasoned final determination not to adopt any of the alternatives to the proposed rule considered by the agency during the rule making, including—

''(i) the agency's reasoned final determination that no alternative considered achieved the relevant statutory objectives with lower costs (including all costs to be considered under subsection (b)(6)) than the rule; or

''(ii) the agency's reasoned determination that its adoption of a more costly rule complies with subsection (f)(3)(B);

''(E) the agency's reasoned final determination—

''(i) that existing rules have not created or contributed to the problem the agency seeks to address with the rule; or

''(ii) that existing rules have created or contributed to the problem the agency seeks to address with the rule, and, if so—

''(I) why amendment or rescission of such existing rules is not alone sufficient to respond to the problem; and

''(II) whether and how the agency intends to amend or rescind the existing rule separate from adoption of the rule;

''(F) the agency's reasoned final determination that the evidence and other information upon which the agency bases the rule complies with the Information Quality Act;

''(G) the agency's reasoned final determination that the rule meets the objectives that the agency identified in subsection (d)(1)(E)(iii) or that other objectives are more appropriate in light of the full administrative record and the rule meets those objectives;

''(H) the agency's reasoned final determination that it did not deviate from the metrics the agency included in subsection (d)(1)(E)(iii) or that other metrics are more

appropriate in light of the full administrative record and the agency did not deviate from those metrics;

''(I)(i) for any major rule, high-impact rule, or negative-impact on jobs and wages rule, the agency's plan for review of the rule no less than every ten years to determine whether, based upon evidence, there remains a need for the rule, whether the rule is in fact achieving statutory objectives, whether the rule's benefits continue to justify its costs, and whether the rule can be modified or rescinded to reduce costs while continuing to achieve statutory objectives; and

''(ii) review of a rule under a plan required by clause (i) of this subparagraph shall take into account the factors and criteria set forth in subsections (b) through (f) of section 553 of this title; and

''(J) for any negative-impact on jobs and wages rule, a statement that the head of the agency that made the rule approved the rule knowing about the findings and determination of the agency or the Administrator of the Office of Information and Regulatory Affairs that qualified the rule as a negative impact on jobs and wages rule.

All information considered by the agency in connection with its adoption of the rule, and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the rule and made accessible to the public for the public's use no later than when the rule is adopted.

''(g) EXCEPTIONS FROM NOTICE AND HEARING REQUIREMENTS.—(1) Except when notice or hearing is required by statute, the following do not apply to interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice:

''(A) Subsections (c) through (e).

''(B) Paragraphs (1) through (3) of subsection (f).

''(C) Subparagraphs (B) through (H) of subsection (f)(4).

''(2)(A) When the agency for good cause, based upon evidence, finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that compliance with subsection (c), (d), or (e) or requirements to render final determinations under subsection (f) of this section before the issuance of an interim rule is impracticable or contrary to the public interest, including interests of national security, such subsections or requirements to render final determinations shall not apply to the agency's adoption of an interim rule.

''(B) If, following compliance with subparagraph (A) of this paragraph, the agency adopts an interim rule, it shall commence proceedings that comply fully with subsections (d) through (f) of this section immediately upon publication of the interim rule, shall treat the publication of the interim rule as publication of a notice of proposed rule making and shall not be required to issue supplemental notice other than to complete full compliance with subsection (d). No less than 270 days from publication of the interim rule (or 18 months in the case of a major rule or high-impact rule), the agency shall complete rule making under subsections (d) through (f) of this subsection and take final action to adopt a final rule or rescind the interim rule. If the agency fails to take timely final action, the interim rule will cease to have the effect of law.

''(C) Other than in cases involving interests of national security, upon the agency's publication of an interim rule without compliance with subsection (c), (d), or (e) or requirements to render final determinations under subsection (f) of this section, an interested party may seek immediate judicial review under chapter 7 of this title of the agency's determination to adopt such interim rule. The record on such review shall include all documents and information considered by the agency and any additional information presented by a party that the court determines necessary to consider to assure justice.

''(3) When the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are unnecessary, including because agency rule making is undertaken only to correct a de minimis technical or clerical error in a previously issued rule or for other noncontroversial purposes, the agency may publish a rule without compliance with subsection (c), (d), (e), or (f)(1)–(3) and (f)(4)(B)–(F). If the agency receives significant adverse comment within 60 days after publication of the rule, it shall treat the notice of the rule as a notice of proposed rule making and complete rule making in compliance with subsections (d) and (f).

''(h) ADDITIONAL REQUIREMENTS FOR HEARINGS.—When a hearing is required under subsection (e) or is otherwise required by statute or at the agency's discretion before adoption of a rule, the agency shall comply with the requirements of sections 556 and 557 in addition to the requirements of subsection (f) in adopting the rule and in providing notice of the rule's adoption.

''(i) DATE OF PUBLICATION OF RULE.—The required publication or service of a substantive final or interim rule shall be made not less than 30 days before the effective date of the rule, except—

''(1) a substantive rule which grants or recognizes an exemption or relieves a restriction;

''(2) interpretive rules and statements of policy; or

''(3) as otherwise provided by the agency for good cause found and published with the rule.

''(j) RIGHT TO PETITION.—Each agency shall give an interested person the right to petition for the issuance, amendment, or repeal of a rule.

''(k) RULE MAKING GUIDELINES.—(1)(A) The Administrator of the Office of Information and Regulatory Affairs shall establish guidelines for the assessment, including quantitative and qualitative assessment, of the costs and benefits of proposed and final rules and other economic issues or issues related to risk that are relevant to rule making under this title. The rigor of cost-benefit analysis required by such guidelines shall be commensurate, in the Administrator's determination, with the economic impact of the rule.

''(B) To ensure that agencies use the best available techniques to quantify and evaluate anticipated present and future benefits, costs, other economic issues, and risks as accurately as possible, the Administrator of the Office of Information and Regulatory Affairs shall regularly update guidelines established under paragraph (1)(A) of this subsection.

''(2) The Administrator of the Office of Information and Regulatory Affairs shall also issue guidelines to promote coordination, simplification and harmonization of agency rules during the rule making process and otherwise. Such guidelines shall assure that each agency avoids regulations that are inconsistent or incompatible with, or duplicative of, its other regulations and those of other Federal agencies and drafts its regulations to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

''(3) To ensure consistency in Federal rule making, the Administrator of the Office of Information and Regulatory Affairs shall—

''(A) issue guidelines and otherwise take action to ensure that rule makings conducted in whole or in part under procedures specified in provisions of law other than those of subchapter II of this title conform to the fullest extent allowed by law with the procedures set forth in section 553 of this title; and

''(B) issue guidelines for the conduct of hearings under subsections 553(d)(4) and 553(e) of this section, including to assure a reasonable opportunity for cross-examination. Each agency shall adopt regulations for the conduct of hearings consistent with the guidelines issued under this subparagraph.

''(4) The Administrator of the Office of Information and Regulatory Affairs shall issue guidelines pursuant to the Information Quality Act to apply in rule making proceedings under sections 553, 556, and 557 of this title. In all cases, such guidelines, and the Administrator's specific determinations regarding agency compliance with such guidelines, shall be entitled to judicial deference.

''(l) INCLUSION IN THE RECORD OF CERTAIN DOCUMENTS AND INFORMATION.—The agency shall include in the record for a rule making, and shall make available by electronic means and otherwise, all documents and information prepared or considered by the agency during the proceeding, including, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, documents and information communicated by that Office during consultation with the Agency.

''(m) MONETARY POLICY EXEMPTION.—Nothing in subsection (b)(6), subparagraphs (F) and (G) of subsection (d)(1), subsection (e), subsection (f)(3), and subparagraphs (C) and (D) of subsection (f)(5) shall apply to rule makings that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.''.

SEC. 4. AGENCY GUIDANCE; PROCEDURES TO ISSUE MAJOR GUIDANCE; PRESIDENTIAL AUTHORITY TO ISSUE GUIDELINES FOR ISSUANCE OF GUIDANCE.

(a) IN GENERAL.—Chapter 5 of title 5, United States Code, is amended by inserting after section 553 the following new section:

''§ 553a. Agency guidance; procedures to issue major guidance; authority to issue guidelines for issuance of guidance

''(a) Before issuing any major guidance, or guidance that involves a novel legal or policy issue arising out of statutory mandates, an agency shall—

''(1) make and document a reasoned determination that—

''(A) assures that such guidance is understandable and complies with relevant statutory objectives and regulatory provisions (including any statutory deadlines for agency action);

''(B) summarizes the evidence and data on which the agency will base the guidance;

''(C) identifies the costs and benefits (including all costs to be considered during a rule making under section 553(b) of this title) of conduct conforming to such guidance and assures that such benefits justify such costs; and

''(D) describes alternatives to such guidance and their costs and benefits (including all costs to be considered during a rule making under section 553(b) of this title) and explains why the agency rejected those alternatives; and

''(2) confer with the Administrator of the Office of Information and Regulatory Affairs on the issuance of such guidance to assure that the guidance is reasonable, understandable, consistent with relevant statutory and regulatory provisions and requirements or

practices of other agencies, does not produce costs that are unjustified by the guidance's benefits, and is otherwise appropriate.

Upon issuing major guidance, or guidance that involves a novel legal or policy issue arising out of statutory mandates, the agency shall publish the documentation required by subparagraph (1) by electronic means and otherwise.

''(b) Agency guidance—

''(1) is not legally binding and may not be relied upon by an agency as legal grounds for agency action;

''(2) shall state in a plain, prominent and permanent manner that it is not legally binding; and

''(3) shall, at the time it is issued or upon request, be made available by the issuing agency to interested persons and the public by electronic means and otherwise.

Agencies shall avoid the issuance of guidance that is inconsistent or incompatible with, or duplicative of, the agency's governing statutes or regulations, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

''(c) The Administrator of the Office of Information and Regulatory Affairs shall have authority to issue guidelines for use by the agencies in the issuance of major guidance and other guidance. Such guidelines shall assure that each agency avoids issuing guidance documents that are inconsistent or incompatible with, or duplicative of, the law, its other regulations, or the regulations of other Federal agencies and drafts its guidance documents to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 553 the following new item:

''553a. Agency guidance; procedures to issue major guidance; authority to issue guidelines for issuance of guidance.''.

SEC. 5. HEARINGS; PRESIDING EMPLOYEES; POWERS AND DUTIES; BURDEN OF PROOF; EVIDENCE; RECORD AS BASIS OF DECISION.

Section 556 of title 5, United States Code, is amended by striking subsection (e) and inserting the following:

''(e)(1) The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, constitutes the exclusive record for decision in accordance with section 557 and shall be made available to the parties and the public by electronic means and, upon payment of lawfully prescribed costs, otherwise. When an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.

''(2) Notwithstanding paragraph (1) of this subsection, in a proceeding held under this section pursuant to section 553(d)(4) or 553(e), the record for decision shall also include any information that is part of the record of proceedings under section 553.

''(f) When an agency conducts rule making under this section and section 557 directly after concluding proceedings upon an advance notice of proposed rule making under section 553(c), the matters to be considered and determinations to be made shall include, among other relevant matters and determinations, the matters and determinations described in subsections (b) and (f) of section 553.

''(g) Upon receipt of a petition for a hearing under this section, the agency shall grant the petition in the case of any major rule, unless the agency reasonably determines that a hearing would not advance consideration of the rule or would, in light of the need for agency action, unreasonably delay completion of the rule making. The agency shall publish its decision to grant or deny the petition when it renders the decision, including an explanation of the grounds for decision. The information contained in the petition shall in all cases be included in the administrative record. This subsection shall not apply to rule makings that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.''.

SEC. 6. ACTIONS REVIEWABLE.

Section 704 of title 5, United States Code, is amended—

(1) by striking ''Agency action made'' and inserting ''(a) Agency action made''; and

(2) by adding at the end the following: ''Denial by an agency of a correction request or, where administrative appeal is provided for, denial of an appeal, under an administrative mechanism described in subsection (b)(2)(B) of the Information Quality Act, or the failure of an agency within 90 days to grant or deny such request or appeal, shall be final action for purposes of this section.

''(b) Other than in cases involving interests of national security, notwithstanding subsection (a) of this section, upon the agency's publication of an interim rule without compliance with section 553(c), (d), or (e) or requirements to render final determinations under subsection (f) of section 553, an interested party may seek immediate judicial review under this chapter of the agency's determination to adopt such rule on an interim basis. Review shall be limited to whether the agency abused its discretion to adopt the interim rule without compliance with section 553(c), (d), or (e) or without rendering final determinations under subsection (f) of section 553.''.

SEC. 7. SCOPE OF REVIEW.

Section 706 of title 5, United States Code is amended—

(1) by striking ''To the extent necessary'' and inserting ''(a) To the extent necessary'';

(2) in paragraph (2)(A) of subsection (a) (as designated by paragraph (1) of this section), by inserting after ''in accordance with law'' the following: ''(including the Information Quality Act)''; and

(3) by adding at the end the following:

''(b) The court shall not defer to the agency's—

''(1) interpretation of an agency rule if the agency did not comply with the procedures of section 553 or sections 556–557 of chapter 5 of this title to issue the interpretation;

''(2) determination of the costs and benefits or other economic or risk assessment of the action, if the agency failed to conform to guidelines on such determinations and assessments established by the Administrator of the Office of Information and Regulatory Affairs under section 553(k);

''(3) determinations made in the adoption of an interim rule; or

''(4) guidance.

''(c) The court shall review agency denials of petitions under section 553(e)(6) or any other petition for a hearing under sections 556 and 557 for abuse of agency discretion.''.

SEC. 8. ADDED DEFINITION.

Section 701(b) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end, and inserting ''; and''; and

(3) by adding at the end the following:

''(3) 'substantial evidence' means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion in light of the record considered as a whole, taking into account whatever in the record fairly detracts from the weight of the evidence relied upon by the agency to support its decision.''.

SEC. 9. EFFECTIVE DATE.

The amendments made by this Act to—

(1) sections 553, 556, and 704 of title 5, United States Code;

(2) subsection (b) of section 701 of such title;

(3) paragraphs (2) and (3) of section 706(b) of such title; and

(4) subsection (c) of section 706 of such title, shall not apply to any rule makings pending or completed on the date of enactment of this Act.

The CHAIR. No amendment to the bill is in order except those printed in part A of House Report 114–2. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MCKINLEY

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 114–2.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 8, strike ''and economic competitiveness'' and insert the following: ''economic competitiveness, and impacts on low income populations''.

The CHAIR. Pursuant to House Resolution 27, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, this amendment is simple. It ensures that agencies must take into consideration the impacts on low-income communities when they develop regulations.

This amendment is based on a 1994 executive order from President Clinton that was intended to protect low-income populations from the negative effects of regulations.

Burdensome regulations have a real impact on families, regardless of their race or ethnicity. What makes sense on a bureaucrat's desk in Washington does not always work in the real world. In fact, these regulations are hurting people, especially in economically depressed communities. People have lost jobs and are facing increasing prices for energy, food, health care, and more.

The families who bear the brunt are not just statistics. They are fellow Americans. We need to show compassion towards them, especially those most vulnerable.

Regulations, as you have heard, are costing our economy $1.8 trillion each year, costing the average family $15,000. So what does that mean for the

farmer in San Joaquin Valley, California, or the coal miner in Hazard, Kentucky, or the widow on a fixed income in Marietta, Ohio? They are worried about providing for their families. What happens if they lose their livelihood because of a new regulation?

The bureaucrats in Washington who are writing these excessive regulations are seemingly focused on saving the world but are forgetting what is happening to American families. I want them to understand the impact they are having on people's lives.

The costs of these regulations are born by people who can least afford it, not by the agencies writing the regulations. These bureaucrats should get out from behind their desks and come to communities in West Virginia and Georgia and Montana and across the Nation that are still struggling economically.

This is not just about coal miners and the energy industry. Excessive regulations are hurting farmers, manufacturers, health care workers, and small businesses of every kind.

Rather than blindly issuing regulations in pursuit of an ideological goal, agencies should stop and consider what they are doing, be more empathetic, take into account what would happen to a family that is living paycheck to paycheck or a senior on fixed income.

Too often, Americans all across this country believe that no one in Washington really cares about them. This amendment will help change that perception. Let's show some compassion to people and families that are struggling.

Plain and simple: we must ensure that the Federal agencies truly, truly take into consideration those that bear the burden of these regulations.

I want to thank the gentleman from Virginia, Chairman GOODLATTE, for his support of this amendment.

I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I rise in opposition to the McKinley amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONYERS. Mr. Chairman, the McKinley amendment—as bad as things already are in the bill—adds an additional requirement to the bill's more than 60 analytical new requirements for the rulemaking process by requiring agencies to also consider economic competitiveness and impact on low-income populations in the rulemaking process. Now, the AFL–CIO, Public Citizen, and Coalition for Sensible Safeguards all oppose this amendment because it is redundant and inflexible.

This amendment is largely redundant of existing requirements. Executive Order 12898 already protects both low-income communities and communities of color. That executive order already requires agencies to take into account distributional impacts on these populations. So I want you to know that this is not the way to go. This amendment makes a totally unacceptable bill even more unacceptable.

I yield such time as he may consume to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to this amendment, which would have devastating impacts and consequences for minority and low-income populations. Under Executive Order 12898, agencies already must account for the impact of rulemaking on both of these communities.

The amendment, which makes no accommodation for minority populations, would override existing protections while the underlying bill would override every law protecting the public interest in the rulemaking process.

In short, these sweeping policy changes would be a nightmare for vulnerable populations and endangered communities. That is why the AFL–CIO, along with 70 other public interest groups, opposes this amendment and the underlying bills.

I listened to the list of supporters rattled off by the other side for this bill. They were all trade groups that would benefit financially from this bill. No academics or others of objective opinions were mentioned, and I think the public should note that.

My colleague from Illinois, Representative BOBBY RUSH, offered an amendment to this bill specifically to protect these communities by promoting environmental justice. If the majority was serious about protecting these communities, they would have accepted the Rush amendment instead of attempting to mislead the public through a gotcha amendment such as this.

If the majority was serious about protecting the American people, we wouldn't be considering this dangerous, misguided, and ideologically driven piece of legislation. I urge my colleagues to oppose this amendment.

Mr. MCKINLEY. Mr. Chair, how much time do I have remaining?

The CHAIR. The gentleman from West Virginia has 1¾ minutes remaining.

Mr. MCKINLEY. I yield 1 minute to the gentleman from Virginia, Chairman GOODLATTE.

Mr. GOODLATTE. Mr. Chairman, I hear from the other side of the aisle about how low-income people are being taken care of already because the President of the United States has told these agencies to ''take into account their status.'' But guess what? That has no judicial enforceability. So if a low-income person really wants to seek redress of their grievances through a regulation that is going to cost them their job, cost them their business, whatever the case might be, they have no recourse to the courts. Among those who suffer most unfairly from overreaching regulations are lower-income families and individuals.

The other side has criticized our list of entities supporting this. But these are all job-creating organizations. I haven't heard of many job-creating organizations who are opposed to this legislation.

New regulations often represent the policy preferences of elites and pro-regulatory advocates. Recent regulations aimed at driving down the use of coal and other fossil fuels are an example of this.

What growing research shows, and what policy elites too often ignore, is that the costs of new regulations often have regressive effects on those with lower incomes. For example, when electricity rates go up because Federal regulators clamp down on the use of cheap energy, real money that lower-income households need to secure better housing, better educational choices, or other essential needs goes instead to pay for unnecessarily excessive regulations.

This is unfair. Agencies should be required to identify and reveal the unseen adverse effects of proposed new regulations on low-income households. The gentleman's amendment accomplishes this important goal.

I urge my colleagues to support this amendment.

Mr. MCKINLEY. Mr. Chairman, in closing, we just heard the chairman talk about, this is an executive order. And I have heard from folks on the other side that this is an executive order. Perhaps it is time to codify this executive order.

If it had merit back in 1994, let's make it the rule; make it a law. This amendment will accomplish that.

I yield back the balance of my time.

Mr. CONYERS. Mr. Chairman, this amendment is a wolf in sheep's clothing. It would not change the bill's overarching regulatory purpose, nor does it address the many concerns expressed by scores of public interest groups that strenuously oppose the bill.

I think the President is very sensitive to the working class, the poor, and minorities especially, and I enjoy hearing this commentary coming from the other side of the aisle.

If the majority were serious about protecting the low-income population, it would have made in order the amendment offered by our colleague from Illinois, BOBBY RUSH, to promote environmental justice. The Rush amendment would have safeguarded existing protections while mitigating the devastating consequences of H.R. 185 on both minority and low-income populations.

I repeat, AFL–CIO, Public Citizen, and the Coalition for Sensible Safeguards all oppose the McKinley amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

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

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

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentleman from West Virginia will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. JOHNSON OF GEORGIA

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

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add, at the end of the bill, the following:

SEC. 10. EXEMPTION FOR CERTAIN RULES AND GUIDANCE.

(a) IN GENERAL.—Chapter 5 of title 5, United States Code, is amended by inserting after section 553a (as inserted by section 4 of this Act) the following new section:

''§ 553b. Exemption for certain rules and guidance

''Sections 551, 553, 556, 701(b), 704, and 706, as amended by the Regulatory Accountability Act of 2015, and section 553a shall not apply in the case of any rule or guidance proposed, issued, or made that the Director of the Office of Management and Budget determines would result in net job creation. Sections 551, 553, 556, 701(b), 704, and 706, as in effect before the enactment of the Regulatory Accountability Act of 2015, shall apply to such proposed rules, final rules, or guidance, as appropriate.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 553 the following new item:

''553b. Exemption for certain rules and guidance.'''.

The CHAIR. Pursuant to House Resolution 27, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in support of my amendment.

It is clear the economy is growing at its fastest pace in years, while unemployment is dropping rapidly. According to the most recent reports from the Bureau of Labor Statistics, employers added 252,000 jobs in December, exceeding expectations and driving the unemployment rate down to 5.6 percent, the lowest level since the recession.

There have been actually 54, 55 straight months of positive jobs growth over the last 6 years, Mr. Chairman. And this is an important consideration when you consider the faulty premise being offered in support of the underlying legislation here, that regulations hurt business and hurt job growth. They do not.

□ 1600

My amendment would ensure that this rapid growth and progress continues by exempting from H.R. 185 all rules that the Office of Management and Budget determines would result in net job creation.

Several of my Republican colleagues have complained in today's debate about a regulatory system that costs American families $15,000 in annual costs. These figures rely on debunked sources from studies that do not assume current economic conditions or even account for the benefits of regulations.

We even had a display of 1 week's worth of so-called regulations by one of my colleagues on the other side a short while ago purporting to show the sheer volume of regulations that were issued in 1 week when, in fact, a lot of those papers had to do with 34 final rules published during that period, 31 proposed rules—many of which were minor in nature—and 277 notices of administrative minutia such as public meetings, when and where public meetings were to be held, and also the availability of letters regarding sunscreen products.

So it really tries to mislead by holding up a stack and contending that one business in one particular area has to comply with all of these so-called regulations that are purported to be in a stack of papers. That is just not true. It is misleading to the public.

In many cases, rules issued in 2015 have been largely administrative and minor. For instance, the Federal Aviation Administration has issued rules concerning airworthiness directives while the Coast Guard has issued its routine rules for bridge opening schedules.

Now, if we didn't have rules for when bridges should be opening and how to open and how to warn people, do you think we could claim ourselves to be living in such a civilized society as the one we live in?

We have got to have rules. I will take note of the fact that when I went to kindergarten, we had a set of rules up on the board. Everywhere you go, you are going to have a set of rules: the rules of the Federal Government—which are vast and broad—foreign policy, domestic policy, space, cyberspace.

I mean, this country that we live in is not a great country because it chose simplicity as its model. We have a lot of rules that we have to live by, and those are the things that help make America a great country.

Guess what, ladies and gentlemen, it is you and your family members and friends who populate this Federal Government. You are the ones who are the rulemakers. They want to try to turn you into people who are trying to do something to hurt others when the only thing you are trying to do is do your job that will help others be able to live lives and create a better America for ourselves and, most importantly, our children.

Don't get it twisted. Don't think that regulations are hurting you. Regulations are causing what benefits you are taking advantage of now. These are the very rules that undergird our Nation's regulatory system and successful day-to-day operations.

The Acting CHAIR (Mr. HULTGREN). The gentleman's time has expired.

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

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

Mr. GOODLATTE. Mr. Chairman, to the point just raised by the gentleman from Georgia, I want to quote Daniel Webster, who is also quoted right up there above us in the Chamber.

He says, ''It is hardly too strong to say that the Constitution was made to guard the people against the dangers of good intentions. There are men in all ages who mean to govern well, but they mean to govern. They promise to be good masters, but they mean to be masters.''

I share and welcome the gentleman from Georgia's concerns about the impact of regulations on the people and on their jobs, but the right way to address that concern is to join me in supporting this bill. It includes the Rothfus-Barr amendment added to the legislation in the 113th Congress that requires agencies to do a much better job identifying adverse job impacts before they impose the regulations.

The gentleman's amendment represents the wrong way to address job concerns. That is because it would give the executive branch a strong incentive to manipulate its jobs impact and cost-benefit analysis to avoid the requirements of the bill, including the Rothfus-Barr amendment, rather than comply with that requirement.

The amendment also puts the cart before the horse, offering carve-outs from the bill, based on factors that cannot be determined adequately unless the important analytical requirements in the bill are applied in the first place.

For all of these reasons, I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chair, I would like to submit the following articles:

[From the Federal Reserve Bank of New York, July 21, 2011]

ECONOMIC UNCERTAINTY AND POOR SALES HELP EXPLAIN SMALL FIRMS' DISPROPORTIONATE JOB LOSSES DURING DOWNTURN

Note To Editors

NEW YORK.—The Federal Reserve Bank of New York today released Why Small Businesses Were Hit Harder by the Recent Recession, the latest article in the Current Issues in Economics and Finance series from the Research and Statistics Group.

Uncertainty about economic conditions and poor sales were the main reasons why small firms experienced steeper job declines than large firms during the 2007–09 downturn, according to analysis in the article. Furthermore, although tightened access to credit and adverse financial conditions also constrained small firms, a more pressing factor was the decline in new investment and associated financing brought on by low consumer demand for the firms products and services.

Between December 2007 and December 2009, jobs declined 10.4 percent in small firms (those with fewer than fifty employees). compared with 7.5 percent in large ones.

In this article, Ayşegül Şahin, Sagiri Kitao, Anna Cororaton and Sergiu Laiu seek to account for the downturn's disproportionate effect on small firms. The authors review data on employment patterns and industry composition of firms by size. They

also explore possible links between credit availability and firm performance by analyzing national surveys and established data series on economic activity and business conditions.

The authors determine that industry composition of job losses fails to explain the deeper job declines among small firms, as these businesses were hit harder than large ones regardless of industry. And while some small firms indeed experienced limited credit availability, this factor was a secondary driver of the difficulties they encountered.

Rather, the authors concluded that demand factors—notably, economic uncertainty and poor sales owing to reduced consumer demand—were the most important reasons for the weak performance and sluggish recovery of small firms.

Ayşegül Şabin is an assistant vice president, Sagiri Kitao a senior economist, and Anna Cororaton an assistant economist in the Federal Reserve Bank of New York's Research and Statistics Group; Sergiu Laiu is an associate business support analyst in the Markets Group.

Why Small Businesses Were Hit Harder by the Recent Recession

[From the FRBSF Economic Letter, February 11, 2013]

AGGREGATE DEMAND AND STATE-LEVEL EMPLOYMENT

(By Atif Mian and Amir Sufi)

What explains the sharp decline in U.S. employment from 2007 to 2009? Why has employment remained stubbornly low? Survey data from the National Federation of Independent Businesses show that the decline in state-level employment is strongly correlated with the increase in the percentage of businesses complaining about lack of demand. While business concerns about government regulation and taxes also rose steadily from 2008 to 2011, there is no evidence (hat job losses were larger in states where businesses were more worried about these factors.

Understanding the large and persistent decline in employment in the United States during the Great Recession of 2007–09 remains one the most vexing challenges in macroeconomics. While there are many potential explanations, three have garnered substantial support among economists:

The aggregate demand channel, in which job losses were driven by a sharp decline in consumer spending due to high debt levels and the housing crash (Mian and Sufi 2012).

Government-induced uncertainty, in which business uncertainty about taxes and regulation fostered reluctance to hire (Baker, Bloom, and Davis 2013; Leduc and Liu 2012a, b). For example, Hubbard et al. (2012) write that ''uncertainty over policy—particularly over tax and regulatory policy—limited both the recovery and job creation.''

Business financing problems, in which businesses were unable to get credit because of continued troubles in the banking sector. Credit-starved businesses can't pursue potentially profitable projects, reducing their hiring.

This Economic Letter tests these alternative views using state-level data from National Federation of Independent Businesses (NFIB) monthly small business surveys (Dunkelberg and Wade 2012). One enlightening survey question asks what is the single most important problem facing the respondent's business. Potential answers include taxes, inflation, poor sales, financing and interest rates, cost of labor, government requirements and red tape, competition from large businesses, quality of labor, costs or availability of insurance, and other. The NFIB has generously provided us quarterly responses by state.

AGGREGATE EVIDENCE

Figure 1 plots the percentage of respondents by quarter citing poor sales, regulation and taxes, or financing and interest rates as their most important problem. The regulation and taxes category includes businesses citing either ''taxes'' or ''government requirements and red tape.'' Figure 1 also plots the employment-to-population ratio, which declined sharply from 2007 to 2009 and has remained persistently low during the recovery.

The sharp decline in the employment-to-population ratio corresponds closely to the big increase in the percentage of businesses citing poor sales as their most important problem. From the beginning of 2007 to the end of 2009, this group increased from 10% to over 30%. The trend is broadly consistent with the aggregate demand channel. Employment collapsed precisely when businesses began worrying about poor sales.

In contrast, the percentage of businesses citing financing and interest rates as their top concern has hardly budged. It was low in 2006 and has remained low throughout the recession and recovery. This is especially surprising in the NFIB survey, since small businesses are the enterprises most likely to suffer during a period of tight credit. The survey results do not support the view that availability of financing for small businesses was a major reason for the employment decline.

The percentage of businesses citing regulation and taxes as their most important concern rose steadily from the last few quarters of the recession through 2012. This is consistent with Bloom, Baker, and Davis (2013), who find that policy uncertainty has been unusually high in recent years. Meanwhile, the percentage citing poor sales has declined since its recession peak, but remains well above its pre-recession level.

STATE-LEVEL SUPPORT FOR THE DEMAND CHANNEL

Using aggregate data to test hypotheses about cause and effect is notoriously difficult. For example, it could be argued that the drop in employment and heightened business concerns about poor sales both reflected a shock from a large decline in productivity. Likewise, the increase in measures of policy uncertainty could be associated with the weak recovery in job growth. Which is cause and which is effect might not be obvious. Examining the timing of these variables can help. But it's still possible that expectations regarding one variable could be driving the other. For example, expectations of poor economic conditions could raise business uncertainty about policies today.

One solution is to use cross-sectional data across geographic regions. Mian, Rao, and Sufi (2012) show that 2006 county-level household debt-to-income ratios were one of the strongest predictors of household spending decline during the Great Recession. Mian and Sufi (2012) found that losses among jobs catering to the local economy, such as positions in retail and restaurants that we refer to as nontradable sector jobs, were concentrated in counties with high debt levels, where spending dropped sharply during the recession. By contrast, losses among jobs catering to the broader economy, such as manufacturing of durable goods, were spread throughout the country. The authors argue that this indicates that a large decline in household spending, driven by household financial weakness stemming largely from the collapse in house prices, explains a large proportion of Great Recession job losses.

Does the NFIB survey evidence support this argument? In Figure 2, we show state-level correlations between 2006 household debt-to-income ratios and changes in the percentage of businesses citing poor sales as their top concern from 2007 to 2009. The percentage of businesses citing poor sales increased more in high-household-leverage states, precisely where the largest spending and employment declines in the nontradable sector occurred. This is consistent with the household spending evidence in Mian, Rao, and Sufi (2012).

To extend this analysis, we performed a regression, a statistical test of the relationship between state-level job losses in the nontradable sector from 2007 to 2009 and the percentage of businesses in that state citing poor sales. The test showed a significant negative correlation. In other words, states in which businesses cited poor sales also registered disproportionately sharp drops in jobs and household spending. This supports the view that a drop in aggregate demand led to job losses during the recession.

REGULATION AND TAXES: STATE-LEVEL EVIDENCE

Figure 1 confirms the pattern in Baker, Bloom, and Davis (2013) that small business concerns about regulation and taxes rose after the Great Recession and remained elevated in 2012. Can this explain the job market's current weak performance? The state-level NFIB survey responses may help answer this question.

We focus on the rise from 2008 to 2011 in the percentage of businesses citing regulation or taxes as their primary problem, the period when this concern increased the most. The increase varied significantly from state to state. For example, Rhode Island saw a rise of over 30 percentage points, while New Jersey saw a decrease of almost 10 percentage points.

Figure 3 shows there was almost no correlation between job growth in a state from 2008 to 2011 and the increase in the percentage of businesses citing regulation and taxes as their primary concern. In fact, if anything, the correlation is positive.

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

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

Mr. JOHNSON of Georgia. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114–2.

Ms. JACKSON LEE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add, at the end of the bill, the following:

SEC. 10. EXEMPTION FOR CERTAIN RULES AND GUIDANCE.

(a) IN GENERAL.—Chapter 5 of title 5, United States Code, is amended by inserting after section 553a (as inserted by section 4 of this Act) the following new section:

''§ 553b. Exemption for certain rules and guidance

''Sections 551, 553, 556, 701(b), 704, and 706, as amended by the Regulatory Accountability Act of 2015, and section 553a shall not apply in the case of any rule or guidance proposed, issued, or made by the Secretary of

Homeland Security. Sections 551, 553, 556, 701(b), 704, and 706, as in effect before the enactment of the Regulatory Accountability Act of 2015, shall apply to such proposed rules, final rules, or guidance, as appropriate.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 553 the following new item:

''553b. Exemption for certain rules and guidance.''''.

The Acting CHAIR. Pursuant to House Resolution 27, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chair, let me thank the chairman and rise to support the Jackson Lee amendment with a little journey down memory lane of just a few days ago.

Just a few days ago in northern Nigeria, a heinous terrorist group by the name of Boko Haram killed 2,000 people. Pillaging and killing has been their mantra, their definition.

A few days before that, we watched in horror as three terrorists killed 17 people in the nation state of France, our ally for many, many, many years—our partner, if you will, in the virtues of liberty and democracy.

My amendment speaks to the diminishing impact that this present legislation would have on the security of our Nation. My amendment simply asks that those issues dealing with Homeland Security be exempted from this rule.

The rule itself causes there to be some 70 particulars that have to be met when rulemaking begins. Can you imagine subjecting national security to that kind of criteria?

As indicated, this bill modifies a Federal regulatory or rulemaking process by codifying many requirements included in Presidential executive orders and requiring agencies to consider numerous new criteria when issuing rules, including alternatives to any rule. We mentioned that in my earlier discussion.

My amendment would simply exempt from the bill's congressional approval requirement any rule promulgated by the Department of Homeland Security.

As a senior member of the Committee on Homeland Security, having served previously as the ranking member of the Subcommittee on Border and Maritime Security, I am concerned about legislation that throws a monkey wrench in the footsteps of Customs and Border Protection, Border Patrol, ICE, the Coast Guard, Secret Service, and many others.

I am concerned when our Secretary of Homeland Security indicates that we live in dangerous times and, therefore, calling upon America not just to see something and say something, but to be conscious of these dangerous times.

Can you imagine the necessity of a rulemaking that then must be burdened with 70 new levels of criteria defining the budget analysis or cost benefit?

Yes, Mr. Chairman, I do think we have oversight responsibilities, and I do think that we should be responsible in those oversight responsibilities and fiscally conservative or fiscally responsible, but I do not think that this legislation that has come to us time and time again and obviously failed is any answer to what we are trying to do.

Let me, first of all, say that this bill does not do as the Constitution has asked, and that is the ''We, the people of the United States, in order to form a more perfect Union'' in the beginning of our Constitution.

This does not adhere to that, and I would ask my colleagues to support the Jackson Lee amendment.

I reserve the balance of my time.

Mr. MARINO. Mr. Chair, I respectfully rise in opposition to the amendment.

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

Mr. MARINO. Mr. Chair, every member of this body and our constituents know that, as we speak, the Department of Homeland Security is in the midst of an unprecedented overreach to change this Nation's immigration laws through regulation and guidance, bypassing Congress and the will of the American people.

How can we support excluding that very effort from the requirements of this good bill? What is more, the amendment seeks to shield the Department of Homeland Security—a Department in need of good government reform—from all of the good government rulemaking and guidance reforms in the bill. We should not do that.

The bill does not threaten needed regulation in DHS' jurisdiction, but simply assures that DHS will avoid unnecessary and overreaching regulation and issue smarter, less-costly regulation and guidance when necessary.

I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Texas has 1½ minutes remaining.

Ms. JACKSON LEE. Mr. Chair, I yield 1 minute to the distinguished gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Chair, I want to say to my colleague on Judiciary, Ms. JACKSON LEE, that this amendment is very important. It exempts any rule promulgated by Homeland Security, and as a result of this amendment, current law would apply to the Department of Homeland Security.

This is a very perceptive and important part of us moving forward on a really critical consideration because H.R. 185 will stall or prevent rulemaking, and it is essential that the Department of Homeland Security not be encumbered by such burdensome requirements.

Summary: This amendment exempts any rule promulgated by the Department of Homeland Security (DHS) from H.R. 185. As a result of this amendment, current law would apply to DHS.

This amendment is necessary because H.R. 185 will stall or prevent rulemaking and it is essential that the DHS not be encumbered by such burdensome requirements.

Effective rulemaking is a critical tool for DHS to be able to protect the Nation from acts of terrorism and to help communities recover from natural disasters, among many other things.

For instance, DHS has already proposed several rules to safeguard maritime security, as well as a rule proposed by the Coast Guard to revise regulations relating to the construction, design, equipment of deep-water ports that are used as terminals for importing and exporting oil and natural gas. This rule would provide for regulatory flexibility, while also preventing another environmental catastrophe like Deepwater Horizon.

DHS has also proposed a series of rules to protect against discrimination on the basis of race, color, national origin, or sex. This rule guarantees the equal treatment of persons in all DHS programs under title VI of the Civil Rights Act of 1964.

These proposed rules clearly demonstrate the need for this amendment, which underscores the importance of rulemaking across a wide spectrum of concerns.

Ms. JACKSON LEE. Mr. Chair, I yield myself the remaining time.

Sally Katzen, formerly of the Obama and Clinton administration, mentioned how valuable regulations can be to helping the American people.

This is an impediment. I don't want to impede a regulatory scheme to help with cybersecurity; I don't want to impede the Coast Guard if it has intelligence about an attack on the Houston port with some regulatory scheme that doesn't allow it to move forward or to be able to address that question.

What we are suggesting is there are obstacles being put in front of national security. I ask that you support this amendment by exempting the Department of Homeland Security that is entrusted with the security, domestic security of the United States of America.

I would ask my colleagues to support the Jackson Lee amendment.

Mr. Chair, I have an amendment at the desk.

WHAT DOES THE REGULATORY ACCOUNTABILITY ACT DO?

This bill modifies the federal rule-making process by codifying many requirements included in presidential executive orders and requiring agencies to consider numerous new criteria when issuing rules, including alternatives to any rule proposal, the scope of the problem that the rule is meant to address, and potential costs and benefits of the proposal and alternatives.

In addition, the measure creates statutory thresholds for regulations to be deemed ''major'' rules and ''high impact'' rules—i.e., rules likely to cost more than $100 million or $1 billion a year—and requires that these rules proposals be subject to additional criteria and procedural steps.

WHAT DOES THE AMENDMENT DO?

My amendment would exempt from the bill's Congressional approval requirement any rule

promulgated by the Department of Homeland Security.

As a Senior Member of the Homeland Security and Ranking Member of the Border and Maritime Security Subcommittee, I am very concerned about any legislation that would hinder the Department of Homeland Security's ability to respond to emergencies.

The bill would add new review requirements to an already long and complicated process, allowing special interest lobbyists to second-guess the work of respected scientists and staff through legal challenges, sparking a wave of litigation that would add more costs and delays to the rulemaking process, potentially putting the lives, health and safety of millions of Americans at risk.

The Department of Homeland Security simply does not have the time to be hindered by frivolous and unnecessary litigation, especially when the safety and security of the American people are at risk.

According to a study conducted by the Economic Policy Institute, public protections and regulations ''do not tend to significantly impede job creation'', and furthermore, over the course of the last several decades, the benefits of federal regulations have significantly outweighed their costs.

In our post 9/11 climate, homeland security continues to be a top priority for our nation. As we continue to face threats from enemies foreign and domestic, we must ensure that we are doing all we can to protect our country. DHS cannot react to the constantly changing threat landscape effectively if they are subject to this bill.

Professor Sally Katzen, a former Obama and Clinton Administration official, discussed the benefits of regulation which an agency like the Department of Homeland Security demonstrates, and that is brought home by the tragic events in Nigeria and France, where terrorists struck with horrible efficiency last week. Professor Katzen stated:

> Moreover, while we hear a lot about the costs of regulation, we rarely hear about the benefits of regulation—for example, improving our health or the air we breathe or the water we drink protecting our safety in our homes, our automobiles, or our workplaces; or increasing the efficiency of our markets.
>
> Those who embrace cost/benefit analysis should speak to the benefits as well as the costs of regulation. Here, there are data—incomplete as they may be—which clearly show that the benefits of rules issued during the Obama Administration have been substantially greater than the costs of those rules. For example, the 2012 Report to Congress on the Benefits and Costs of Federal Regulations showed that for FY2011 (the most recent fiscal year for which data are available), the rules ''were estimated to result in a total of $34.3 billion to $89.5 billion in annual benefits and $5.0 billion to $10.1 billion in annual costs.

And make no mistake about Mr. Chair, the Department of Homeland Security is tasked with a wide variety of duties under its mission. One example of an instance where DHS may have to act quickly to establish new or emergency regulations is the protection of our cyber security, an issue that should be at the forefront of everyone's legislative agenda in this new Congress.

In the past few years, threats in cyberspace have risen dramatically. The policy of the United States is to protect against the debilitating disruption of the operation of information systems for critical infrastructures and, thereby, help to protect the people, economy, and national security of the United States.

We are all affected by threats to our cyber security. We must act to reduce our vulnerabilities to these threats before they can be exploited. A failure to protect our cyber systems would damage our Nation's critical infrastructure. So, we must continue to ensure that such disruptions of cyberspace are infrequent, of minimal duration, manageable, and cause the least possible damage.

According to the Government Accountability Office (GAO), the number of cyber incidents reported by Federal agencies to USCERT has increased dramatically over the past four years, from 5,503 cyber incidents reported in FY 2006 to about 30,000 cyber incidents in FY 2009 (over a 400% increase).

The Department of Homeland Security is also tasked with combating terrorism, and protecting Americans from threats. With the current unrest in the Middle East, why would we want to limit DHS's ability to do its job?

The Department of Homeland Security is constantly responding to new intelligence and threats from the volatile Middle East and around the globe. We must not tie the hands of those trusted to protect us from these threats.

Hindering the ability of DHS to make changes to rules and regulations puts the entire country at risk. As the Representative for the 18th District of Texas, I know about vulnerabilities in security firsthand. Of the 350 major ports in America, the Port of Houston is one of the busiest.

More than 220 million tons of cargo moved through the Port of Houston in 2011, and the port ranked first in foreign waterborne tonnage for the 15th consecutive year. The port links Houston with over 1,000 ports in 203 countries, and provides 785,000 jobs throughout the state of Texas. Maritime ports are centers of trade, commerce, and travel along our nation's coastline, protected by the Coast Guard, under the direction of DHS.

Simply put, if Coast Guard Intelligence has evidence of a potential attack on the port of Houston, I want the Department of Homeland Security to be able to protect my constituents by issuing the regulations needed without being subject to the constraints of this bill.

The Department of Homeland Security deserves an exemption not only because they may need to quickly change regulations in response to new information or threats, but also because they are tasked with emergency preparedness and response.

There are many challenges our communities face when we are confronted with a catastrophic event or a domestic terrorist attack. It is important for people to understand that our capacity to deal with hurricanes directly reflects our ability to respond to a terrorist attack in Texas or New York, an earthquake in California, or a nationwide pandemic flu outbreak.

On any given day the City of Houston and cities across the United States face a widespread and ever-changing array of threats, such as: terrorism, organized crime, natural disasters and industrial accidents.

Cities and towns across the nation face these and other threats. Indeed, every day, ensuring the security of the homeland requires the interaction of multiple Federal departments and agencies, as well as operational collaboration across Federal, State, local, tribal, and territorial governments, nongovernmental organizations, and the private sector.

We cannot hinder the Department of Homeland Security's ability to protect the safety and security of the American people. No mission is more sacrosanct—and by bottling up the process with bureaucratic red tape.

As Homeland Security Secretary Jeh Johnson said recently:

> Recent world events call for increased vigilance in homeland security.

H.R. 185 makes it much harder for agencies to issue guidance, thus leading to unnecessary regulatory uncertainty and undue delay—something that the American people can ill-afford. We cannot hamstring the Department when it is trying to cope with threats such as franchise terrorism. My amendment frees up Homeland Security to do its critical mission of protecting the American people.

Mr. Chair, I urge my colleagues to support the Jackson Lee amendment in order to ensure that lifesaving regulations promulgated by the Department of Homeland Security are not unnecessarily delayed by this legislation.

This GOP Bill Is Opposed by A Long List of National Organizations. National organizations opposing the bill include such organizations as the Coalition for Sensible Safeguards, which itself is a coalition of more than 70 consumer, environmental, health and public interest groups:

Consumer Federation of America;
Consumers Union;
Americans for Financial Reform;
Better Markets
Center for Responsible Lending
American Association for Justice
Center for Effective Government;
Public Citizen
U.S. PIRG
AFL–CIO
AFSCME
UAW
United Steelworkers
Union of Concerned Scientists and
Natural Resources Defense Council.

Coalition for Sensible Safeguards Strongly Opposing the Bill: In its letter strongly opposing the bill, the Coalition for Sensible Safeguards points out, ''[The bill] would undermine our public protections and jeopardize public health by threatening the safeguards that ensure our access to clean air and water, safe workplaces, untainted food and drugs, and safe toys and consumer goods. . . . The costs of deregulation should be obvious by now: the Wall Street economic collapse the Upper Big Branch mine explosion in West Virginia, various food and product safety recalls, and numerous environmental disasters including the recent Dan River coal ash spill in North Carolina and the Freedom Industries chemical spill in West Virginia demonstrate the need for a regulatory system that protects the public, not corporate interests.''

Americans for Financial Reform Strongly Opposing the Bill: In its letter strongly opposing the bill, Americans for Financial Reform points out, ''This legislation could instead be called the 'End Wall Street Accountability Act of 2015,' since this would be one of its major effects. This legislation would require the agencies charged with oversight of our largest banks and most critical financial markets to comply with a host of additional bureaucratic and procedural requirements designed to make effective action virtually impossible. By

doing so it would tilt the playing field still further in the direction of powerful Wall Street banks, and against the public interest. It would paralyze the ability of regulators to protect consumers from financial exploitation and prevent another catastrophic financial crisis.''

Consumer Federation of America Strongly Opposing the Bill: In its letter strongly opposing the bill, the Consumer Federation of America points out, ''The Regulatory Accountability Act would handcuff all federal agencies in their efforts to protect consumers. . . . Specifically, the RAA would require all agencies . . . to adopt the least costly rule, without consideration of the impact on public health and safety, or the impact on the financial marketplace. As such, the RAA would override important bipartisan laws that have been in effect for years, as well as more recently enacted laws to protect consumers from unfair and deceptive financial services, unsafe food and unsafe consumer products.''

Natural Resources Defense Council Strongly Opposing the Bill: In its letter strongly opposing the bill, the Natural Resources Defense Council points out, ''This is a bill that is designed to prevent the regulatory system from working, not to improve its operation. The practical impact of H.R. 185 would be to make it difficult if not impossible to put in place any new safeguards for the public, no matter what the issue. . . . The RAA's purpose is abundantly clear. It is an effort to amend and weaken existing law and future statutes by overlaying a suffocating blanket of unnecessary process. The result will be fewer needed safeguards despite public support for protection and study and study showing that the benefits of regulation have far outweighed the costs.''

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. Mr. Chair, I demand a recorded vote.

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

□ 1615

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 114–2.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add, at the end of the bill, the following:

SEC. 10. EXEMPTION FOR CERTAIN RULES AND GUIDANCE.

(a) IN GENERAL.—Chapter 5 of title 5, United States Code, is amended by inserting after section 553a (as inserted by section 4 of this Act) the following new section:

''§ 553b. Exemption for certain rules and guidance

''Sections 551, 553, 556, 701(b), 704, and 706, as amended by the Regulatory Accountability Act of 2015, and section 553a shall not apply in the case of a rule or guidance proposed, made, or issued which relates to health or public safety. Sections 551, 553, 556, 701(b), 704, and 706, as in effect before the enactment of the Regulatory Accountability Act of 2015, shall apply to such proposed rules, final rules, or guidance, as appropriate.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 553 the following new item:

''553b. Exemption for certain rules and guidance.''''.

The Acting CHAIR. Pursuant to House Resolution 27, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, as someone who comes from local government, I was encouraged last week to hear the Speaker call for us to find common ground. I know firsthand the music that can be made when elected officials allow their commitments to improving the quality of life for our neighbors to guide their actions rather than partisan ideology.

Sadly, we are only 2 weeks into the new Congress, and the House majority has brought to the floor a string of divisive bills. Last week we debated without amendment a plan to bypass the normal review process to expedite approval of the Keystone pipeline for the 10th time, and today we consider a repeat of anti-public health and safety legislation that was debated and defeated in the 112th and 113th Congresses.

The seductively titled Regulatory Accountability Act would actually effectively block new Federal regulation and is nothing more than a backdoor attempt to roll back important public health and safety protections. What is more, my friends on the other side claim they want to reduce regulatory burdens, but their bill adds more than 70 new analytical steps to the final rulemaking process while jeopardizing science-based methodology.

The Union of Concerned Scientists warns that if this bill becomes law, Mr. Chairman, agencies like the Environmental Protection Agency, the Food and Drug Administration, and the Consumer Product Safety Commission would all be subject to more special interest interference, would be much more vulnerable to legal challenges, and even if those challenges are crucial to protecting our air and water and safeguarding public health, they could prevail. That is why I offer what should be, I hope, a simple amendment to exempt any rule or guidance pertaining to public health or safety.

This bill directs agencies to adopt the least costly regulatory action, notwithstanding any other provision of law, meaning that the benefits of safeguards to protect the air we breathe, the water we drink, and the food we eat would be considered secondary to the cost of those safeguards, even if the benefits exceed the costs.

My friends falsely claim that regulations impose unreasonable costs on the economy and industry. The facts don't justify that rhetoric. OMB's latest report to Congress on Federal regulation found the monetized benefits of Federal regulations over the past decade alone are significantly higher by a factor of 10 than the costs. But why let facts trump belief?

An American Lung Association survey found that three out of four respondents feel we should not have to choose between protecting health and safety and promoting the economy. They understand we must and can do both.

Mr. Chairman, I am curious if my friends on the other side have asked their constituents what they think. For example, I wonder if the residents near North Carolina coal ash spills—which is affecting drinking water there and in my home State of Virginia—share the same disdain for water quality regulation. Maybe we should ask the millions of parents who own a child car seat subject to a nationwide recall if they would feel better with less rigorous safety standards for their children.

My friends continue to perpetuate this notion that government regulation is a heavy boot on the throat of business, but a poll conducted by the American Sustainable Business Council found 78 percent of employers believe responsible regulation is important for protecting small businesses from unfair competition and leveling the playing field.

Mr. CONYERS. Will the gentleman yield?

Mr. CONNOLLY. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I want to commend the gentleman on his amendment.

Mr. Chair, this amendment would exempt from H.R. 185 all rules or guidance that relate to health or public safety, including food safety, workplace safety, consumer product safety, air quality, or water quality. Existing APA procedures would continue to apply to these types of rules.

The amendment highlights the real-world consequences of H.R. 185, which would be to stifle agencies' ability to promulgate rules that protect public health and safety.

Among other things, H.R. 185 requires agencies to perform cumbersome and lengthy cost-benefit analyses of all rules. Worst of all, it would override substantive provisions of numerous statutes, including the Clean Air Act, the Clean Water Act, and the Occupational Safety and Health Act, that prohibit or limit agencies from considering cost.

For instance, the Food and Drug Administration has begun proposing rules and guidance under the FDA Food Safety Modernization Act (FSMA), which was passed by Congress and signed into law by President Obama in 2011, representing the most substantial reform to food safety in over 70 years.

In November 2014, the FDA proposed rules to implement this Act to prevent foodborne illness outbreaks associated with contaminated produce, among other things.

According to the Center for Disease Control, one in six Americans get sick every year from foodborne diseases, affecting about 48 million people yearly. Of these, 3,000 people die every year from these diseases, which are largely preventable.

Without this amendment, H.R. 185 would drown the FDA in additional requirements prior to issuing new rules to protect Americans from the contamination of produce and other rules that are critical to keeping the U.S. food supply safe.

The cumulative effect of these and the other changes wrought by H.R. 185 would be to substantially undermine agencies' ability to effectively regulate consumer health and product safety, environmental protection, workplace safety, and financial services industry misconduct, among other critical concerns, while doing little to help small businesses shape or comply with federal regulations.

Under both Democratic and Republican administrations, the Office of Management and Budget (OMB) regularly has reported to Congress that the benefits of regulations far exceed their costs.

Effective rulemaking is a critical tool for agencies to protect the public health and safety, from clean air and water to emergency transportation rules designed to keep Americans safe while traveling abroad.

Mr. CONNOLLY. I thank my friend from Michigan.

Mr. Chairman, my amendment is an important step to protecting public health and safety. It will ensure the lifesaving benefits of protecting air quality, water quality, and food safety so that they are not automatically ruled out because of the cost alone. It will ensure, for example, that the CFPB can proceed with Dodd-Frank regulations protecting Americans from risky practices that led to the financial crisis and save lives by allowing the FDA to continue implementing provisions of the bipartisan Family Smoking Prevention and Tobacco Control Act.

Mr. Chairman, I urge my colleagues to support this amendment and protect the public health and safety of our communities.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment offered by my colleague from Virginia.

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

Mr. GOODLATTE. Mr. Chairman, this amendment exempts from the bill any rule or guidance pertaining to health or public safety. Health and public safety regulation done properly serve important goals, and the bill does nothing to frustrate the effective achievement of those goals.

But Federal health and public safety regulation constitutes an immense part of total Federal regulation and has been the source of many of the most abusive, unnecessarily expensive, and job-and-wage destroying regulations. To remove these areas of regulation from the bill would be to severely weaken the bill's important reforms to lower the crushing cumulative costs of Federal regulation.

Consider, for example, testimony before the Judiciary Committee last term by Rob James, a city councilman from Avon Lake, Ohio, about the impacts of new and excessive regulation on his town, its workers, and its families.

Avon Lake is a small town facing devastation by ideologically driven, antifossil-fuel power plant regulations. These regulations are expected to destroy jobs in Avon Lake, harm Avon Lake's families, and make it even harder for Avon Lake to find the resources to provide emergency services, quality schools, and help for its neediest citizens—all while doing comparatively little to control mercury emissions that are the stated target of the regulations.

Let me point out to the gentleman and anyone else concerned that health and safety regulations are a tantamount concern of this legislation. In fact, I will quote from page 19 of the bill:

The agency shall adopt a rule only on the basis of the best reasonably obtainable scientific, technical, economic, and other evidence and information concerning the need for, consequences of, and alternatives to the rule.

I will also point out that the American Council of Independent Laboratories supports this legislation.

Mr. Chairman, I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

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

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

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

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 114–2 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. MCKINLEY of West Virginia.

Amendment No. 2 by Mr. JOHNSON of Georgia.

Amendment No. 3 by Ms. JACKSON LEE of Texas.

Amendment No. 4 by Mr. CONNOLLY of Virginia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. MCKINLEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 254, noes 168, not voting 10, as follows:

[Roll No. 23]

AYES—254

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

Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—168

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

NOT VOTING—11

Cleaver
Costa
Duckworth
Garamendi
Guthrie
Nunnelee
Pearce
Perlmutter
Roskam
Ryan (OH)
Titus

□ 1649

Messrs. DUNCAN of Tennessee, FARENTHOLD, and DELANEY changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 247, not voting 7, as follows:

[Roll No. 24]

AYES—178

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

NOES—247

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Himes
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Cleaver
Cole
Duckworth
Garamendi
Huelskamp
Nunnelee
Perlmutter
Ryan (OH)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1656

Mrs. DINGELL and Ms. DEGETTE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 249, not voting 7, as follows:

[Roll No. 25]

AYES—176

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

NOES—249

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Cleaver
Duckworth
Garamendi
Nunnelee
Olson
Perlmutter
Rouzer
Ryan (OH)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1700

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. ROUZER. Mr. Chair, on rollcall No. 25 I was unavoidably detained during the time of this vote. Had I been present, I would have voted "nay."

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 248, not voting 6, as follows:

[Roll No. 26]

AYES—178

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

NOES—248

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher

Fitzpatrick	LoBiondo	Rooney (FL)
Fleischmann	Lofgren	Ros-Lehtinen
Fleming	Long	Roskam
Flores	Loudermilk	Ross
Forbes	Love	Rothfus
Fortenberry	Lucas	Rouzer
Foxx	Luetkemeyer	Royce
Franks (AZ)	Lummis	Russell
Frelinghuysen	MacArthur	Ryan (WI)
Garrett	Marchant	Salmon
Gibbs	Marino	Sanford
Gohmert	Massie	Scalise
Goodlatte	McCarthy	Schock
Gosar	McCaul	Schrader
Gowdy	McClintock	Schweikert
Granger	McHenry	Scott, Austin
Graves (GA)	McKinley	Sensenbrenner
Graves (LA)	McMorris Rodgers	Sessions
Graves (MO)	McSally	Shimkus
Griffith	Meadows	Shuster
Grothman	Meehan	Simpson
Guinta	Messer	Sinema
Guthrie	Mica	Smith (MO)
Hanna	Miller (FL)	Smith (NE)
Hardy	Miller (MI)	Smith (NJ)
Harper	Moolenaar	Smith (TX)
Harris	Mooney (WV)	Stefanik
Hartzler	Mullin	Stewart
Heck (NV)	Mulvaney	Stivers
Hensarling	Murphy (PA)	Stutzman
Herrera Beutler	Neugebauer	Thompson (PA)
Hice (GA)	Newhouse	Thornberry
Hill	Noem	Tiberi
Holding	Nugent	Tipton
Hudson	Nunes	Trott
Huelskamp	Olson	Turner
Huizenga (MI)	Palazzo	Upton
Hultgren	Palmer	Valadao
Hunter	Paulsen	Wagner
Hurd (TX)	Pearce	Walberg
Hurt (VA)	Perry	Walden
Issa	Peterson	Walker
Jenkins (KS)	Pittenger	Walorski
Jenkins (WV)	Pitts	Walters, Mimi
Johnson (OH)	Poe (TX)	Weber (TX)
Johnson, Sam	Poliquin	Webster (FL)
Jolly	Pompeo	Wenstrup
Jones	Posey	Westerman
Jordan	Price (GA)	Westmoreland
Joyce	Ratcliffe	Whitfield
Katko	Reed	Williams
Kelly (PA)	Reichert	Wilson (SC)
King (IA)	Renacci	Wittman
King (NY)	Ribble	Womack
Kinzinger (IL)	Rice (SC)	Woodall
Kline	Rigell	Yoder
Knight	Roby	Yoho
Labrador	Roe (TN)	Young (AK)
LaMalfa	Rogers (AL)	Young (IA)
Lamborn	Rogers (KY)	Young (IN)
Lance	Rokita	Zeldin
Latta		Zinke

NOT VOTING—7

Cleaver	Garamendi	Rohrabacher
Duckworth	Nunnelee	Ryan (OH)
	Perlmutter	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1705

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 185) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, and, pursuant to House Resolution 27, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Miss RICE of New York. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Miss RICE of New York. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Miss Rice of New York moves to recommit the bill H.R. 185 to the Committee on the Judiciary with instructions to report the same to the House forthwith with the following amendment:

Add at the end of the bill the following:

SECTION ___. PROTECTING AMERICANS FROM TERRORIST ATTACKS.

This Act and the amendments made by this Act shall not apply to rules or guidance that—

(1) prevent terrorism and crime;

(2) protect the wages of workers, including pay equity for women;

(3) save tax dollars or provide refunds and rebates for taxpayers;

(4) provide assistance and regulatory relief to small businesses; or

(5) prevent discrimination based on race, religion, national origin, or any other protected category.

The SPEAKER pro tempore. The gentlewoman is recognized for 5 minutes.

Miss RICE of New York. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Like many of you, especially my fellow freshman Members, I told my constituents of New York City's Fourth Congressional District that I wanted to come to Washington to offer commonsense solutions.

As you heard, the amendment does important things that my friends on the other side of the aisle also find important, such as saving tax dollars and providing regulatory relief for small businesses. The amendment also ensures that H.R. 185 would not stymie protections of workers' wages, especially those of women, or weaken protections against workplace discrimination. But the most important provision in this amendment, in light of current events, would ensure that H.R. 185 won't apply to actions that prevent terrorism and crime.

As the former District Attorney of Nassau County, just outside of New York City, terrorism is not abstract for me and my constituents. It is very real and it is very personal. Thousands of Long Island residents commute to the city every single day. We all remember too clearly the September 11 attacks, and we all live with the reality that such a day could come again if we are not vigilant in our efforts to prevent terrorism.

The horrendous attacks in France last week serve as a tragic and chilling reminder that we must be on high alert here at home, and the best way to do that is to ensure that those who protect us have the resources they need to do their jobs. That is our job—to make sure they have the resources they need to do theirs.

Mr. Speaker, I will make one final point. A number of freshman Members, myself included, came to Congress with a mandate to find compromise and to govern. Passing H.R. 185 will not demonstrate such priorities. We should be working together to actually solve problems. We should be working to find new ideas and new solutions to our Nation's problems and creating legislation that will make our government work more effectively.

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

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, we are more than 6 years into the Obama administration. Real unemployment is still a massive problem in this country. America's labor force participation has dropped to record lows. The nominal unemployment rate is down, but that is because desperate Americans dying for work are abandoning the workforce in droves.

The only real, long-term solution is to restart the engines of economic growth in this country. One way to do that is to pass the Regulatory Accountability Act. This bill promises real relief from our $1.86 trillion-per-year regulatory cost nightmare. If enacted, it would change night to day in terms of the level of regulatory costs Washington imposes on American families—without stopping one needed regulation from being issued.

My friends across the aisle say that won't happen. They say the bill will bring all good rulemaking to a halt. My goodness, it is ObamaCare all over again. My friends across the aisle haven't read the bill. You have to read the bill to know what is in it. If you read the bill, you understand it. You see right there on page 27:

> The agency shall adopt the least costly rule considered during the rule making . . . that meets relevant statutory objectives.

Take away a few key words and what does that say?

> The agency shall adopt the . . . rule . . . that meets . . . statutory objectives.

So the rules will still be made and statutory goals will still be met, but they will be done in a cost-effective way that makes sure that all of the necessary cost-saving measures and all of the necessary considerations are taken into account before imposing new burdens on the American people.

□ 1715

Vote against this motion to recommit. Vote for this good, job-creating, dollar-saving bill for the American people.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Miss RICE of New York. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 245, not voting 7, as follows:

[Roll No. 27]

AYES—180

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

NOES—245

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Cleaver
Clyburn
Collins (GA)
Duckworth
Garamendi
Nunnelee
Perlmutter
Ryan (OH)

□ 1721

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 250, noes 175, not voting 7, as follows:

[Roll No. 28]

AYES—250

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

Upton	Webster (FL)	Woodall
Valadao	Wenstrup	Yoder
Wagner	Westerman	Yoho
Walberg	Westmoreland	Young (AK)
Walden	Whitfield	Young (IA)
Walker	Williams	Young (IN)
Walorski	Wilson (SC)	Zeldin
Walters, Mimi	Wittman	Zinke
Weber (TX)	Womack	

NOES—175

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

NOT VOTING—8

Barton	Garamendi	Ryan (OH)
Cleaver	Gowdy	
Duckworth	Nunnelee	
	Perlmutter	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1729

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 185.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 25

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that REID RIBBLE be removed as a cosponsor of H.R. 25.

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

There was no objection.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. BECERRA. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 30

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON APPROPRIATIONS.—Mr. Kilmer.

(2) COMMITTEE ON AGRICULTURE.—Mr. David Scott of Georgia, Mr. Costa, Mr. Walz, Ms. Fudge, Mr. McGovern, Ms. DelBene, Mr. Vela, Ms. Michelle Lujan Grisham of New Mexico, Ms. Kuster, Mr. Nolan, Mrs. Bustos, Mr. Sean Patrick Maloney of New York, Mrs. Kirkpatrick, Mr. Aguilar, and Ms. Plaskett.

(3) COMMITTEE ON ARMED SERVICES.—Ms. Loretta Sanchez of California, Mr. Brady of Pennsylvania, Mrs. Davis of California, Mr. Langevin, Mr. Larsen of Washington, Mr. Cooper, Ms. Bordallo, Mr. Courtney, Ms. Tsongas, Mr. Garamendi, Mr. Johnson of Georgia, Ms. Speier, Mr. Castro of Texas, Ms. Duckworth, Mr. Peters, Mr. Veasey, Ms. Gabbard, Mr. Walz, Mr. O'Rourke, Mr. Norcross, Mr. Gallego, Mr. Takai, Ms. Graham, Mr. Ashford, Mr. Moulton, and Mr. Aguilar.

(4) COMMITTEE ON THE BUDGET.—Mr. Pascrell, Mr. Ryan of Ohio, Ms. Moore, Ms. Castor of Florida, Mr. McDermott, Ms. Lee, Mr. Pocan, Ms. Michelle Lujan Grisham of New Mexico, Mrs. Dingell, and Mr. Lieu of California.

(5) COMMITTEE ON EDUCATION AND THE WORKFORCE.—Mr. Hinojosa, Mrs. Davis of California, Mr. Grijalva, Mr. Courtney, Ms. Fudge, Mr. Polis, Mr. Sablan, Ms. Wilson of Florida, Ms. Bonamici, Mr. Pocan, Mr. Takano, Mr. Jeffries, Ms. Clark of Massachusetts, Ms. Adams, and Mr. DeSaulnier.

(6) COMMITTEE ON ETHICS.—Ms. Linda T. Sánchez of California.

(7) COMMITTEE ON FOREIGN AFFAIRS.—Mr. Sherman, Mr. Meeks, Mr. Sires, Mr. Connolly, Mr. Deutch, Mr. Higgins, Ms. Bass, Mr. Keating, Mr. Cicilline, Mr. Grayson, Mr. Bera, Mr. Lowenthal, Ms. Meng, Ms. Frankel of Florida, Ms. Gabbard, Mr. Castro of Texas, Ms. Kelly of Illinois, and Mr. Brendan F. Boyle of Pennsylvania.

(8) COMMITTEE ON HOMELAND SECURITY.—Ms. Loretta Sanchez of California, Ms. Jackson Lee, Mr. Langevin, Mr. Higgins, Mr. Richmond, Mr. Keating, Mr. Payne, Mr. Vela, Mrs. Watson Coleman, Miss Rice of New York, and Mrs. Torres.

(9) COMMITTEE ON THE JUDICIARY.—Mr. Nadler, Ms. Lofgren, Ms. Jackson Lee, Mr. Cohen, Mr. Johnson of Georgia, Mr. Pierluisi, Ms. Chu of California, Mr. Deutch, Mr. Gutiérrez, Ms. Bass, Mr. Richmond, Ms. DelBene, Mr. Jeffries, Mr. Cicilline, and Mr. Peters.

(10) COMMITTEE ON NATURAL RESOURCES.—Mrs. Napolitano, Ms. Bordallo, Mr. Costa, Mr. Sablan, Ms. Tsongas, Mr. Pierluisi, Mr. Huffman, Mr. Ruiz, Mr. Lowenthal, Mr. Cartwright, and Mr. Beyer.

(11) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mrs. Carolyn B. Maloney of New York, Ms. Norton, Mr. Clay, Mr. Lynch, Mr. Cooper, Mr. Connolly, Mr. Cartwright, Ms. Duckworth, Ms. Kelly of Illinois, and Mrs. Lawrence.

(12) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Ms. Lofgren, Mr. Lipinski, Ms. Edwards, Ms. Wilson of Florida, Ms. Bonamici, Mr. Swalwell of California, Mr. Grayson, Mr. Bera, Ms. Esty, Mr. Veasey, and Ms. Clark of Massachusetts.

(13) COMMITTEE ON SMALL BUSINESS.—Ms. Chu of California, Ms. Hahn, Mr. Payne, and Ms. Meng.

(14) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Ms. Norton, Mr. Nadler, Ms. Brown of Florida, Ms. Eddie Bernice Johnson of Texas, Mr. Cummings, Mr. Larsen of Washington, Mr. Capuano, Mrs. Napolitano, Mr. Lipinski, Mr. Cohen, Mr. Sires, Ms. Edwards, Mr. Garamendi, Mr. Carson of Indiana, Ms. Hahn, Mr. Nolan, Mrs. Kirkpatrick, Ms. Titus, Mr. Sean Patrick Maloney of New York, Ms. Esty, Ms. Frankel of Florida, Mrs. Bustos, Mr. Huffman, and Ms. Brownley of California.

(15) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Takano, Ms. Brownley of California, Ms. Titus, Mr. Ruiz, Ms. Kuster, and Mr. O'Rourke.

Mr. BECERRA (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUBMISSION OF MATERIAL EXPLANATORY OF H.R. 240, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

Pursuant to section 4 of House Resolution 27, the chairman of the Committee on Appropriations submitted explanatory material relating to H.R. 240. The contents of this submission will be published after the statement of Mr. ROGERS of Kentucky, chairman of the House Committee on Appropriations.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

GENERAL LEAVE

Mr. CARTER of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 240 and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 27 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 240.

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

□ 1732

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, with Mr. HULTGREN in the chair.

The Clerk read the title of the bill.

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

The gentleman from Texas (Mr. CARTER) and the gentlewoman from New York (Mrs. LOWEY) each will control 60 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CARTER of Texas. Mr. Chairman, I yield myself such time as I may consume.

Today, I am privileged to present to the House this bipartisan-bicameral agreement providing appropriations to the Department of Homeland Security, DHS, for fiscal year 2015.

Before I describe the details of this agreement, I want to thank everyone who has worked on this bill here today because, despite its importance to national security and public safety, its path to the floor has been far from certain.

First, to the Speaker and majority leader and your staffs, thank you for doing what is necessary to get this bill to this stage of the legislative process.

To Mr. ROGERS and the full committee staff, thanks for fighting for this bill. It wouldn't be on the floor without you.

To the House and Senate subcommittee staffs and to my personal staff—Darek Newby, Kris Mallard, Cornell Teague, Laura Cylke, Anne Wake, Steve Gilleland, Bill Zito, Jonas Miller, and Val Baldwin—thank you for your advice and counsel in crafting this agreement. Your work takes you away from home and from your families, and I appreciate your efforts.

Finally, to the Honorable DAVID PRICE, who is the ranking member of the subcommittee, much thanks to DAVID. Our partnership is critical to this bill's success. His experience and measured approach makes this agreement even better.

Thank you, DAVID, for your service and, more importantly, for your friendship.

As everyone knows, several amendments will be proposed to stop the President's recent executive actions on immigration. I plan to vote for these amendments because, like many Americans, I believe the President's actions exceed the authority provided to the Executive in the Constitution.

We need to have this debate, but after all of the arguments have been presented, the underlying appropriations bill must be enacted because it is critical to the Nation's security and to public safety.

Mr. Chairman, last week, we watched a terrible tragedy unfold in Paris as armed terrorists killed innocent French citizens who were doing nothing more than going about their daily lives. Like 9/11, this event and others that have occurred this year remind us that our democratic values are under constant attack, and they serve as a warning that we must remain vigilant.

Make no mistake, what happened in Paris can happen anywhere, including in the United States, and we must provide the resources necessary to find and to root out the seeds of terrorism. Therefore, passing the Homeland Security Appropriations bill is an imperative we cannot fail to meet.

Mr. Chairman, this agreement is very good, and I am proud of it. It supports DHS' frontline personnel and its essential security operations and maintains fiscal discipline.

Specifically, for Customs and Border Protection: this agreement adds $42 million above the request to assure the 24/7 surveillance of all land, sea, and air approaches; it increases air and marine flight hours from 74,000 to 95,000 per year; this agreement fully funds 23,775 CBP officers to continue efforts to reduce the wait times of passengers arriving at the Nation's international airports without resorting to burdensome user fees as proposed by the President; funds are included for 21,370 Border Patrol agents, the highest operational force in DHS history; funds for tactical communications equipment and border security technology are increased by $20 million above the request; substantial increases are included for targeting systems and data analysis to support counterterrorism efforts.

For Immigration and Customs Enforcement: custody and deportation operations are increased by $862 million above the request to ensure the full funding of 34,000 legislatively-mandated detention beds and to detain, deport, and deter the influx of families and children illegally crossing the southwest border. Included in this amount are 3,732 new family detention units to deter the illegal migration of families. Also included are 207 new enforcement officers to expedite the process of returning illegal immigrants to their countries of origin.

ICE's investigative capability is increased by $82.4 million over the request, which will result in more convictions of child pornographers, drug smugglers, human traffickers, and other criminals; full funding is provided for E-Verify and all existing 287(g) agreements.

For the Transportation Security Administration: TSA screeners are capped at 45,000—1,000 below last year's level; privatized screening is increased by $12.1 million over the request; funds are reduced from TSA's current request and prior year balances, saving the taxpayers almost $300 million.

For the U.S. Coast Guard: operational hours in critical source and transit zones are increased by $16.7 million over the request; depot level maintenance, which is crucial for the Coast Guard's readiness, is increased by $52.7 million over the request; the eighth National Security Cutter is fully funded; and $95 million over the request is added for an additional C–130J aircraft.

For the United States Secret Service: $25 million in additional funds are provided to address training shortfalls highlighted by the White House fence jumper and to enhance perimeter security, including for additional K–9 teams.

For the National Protection and Programs Directorate: funds are provided so DHS can effectively manage the collection of biometrics and protect and enhance the resilience of the Nation's physical and cyber infrastructure.

For the Federal Emergency Management Agency: $7 billion is provided to fully fund operational needs for disaster relief; first responder grants are increased by $300 million above the President's request to sustain funding for State and local grants, firefighter assistance grants, and Emergency Management Performance Grants.

For Science and Technology: $23.7 million above the request is provided for vital research efforts, including biological defense, cybersecurity, border security, and first responder technology; $300 million is included to complete the construction of the National Bio and Agro-Defense Facility.

Finally, this agreement provides absolutely no discretionary funds or mandatory funds to implement the President's executive actions on immigration.

As you know, the costs of processing immigration applications are paid entirely by individual applicants when they submit their supporting documentation. Fees from those transactions are collected in a specific amount in the Treasury, as mandated by the Immigration and Nationality Act.

The hard-earned income of American taxpayers does not subsidize the costs of immigration applications, and the spending bill under consideration today has no funding for these purposes.

In closing, Mr. Chairman, this Homeland Security bill meets the security needs of our Nation and the fiscal stewardship expected by the taxpayers. I believe it is worthy of every Member's vote, and I urge my colleagues to support it.

I reserve the balance of my time.

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

At the outset, I want to thank Chairman CARTER and Ranking Member

PRICE for their very hard work in putting the original bill together, which was negotiated by the House and the Senate and could be law right now.

As my colleagues are aware, our committee has not officially organized for the new Congress, which means we technically do not yet have a ranking minority member for the Department of Homeland Security Appropriations Subcommittee.

Again, I want to say to my colleagues that we could have completed action on this bill in the last Congress with the other 11 appropriations bills considered in the omnibus package. Unfortunately, the House majority kicked the can down the road and put these important programs under a continuing resolution in a misguided attempt to protest the President's executive order on immigration.

Today, instead of putting a clean bill on the floor, my majority colleagues have decided to further inject partisan politics into the appropriations process. We all know the outcome of this very dangerous game. The legislation in this form will not be enacted.

All we are doing is further delaying the enactment of a very good full-year bill. I am deeply disappointed that Republicans insist on making Congress play out this farce at the expense of our Nation's security. It has taken less than 2 weeks for the Republican Congress to prove that it cannot govern responsibly.

The Republican majority has already delayed this bill enough. With more than a quarter of this fiscal year already gone, we continue to play games with the funding for an agency that was created to protect the Nation from terrorist attacks.

□ 1745

Last week, terrorists brutally murdered 12 people at the office of a French satirical magazine, a police officer, and four individuals at a kosher grocery store. That is a tragic example of the kind of out-of-the-blue attack that the Department of Homeland Security, along with its other law enforcement partners, is working hard to prevent here in the United States.

Partisan games on immigration will delay grants to States and major urban areas, funding that is critical for supporting local first responders in our defense against homegrown terrorism and for fusion centers, where the Department of Homeland Security gathers, shares, and analyzes threat information with its State and local law enforcement partners.

The failure to enact a full-year bill will slow down efforts for the Secret Service to begin addressing problems with security at the White House.

The Department will be limited in its ability to move forward with the Secretary's Unity of Effort initiative to make the Department more strategic and improve coordination among its components.

Resources to detain truly dangerous criminal aliens and to manage another rapid influx of unaccompanied children and families across the southwest border are in jeopardy.

Acquisition of the final National Security Cutter and other Coast Guard assets will be delayed, as will construction of the National Bio and Agro-Defense Facility.

Mr. Chairman, I urge my Republican colleagues to give up the partisan games that threaten our national security and allow the House to act today on the clean bill—again, that was negotiated by Democrats and Republicans, House and Senate, a good bill—funding the Department of Homeland Security. We have already wasted enough time.

I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky, Mr. HAL ROGERS, the chairman of the full committee

Mr. ROGERS of Kentucky. I thank Chairman CARTER for his great work in putting this bill together and for yielding the time.

Mr. Chair, I rise in support of this bill that funds the Department of Homeland Security.

In December, the House passed, on a bipartisan basis, an aggregated appropriations bill that funded most of the Federal Government, 11 of the 12 annual appropriations bills, and today we consider the last remaining of those bills.

The security of our homeland is one of our highest priorities. This bill provides $39.7 billion for that purpose: to protect our borders, defend against the threats of terrorism, and enforce our Nation's laws.

Today we will also consider amendments to the bill that will reverse the President's declaration of executive amnesty for illegal aliens. One of these amendments would change existing law to prohibit any funding, including fees, from being used to implement the order. As the chairman of the subcommittee has said, there are no appropriations in this bill for the illegal amnesty decree—that is being funded by fees—and this amendment would get at that problem.

The American people have spoken loud and clear. They want our immigration laws enforced rather than unilaterally changed by executive decree in an unlawful way that undermines our Constitution and the integrity of our laws. I will vote for these amendments because the Presidential amnesty decree grossly exceeds this authority and violates the Constitution.

The base legislation before us ensures that our immigration laws are upheld, that our border is fortified, and that the men and women on our front line remain well-equipped and trained. The bill provides $10.7 billion for Customs and Border Protection. That is an increase of $118-plus million above last year to support the largest operation force levels in the history of the country and to ensure around-the-clock border surveillance.

Funding for Immigration and Customs Enforcement, ICE, is also boosted above last year, totaling $5.96 billion, including significant increases to detention bed capacity for both individuals and families, and full funding for E-Verify to ensure companies are hiring employees who can legally work in the U.S.

In addition, the legislation provides funding to ensure the safety of our skies and our coasts. The Transportation Security Administration is funded at $4.8 billion, targeting funding to passenger security, cargo inspections, and intelligence.

The Coast Guard receives $10 billion, denying the President's proposed cuts that would have gutted vital operations of the Coast Guard.

The security of this Nation is also dependent on a secure cyber network, and recent headlines have only underscored our need to be prepared against new and advanced cyber attacks and foreign espionage. To improve our cybersecurity programs, the bill includes $753.2 million for these activities in the National Protection and Programs Directorate.

The bill also includes increased funding to address critical lapses in Secret Service communications and training at the White House and to start preparations for the 2016 Presidential election.

In addition to providing for these important security efforts, the Department bill also provides funding for disaster recovery and response. There is $7 billion in the bill for FEMA's programs, fully funding their requirements. It also provides $2.5 billion for important first responder grants that help States and communities act in the critical early moments following a disaster.

And finally, Mr. Chair, in all, this legislation before us takes the necessary steps to ensure the responsible, transparent use of taxpayer dollars, including streamlining DHS operations, reducing overhead costs, and trimming funds for lower priority programs.

I want to thank the gentleman from Texas, Chairman CARTER, and the entire subcommittee and staff for their hard work in reaching that bipartisan agreement back in December which now is reflected in this bill on the floor, and to also thank the staff for their many hours putting this legislation into final form.

Nearly halfway into the fiscal year, it is high time we get this bill enacted to strengthen our homeland security efforts, ensure our personnel are well-equipped and trained, and maintain our readiness for any threats that may come our way. We cannot put our security at risk with outdated funding levels and the uncertainty of a continuing resolution.

So I urge my colleagues to vote responsibly for the security of our country and the security of our borders. I urge Members to vote ''yes'' on the bill.

EXPLANATORY STATEMENT SUBMITTED BY MR. ROGERS OF KENTUCKY, CHAIRMAN OF THE HOUSE COMMITTEE ON APPROPRIATIONS, REGARDING H.R. 240

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

The following is an explanation of the effects of this Act, which makes appropriations for the Department of Homeland Security for fiscal year 2015. Unless otherwise noted, references to the House and Senate reports are to House Report 113–481 and Senate Report 113–198, respectively. The language and allocations contained in the House and Senate reports warrant full compliance and carry the same weight as language included in this explanatory statement, unless specifically addressed to the contrary in the bill or this explanatory statement. While repeating some language from the House or Senate report for emphasis, this explanatory statement does not intend to negate the language referred to above unless expressly provided herein. When this explanatory statement refers to the Committees or the Committees on Appropriations, this reference is to the House Appropriations Subcommittee on Homeland Security and the Senate Appropriations Subcommittee on the Department of Homeland Security.

In cases where this explanatory statement directs the submission of a report or a briefing, such report or briefing shall be provided to the Committees not later than April 15, 2015, unless otherwise directed in the statement. Reports and briefings required by the House or Senate report are due on the dates specified; in instances where the date specified occurred prior to the date of enactment of this Act, the report or briefing shall be due not later than April 15, 2015.

This explanatory statement refers to certain laws and organizations as follows: the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110–53, is referenced as the 9/11 Act; the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288, is referenced as the Stafford Act; the Department of Homeland Security is referenced as DHS or the Department; the Government Accountability Office is referenced as GAO; and the Office of Inspector General of the Department of Homeland Security is referenced as OIG. In addition, ''full-time equivalents'' shall be referred to as FTE; the DHS ''Working Capital Fund'' shall be referred to as WCF; ''program, project, and activity'' shall be referred to as PPA; and any reference to ''the Secretary'' shall be interpreted to mean the Secretary of Homeland Security.

Classified Programs

Recommended adjustments to classified programs are addressed in a classified annex accompanying this explanatory statement.

TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS

Office of the Secretary and Executive Management

A total of $132,573,000 is provided for the Office of the Secretary and Executive Management (OSEM). The funding provided addresses the Unity of Effort realignment requested by the Department.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Immediate Office of the Secretary	$3,950	$7,939
Immediate Office of the Deputy Secretary	1,751	1,740
Office of the Chief of Staff	2,112	2,782
Executive Secretary	7,719	5,589
Office of Policy	38,470	38,073
Office of Public Affairs	8,741	5,591
Office of Legislative Affairs	5,583	5,403
Office of Intergovernmental Affairs/Partnership and Engagement	2,429	9,848
Office of General Counsel	21,310	19,950
Office for Civil Rights and Civil Liberties	22,003	21,800
Citizenship and Immigration Services Ombudsman	6,428	5,825
Privacy Officer	8,273	8,033
Total, Office of the Secretary and Executive Management	$128,769	$132,573

DHS Unity of Effort

Throughout the bill, funds have been realigned to support the Secretary's Unity of Effort initiative. The Department shall provide frequent updates on progress and adoption of new policies, procedures, and guidelines related to this evolving effort.

Unaccompanied Alien Children

The President's fiscal year 2015 budget request for DHS failed to include funds necessary to address the arrival of children and families who will be ferried to the Nation's borders by a network of illicit transnational criminal organizations and to manage the populations of these illegal migrants who cross our border. This bill rectifies these mistakes by adding $553,589,000 for costs related to deterring such illegal migration, interdicting these migrants, caring for and transporting an estimated 58,000 undocumented children to the custody of the Department of Health and Human Services (HHS), and facilitating the movement of thousands of undocumented families through removal proceedings after they illegally cross the U.S. border during this fiscal year.

Both the House and Senate reports contain instructions relative to the humanitarian crisis and law enforcement nightmare created by the phenomenon of children crossing the Southwest border. That guidance, which is aimed at being prepared for another potential influx of children, remains as valid today as it was in June 2014. To assure the Committees that the directives are being carried out, DHS is directed to coordinate an interagency update with other responsible Federal agencies, including the Departments of State, HHS, and Justice, that addresses the activities each agency is undertaking to deter, prepare for, and manage a surge of illegally migrating children and families. Quarterly briefings to the Committees are required beginning January 15, 2015, to cover operational statistics on all apprehensions, including unaccompanied alien children (UAC) and families, detention, non-detention forms of supervision, and removals. Furthermore, DHS shall notify the Committees immediately in the event that UAC are held in U.S. Customs and Border Protection (CBP) custody longer than 72 hours or if UAC apprehensions surpass fiscal year 2013 levels.

A general provision is included in Title V of this Act to ensure the President's fiscal year 2016 budget request addresses DHS needs related to UAC and families.

Reporting of Operational Statistics

The Department shall continue quarterly submission of the Border Security Status reports, as required by the Senate. The requirement for Detention and Removal Operations reports is discontinued, as further discussed under the U.S. Immigration and Customs Enforcement (ICE) heading later in this statement.

In addition, the Department is directed to continue improving its public reporting of immigration enforcement and border security operations statistics both in terms of completeness and timeliness. The Department shall ensure that immigration enforcement data is collected and reported to reflect the entire lifecycle from encounter through removal and return, not just starting with apprehension and arrest. As directed in the Senate report, the Department and the relevant components shall brief the Committees on these efforts.

Joint Requirements Council

An additional $4,000,000 is provided in the Immediate Office of the Secretary for the newly created Joint Requirements Council. The Department shall brief the Committees regularly on the status and activities of the Council.

U.S. Customs and Border Protection and Coast Guard Aviation Commonality

As referenced in the House report, the Department shall continue to pursue joint aviation requirements, as applicable, for the Coast Guard and CBP. Both components shall maximize commonality between their aircraft fleets. Further, CBP shall develop a flying hour program using the Coast Guard program as a model.

Over-Classification of Information

When the Department submits a document to the Committees that is classified for official use only (FOUO), the document shall include specific reasons for the classification based on requirements detailed in DHS Management Directive 11042.1, which provides guidance for safeguarding sensitive but unclassified FOUO information. The signatory of each document will be held accountable for verifying the classification.

International Costs Reduction

As referenced in the Senate report, the Department is to develop a plan with the goal of reducing international operations costs by up to 10 percent in fiscal year 2015. DHS shall brief the Committees not later than 60 days after the date of enactment of this Act on this plan, including efforts to reduce unnecessary overlap and redundancies in its attaché laydown while maintaining a strong presence internationally.

Expenditure Plans in Budget Justification

As part of the justification accompanying the President's budget proposal for fiscal year 2016, the Secretary shall include expenditure plans for fiscal year 2016 for the Office of Policy, the Office of Intergovernmental Affairs/Partnership and Engagement, the Office for Civil Rights and Civil Liberties (OCRCL), the Citizenship and Immigration Services Ombudsman, and the Office of Privacy.

Situational Awareness of Illegal Border Activity

As directed in both the House and Senate reports, the Secretary shall submit to the Committees the results of a review and draft plan for situational awareness along the Southwest border and in the associated maritime environment not later than 180 days after the date of enactment of this Act. The effort may include attaining a common operating picture but must include enabling operational control through full and persistent situational awareness.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

A total of $187,503,000 is provided for the Office of the Under Secretary for Management (USM). The funding provided fully incorporates the Unity of Effort realignment requested by the Department. Each office shall prioritize efforts within the amount provided.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Immediate Office of the Under Secretary for Management	$2,757	$2,740
Office of the Chief Security Officer	63,597	64,308
Office of the Chief Procurement Officer	64,036	60,107
Subtotal	130,390	127,155
Office of the Chief Human Capital Officer:		
Salaries and Expenses	21,253	20,944
Human Resources Information Technology	9,878	6,000
Subtotal	31,131	26,944
Office of the Chief Readiness Support Officer:		
Salaries and Expenses	29,272	28,911
Nebraska Avenue Complex	4,493	4,493
Subtotal	33,765	33,404
Total, Office of the Under Secretary for Management	$195,286	$187,503

Headquarters Consolidation

Pursuant to a general provision in Title V of this Act, $48,600,000 is provided for headquarters consolidation and associated operational support. Not later than 60 days after the date of enactment of this Act, the USM shall submit to the Committees an expenditure plan detailing how this funding will be allocated, including revised schedule and cost estimates for the headquarters consolidation project. Quarterly briefings are required on headquarters and mission support consolidation activities, which should highlight any deviation from the expenditure plan. The briefings shall also discuss progress on lease replacement and consolidation efforts.

Program Accountability and Risk Management

In lieu of direction in the House report regarding a new PPA for the Office of Program Accountability and Risk Management, the Department shall display funding levels and a program justification for this office within the President's budget proposal for fiscal year 2016.

Comprehensive Acquisition Status Report

The Comprehensive Acquisition Status Report shall be submitted as a part of the justification documents accompanying the President's budget proposal for fiscal year 2016 and shall contain all programs on the major acquisition oversight list and others of special interest. Funding amounts shall be displayed by appropriation and PPA. Further, the Department shall work with the Committees to post a non-FOUO version to the Department's website not later than 180 days after the date of enactment of this Act.

Procurement of Secure Credentials

As described in the House report, there is an ongoing GAO study regarding the production of secure credentials across the government. To that end, the Office of the Chief Procurement Officer (OCPO) shall brief the Committees within 90 days of the date of enactment of this Act on the Department's process for procuring secure credentials, including how OCPO decides whether to procure such products from either a private entity or a government agency and how it considers both cost and the security features of the products. Prior to the completion of the GAO study, per section 507 of this Act, the Department shall notify the Committees in writing three days prior to contracting with a private entity or signing an agreement with a government agency to requisition secure credentials and, if applicable, to provide an analysis showing how the security of the products will be equal to or greater than that of products that could be procured from private industry at a similar cost.

GAO Review of Major Acquisition Programs

As directed in the Senate report, GAO shall develop a plan for ongoing reviews of DHS' major acquisition projects.

Procurement Process

As directed in the Senate report, the Under Secretary shall outline the procurement process from the beginning when a need is identified through contract award, extension, or modification, including any protest actions or other delays. The Under Secretary shall provide a briefing on the effort to the Committees not later than 120 days after the date of enactment of this Act. As directed in the Senate report, the role of the Component Acquisition Executive shall also be addressed.

Hiring Delays

DHS shall report to the Committees not later than 60 days after the date of enactment of this Act on a strategy for reducing the time required for hiring personnel, and shall provide quarterly data on hiring timelines by component, as directed in the Senate report.

OFFICE OF THE CHIEF FINANCIAL OFFICER

A total of $52,020,000 is provided for the Office of the Chief Financial Officer (OCFO), which includes staffing and funds realigned to support the Secretary's Unity of Effort initiative. It is assumed that any cost of living adjustment for Federal employees directed by the President for fiscal year 2015 will be funded from within the amounts provided for each appropriation in this Act.

Obligation and Expenditure Plans

The statement includes directives for specified components to brief the Committees on obligation and expenditure plans. The briefings shall reflect enacted appropriations; include the allocation of undistributed appropriations among and within PPAs; and specify completed transfer and reprogramming actions (pursuant to section 503 of this Act and previous appropriations Acts for DHS), including funds that have been reprogrammed below the notification threshold.

Funding in the briefs shall be designated by PPA and cost code by quarter, and shall include the amount of funds planned to be carried over into the next fiscal year. For multi-year appropriations, the briefs shall detail the status of each appropriation by source year. In addition, the briefs shall identify the current numbers of onboard personnel by PPA, along with delineations of the numbers of personnel newly hired or lost to attrition since the beginning of the fiscal year or since the most recent report, as appropriate. These briefings shall be provided not later than 45 days after the date of enactment of this Act and on a quarterly basis thereafter to compare actual obligations against the initial plans.

Financial Systems Modernization

The CFO is directed to maintain frequent communications with the Committees on its Financial Systems Modernization (FSM) efforts, as directed in the House and Senate reports. A general provision is included in Title V of this Act to fund FSM activities, enabling the Secretary to allocate resources according to fluctuations in the FSM program execution plan. In lieu of the direction in the House report, the CFO shall submit a detailed expenditure plan for FSM not later than 45 days after the date of enactment of this Act.

OFFICE OF THE CHIEF INFORMATION OFFICER

A total of $288,122,000 is provided for the Office of the Chief Information Officer (OCIO), of which $189,094,000 is available until September 30, 2016. The funding provided fully incorporates the realignment to support the Secretary's Unity of Effort initiative. An additional $1,000,000 is provided for the DHS Data Framework initiative, and an additional $500,000 is provided for cyber remediation tools, as outlined in the House report. The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Salaries and Expenses	$95,444	$99,028
Information Technology Services	38,627	68,298
Infrastructure and Security Activities	52,140	52,640
Homeland Secure Data Network	70,132	68,156
Total, Office of the Chief Information Officer	$256,343	$288,122

Unity of Effort

To support the Department's Unity of Effort initiative, a total of $32,621,000 and 25 FTE are realigned from Analysis and Operations to OCIO for the Homeland Security Information Network Program and the Common Operating Picture.

Sharing and Safeguarding Classified Information

As directed in House and Senate reports and not later than 90 days after the date of enactment of this Act, the CIO shall brief the Committees on its program execution and strategy to protect national security information held by DHS, including the cost and schedule details of the Homeland Secure Data Network, Identity Credential Access Management programs, and other large or multi-agency projects. The briefing shall also include details on other steps the Department is taking to safeguard classified information.

ANALYSIS AND OPERATIONS

A total of $255,804,000 is provided for Analysis and Operations, of which $102,479,000 shall remain available until September 30, 2016. The funding provided fully incorporates the Unity of Effort realignment requested by the Department. Other funding details are included within the classified annex accompanying this explanatory statement.

Criminal Intelligence Enterprise

The Committees encourage Intelligence and Analysis (I&A) to coordinate with the Chiefs of Police and Sheriffs from the Nation's major urban areas to strengthen the Criminal Intelligence Enterprise, which is aimed at integrating state and local criminal intelligence and counterterrorism operations. I&A is to brief the Committees not later than 60 days after the date of enactment of this Act on its efforts to date and plans for fiscal year 2015.

OFFICE OF INSPECTOR GENERAL

A total of $142,617,000 is provided for the OIG, including $118,617,000 in direct appropriations and $24,000,000 transferred from the Federal Emergency Management Agency (FEMA) Disaster Relief Fund (DRF) for audits and investigations related to the DRF. The level of OIG funding has been reduced from the budget request for reasons outlined in the Senate report as well as to reflect more realistic expectations for hiring in fiscal year 2015. The OIG is directed to submit an expenditure plan for all fiscal year 2015 funds not later than 30 days after the date of enactment of this Act and, for fiscal year 2016 and future years, to submit an expenditure plan within its annual budget justification. The OIG is directed to include DRF transfers in the CFO's monthly budget execution reports submitted to the Committees, which shall satisfy the requirements for notification of DRF transfers under a general provision in Title V of this Act.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

A total of $8,459,657,000 is provided for Salaries and Expenses. The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Headquarters, Management, and Administration:		
Commissioner	$27,245	$27,151
Chief Counsel	45,663	45,483
Congressional Affairs	2,514	2,504
Internal Affairs	140,141	139,493
Public Affairs	13,064	13,009
Training and Development	71,926	71,585
Technology, Innovation, and Acquisition	25,374	25,277
Intelligence/Investigative Liaison	61,512	62,235
Administration	386,793	382,870
Rent	409,490	598,593
Subtotal, Headquarters, Management, and Administration	1,183,722	1,368,200
Border Security Inspections and Trade Facilitation:		
Inspections, Trade, and Travel Facilitation at Ports of Entry	2,830,872	2,810,524
Harbor Maintenance Fee Collection (Trust Fund)	3,274	3,274
International Cargo Screening	69,173	68,902
Other International Programs	25,706	25,548
Customs-Trade Partnership Against Terrorism	40,841	41,619
Trusted Traveler Programs	5,811	5,811
Inspection and Detection Technology Investments	123,866	122,811
National Targeting Center	70,592	74,623
Training	33,906	33,880
Subtotal, Border Security Inspections and Trade Facilitation	3,204,041	3,186,992
Border Security and Control between Ports of Entry:		
Border Security and Control	3,882,015	3,848,074
Training	56,608	56,391
Subtotal, Border Security and Control between Ports of Entry	3,938,623	3,904,465
Total	$8,326,386	$8,459,657

Headquarters, Management, and Administration

CBP's Chief Financial Officer is directed to brief the Committees on a plan for the obligation and expenditure of funds for all CBP accounts, as specified under Title I of this statement, to include data previously provided in its financial plans. As proposed by the House, $1,000,000 is provided to the Office of Intelligence and Investigative Liaison (OIIL) for additional analysts to support the Air and Marine Operations Center's (AMOC) activities, particularly analysis of feeds from unmanned aircraft systems (UAS). CBP shall ensure that such activities are aligned with other situational awareness efforts at CBP and the DHS Unity of Effort initiative.

The total amount provided reflects a transfer from the Construction and Facility Management account into the Rent PPA because the Administration has determined that GSA will not delegate authority to CBP to manage certain land ports of entry.

Conduct and Integrity Oversight

The Secretary announced the delegation of criminal misconduct investigative authority on September 18, 2014. This authority permits CBP to work side by side, as appropriate, with other Federal investigative agencies looking into alleged criminal conduct by CBP employees, which should increase workforce accountability and enable CBP leadership to have greater awareness of conduct and integrity issues. CBP is directed to provide regular updates as it converts internal affairs investigators to criminal investigators as part of this transition. Further, the Deputy Secretary shall continue to oversee joint coordination of integrity oversight, as discussed in the Senate report.

Border Security Inspections and Trade Facilitation

Border Security Inspections and Trade Facilitation is funded at $3,186,992,000, of which $2,810,524,000 is for Inspections, Trade, and Travel Facilitation at Ports of Entry, including sufficient funding to support a base of 23,775 CBP officers. The bill provides $30,000,000 as two-year funding based on CBP's current hiring schedule. As requested, $8,300,000 is provided for the CBP Mobile Program and $3,000,000 is added for a Biometric Exit Mobile application demonstration at two airports. To expand the Arrival and Departure Information System, $9,900,000 is included instead of $11,800,000 as proposed by the House and $8,000,000 as proposed by the

Senate. A total of $41,619,000 is provided for the Customs-Trade Partnership Against Terrorism (C–TPAT) program, which provides sufficient funds to proceed with the web portal project. As discussed in the Senate report, of the total amount provided for CBP Salaries and Expenses, $10,000,000 shall be used for sustaining traveler process enhancements initiated in Public Law 113–76. To support counter-network capabilities at the National Targeting Center (NTC), $4,500,000 is provided for advanced analysis and visualization tools and requirements development instead of $9,000,000 as proposed by the House. While funded in the NTC PPA, this investment shall support strategic analysis capabilities across CBP.

To deal with the fluctuations of facilitating trade and securing travel, CBP's staffing practices—to include hiring, training, and assignments—must be flexible and nimble. While the resource allocation model has greatly improved CBP's ability to make informed staffing decisions, CBP shall update its resource allocation model, taking into account any newly identified gaps, the onboarding of 2,000 CBP officers added by the fiscal year 2014 Act, and the timeline for training and deploying the new personnel to their respective assignments. An updated model shall specifically identify CBP officer staffing requirements for the Northern border. Any modifications to the model shall be described in the fiscal year 2016 budget submission.

Both the House and Senate reports include extensive language about ways to reduce wait times at ports of entry. As always, this objective must be carefully balanced against U.S. security interests and the need to safeguard travelers and the general public from terrorism. To underscore the importance of these missions, the agreement highlights the following guidance in both the House and Senate reports. CBP shall carry out the following within 90 days of the date of enactment of this Act:

1) Develop a plan to accelerate the hiring process for CBP officers, as directed in the Senate report.

2) Brief the Committees on the implementation and execution of the public-private partnership and donation authority pilots authorized under section 560 of Public Law 113–6 and section 559 of Public Law 113–76 and continued in this Act, with semi-annual briefings thereafter.

3) Provide a report to the House and Senate Committees on Appropriations, the House Committee on Homeland Security, and the Senate Committee on Homeland Security and Governmental Affairs describing the effects of business transformation initiatives on reducing passenger wait times, including the impact of technologies that are not dependent on the activity of CBP personnel. The report should provide an analysis of the effectiveness of such initiatives and identify locations CBP would prioritize for expansion.

4) Brief the Committees on efforts to improve commercial vehicle wait time data collection and trade facilitation at land ports of entry.

5) Brief the Committees on the status of implementing section 571 of Public Law 113–76, which requires the development of passenger wait time performance metrics and operational work plans to reduce passenger wait times at ports of entry with the highest passenger volume and wait times. The briefing shall include an action plan and proposed timelines for innovative activities, as proposed in the Senate report.

6) Brief the Committees on the effect of the Beyond the Border Action Plan on reducing wait times at, and streamlining the flow of trade across, the Northern border.

7) Brief the Committees on the status of the Air Entry/Exit Re-engineering project, its implications for land and sea ports in urban and rural areas, and how CBP is working with the Office of Biometric Identity Management (OBIM) to examine new technologies that can be integrated with DHS' backend biometric system, IDENT.

8) Provide an update on the effectiveness of non-intrusive inspection (NII) technology at ports of entry, including seizures resulting from NII exams, in the multi-year investment and management plan for inspection and detection technology required by Public Law 112–74 and continued in a general provision in Title V of this Act.

Trade Enforcement

The House and Senate reports contain guidance on cargo inspection and commercial fraud enforcement, including directives related to circumvention of duties and misclassification of entries of goods from China; collection of outstanding duties; the use of single entry transaction bonds; coordination with the Departments of the Treasury and Commerce on the use of new shipper reviews and improvement of liquidation instructions; membership on the Advisory Committee on Commercial Operations; uncollected antidumping and countervailing duty orders on duties in excess of $25,000,000 assessed by single transaction bonds; and enhanced trade enforcement efforts. CBP shall adhere to these directives and, to the extent practicable, publish the required report on the collection of outstanding duties on the CBP website.

The Commissioner is directed to pursue, through all possible means, the dispersal of interest payments owed to injured parties who have obtained funds under the Continued Dumping and Subsidy Offset Act. That law states that ''the Commissioner shall distribute all funds from assessed duties received in the preceding fiscal year to affected domestic producers,'' which has been understood to mean interest accrued from past duties identified and dispersed to injured parties. CBP shall provide a report on all interest payments owed to injured parties between the beginning of 2001 and the end of 2014, along with a path forward for dispersing such funds to the injured parties.

Jones Act

CBP is directed to brief the Committees on the steps it is taking to adhere to the guidance in the Senate report with regard to the Jones Act.

Border Security and Control between Ports of Entry

Border Security and Control between Ports of Entry is funded at $3,904,465,000, which includes $3,848,074,000 for Border Security and Control and $56,391,000 for training. As proposed by the House, $499,000 is included for an additional Horse Patrol Unit. The total funding level supports the legislatively-mandated floor of not less than 21,370 Border Patrol agents. Because CBP is currently well below the mandated level, CBP is directed to take all possible steps to reach the funded and operationally necessary staffing level. Recognizing that the Administration failed to request funds sufficient to care for UAC and family units while in Border Patrol custody, CBP shall utilize excess funding currently allocated to Salaries and Expenses within this PPA to support that need.

As proposed by the Senate, $10,000,000 is for the development and operation of the National Border Geo-Intelligence Strategy (NBGIS). CBP must continue to improve its situational awareness and analytic capabilities to secure the border at and between the ports of entry and along the approaches to the United States by land, air, and sea. CBP shall ensure that the investments made in the NBGIS align with other critical investments in the NTC, AMOC, and OIIL, and shall brief the Committees on how data collected through the NBGIS will assist CBP and other government entities.

As directed in the House report, CBP shall continue to issue statistics on individuals held in CBP custody and to publish such statistics in the DHS annual statistical yearbook.

Both the House and Senate reports included direction to DHS to review ICE and CBP repatriation policies and practices to ensure deportations of vulnerable individuals are conducted humanely and safely. The review shall be completed within 150 days after the date of enactment of this Act instead of 180 days as proposed by the House and 120 days as proposed by the Senate.

Recently, CBP initiated a pilot program to determine whether using body-worn cameras can reduce the use of unnecessary force and protect officers and agents from allegations of abuse that may be unfounded. As required in the House report, CBP shall provide a report to the Committees on the results of the pilot within 60 days of its completion.

AUTOMATION MODERNIZATION

A total of $808,169,000 is provided for Automation Modernization. CBP and ICE shall brief the Committees semi-annually on TECS modernization, and CBP shall brief the Committees on Automated Commercial Environment modernization semi-annually. The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Information Technology	$365,700	$362,094
Automated Targeting Systems	109,273	109,230
Automated Commercial Environment (ACE)/International Trade Data System (ITDS)	141,061	140,970
Current Operations Protection and Processing Support (COPPS)	196,376	195,875
Total	$812,410	$808,169

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

A total of $382,466,000 is provided for Border Security Fencing, Infrastructure, and Technology (BSFIT). As requested, $12,200,000 is provided for Northern border technology and $35,600,000 is provided for tethered aerostat radar systems. An additional $15,000,000 for Development and Deployment and $5,000,000 for Operations and Maintenance is provided for unfunded priorities cited in the House report. Within the resources provided, CBP

shall resume and complete the communications study referenced in the House report. CBP shall also detail the allocation of BSFIT funds in its obligation and expenditure plan briefings, as specified under Title I of this statement.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Development and Deployment	$110,594	$125,594
Operations and Maintenance	251,872	256,872
Total	$362,466	$382,466

AIR AND MARINE OPERATIONS

A total of $750,469,000 is provided for Air and Marine Operations. The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Salaries and Expenses	$293,016	$299,800
Operations and Maintenance	362,669	397,669
Procurement	53,000	53,000
Total	$708,685	$750,469

The amount provided for Salaries and Expenses includes $5,900,000 to increase staffing at the AMOC to levels sufficient to maintain 24/7 air and marine surveillance coverage of the United States as well as $350,000 for Intelligence Research Analysts; and $3,000,000 to support 95,000 flight hours. The Operations and Maintenance PPA is increased by $28,300,000 to support this number of flight hours. In addition, $3,000,000 is for multi-role enforcement aircraft (MEA) spare parts, $2,000,000 is for upgrades to unmanned aircraft system ground control stations, and $1,350,000 is for enhancements to AMOC's Processing, Exploitation, and Dissemination cell and Air and Marine Operating Surveillance System. As requested, $43,700,000 is provided for procurement of two MEA and $9,300,000 is for sensor upgrades.

The bill continues a provision included in the Senate bill requiring CBP to submit any changes to its five-year Strategic Air and Marine Plan not later than 90 days after the date of enactment of this Act.

Based on concerns addressed in both the House and Senate reports, CBP initiated a review of how to improve its air and marine readiness posture to adequately support mission needs. In coordination with the Department's Aviation Governance Board (AGB), CBP shall establish policies and define responsibilities for the development and management of a CBP aircraft flight hour and marine vessel underway hour program, which shall be finalized not later than December 31, 2015. In addition, CBP shall continue to work with the AGB to formalize and institutionalize a joint requirements process tailored to meet law enforcement operational needs and leverage existing capabilities across the Department, including depot level maintenance facilities. CBP shall provide quarterly progress reviews on this endeavor to the Committees beginning not later than February 1, 2015.

CBP's AMOC is a national asset, critical to fulfilling the needs of the United States for air and marine domain awareness. It is clear, however, that the Department has not fully utilized this critical resource. Therefore, the DHS Deputy's Management Action Group (DMAG) shall review AMOC's current mission and its roles and responsibilities to determine whether they require modification to support DHS' strategic objective of protecting all approaches—air, land, and sea—to U.S. borders. By December 1, 2015, the DMAG shall make recommendations to the Secretary on how to rectify identified gaps in capability and provide guidance to all DHS components on how best to leverage AMOC's existing capabilities so they enhance DHS' operational Unity of Effort. The DMAG review and recommendations shall also address direction in the House report regarding personnel requirements and full staffing of AMOC, as well as finalization of an AMOC charter, although no report on the charter is required. The Department and CBP are instructed to provide quarterly progress reviews to the Committees beginning March 1, 2015, which shall include an update on progress made to connect AMOC to SIPRnet, as directed in the House report.

CONSTRUCTION AND FACILITIES MANAGEMENT

A total of $288,821,000 is provided for Construction and Facilities Management, including $5,100,000 for upgrading Border Patrol facilities instead of $4,100,000 as proposed by the Senate. No increase is provided for the McAllen Border Patrol Station, as it has already been reactivated for use in transitioning UAC to HHS custody.

The amount provided reflects a transfer from this account of $189,103,000 to the Rent PPA in the Salaries and Expenses appropriation because the Administration has determined that GSA will not be delegating authority to CBP for management of certain land ports of entry. The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Facilities Construction and Sustainment	$385,137	$205,393
Program Oversight and Management	97,068	83,428
Total	$482,205	$288,821

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

A total of $5,932,756,000 is provided for Salaries and Expenses, which reflects significant increases above the request totaling $944,691,000. These increases are provided to address excessive shortfalls in the President's budget request due to poor budgeting practices, deal with needs related to the surge in unaccompanied children and families with children coming across the Southwest border, and restore proposed cuts to staffing, operations, investigations, and other programs critical to national security.

ICE is directed to brief the Committees on a plan for the obligation and expenditure of funds and provide quarterly updates, as specified under Title I of this statement. As a part of these briefings, ICE shall continue to provide data on investigative activities and expenditures.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Headquarters Management and Administration:		
Personnel Compensation and Benefits, Services, and Other Costs	$198,602	$197,002
Headquarters Managed IT Investment	150,927	150,419

($000)

	Budget Estimate	Final Bill
Subtotal, Headquarters Management and Administration	349,529	347,421
Legal Proceedings	214,731	217,393
Investigations:		
Domestic Investigations	1,644,552	1,699,811
International Investigations:		
International Operations	101,228	110,682
Visa Security Program	31,854	49,526
Subtotal, International Investigations	133,082	160,208
Subtotal, Investigations	1,777,634	1,860,019
Intelligence	77,045	76,479
Enforcement and Removal Operations:		
Custody Operations	1,791,913	2,532,593
Fugitive Operations	131,591	142,615
Criminal Alien Program	322,407	327,223
Alternatives to Detention	94,106	109,740
Transportation and Removal Program	229,109	319,273
Subtotal, Enforcement and Removal Operations	2,569,126	3,431,444
Total, Salaries and Expenses	$4,988,065	$5,932,756

Legal Proceedings

A total of $217,393,000 is provided for Legal Proceedings, including funds to hire 12 full-time personnel to process Freedom of Information Act submissions, as requested. In addition, an increase of $4,500,000 is provided to hire additional attorneys to expedite the immigration court docket.

Domestic Investigations

A total of $1,699,811,000 is provided for Domestic Investigations, including an increase of $5,700,000 to annualize the costs of investigative staffing enhancements funded in fiscal year 2014. The bill provides an increase of $62,000,000 to hire additional agents and mission support staff to enhance ICE's ability to conduct investigations in high-priority mission areas, such as human smuggling and trafficking, including Operation Torrent Divide; child exploitation, including Operation Angel Watch; antidumping and countervailing duties, including illegally dumped seafood; counter-proliferation; gang activity; and drug smuggling. ICE shall submit a fiscal year 2016 budget request that includes funds sufficient to annualize the costs of prior year staff enhancements. In addition, ICE is directed to develop a workforce model to better inform requirements for investigative staffing, including the necessary balance of special agents and mission support personnel.

ICE is directed to train at least two classes of veterans through the Human Exploitation Rescue Operative (HERO) Child-Rescue Corps to support child exploitation investigations and to brief the Committees on its efforts not later than 180 days after the date of enactment of this Act, including efforts to hire HERO graduates or to help place them with other Federal, state, or local agencies with related missions.

Within the total, the bill provides not less than $15,000,000 for intellectual property rights and commercial trade fraud investigations, including activities at the National Intellectual Property Rights Coordination Center.

In lieu of the operational reporting requirement in the House report, ICE is directed to work with the Committees on a format for submitting quarterly updates on operations not later than 15 days after the end of each quarter.

International Investigations

A total of $160,208,000 is provided for International Investigations. Within the total, an increase of $7,113,000 is included to fund increased State Department service fees; an increase of $12,000,000 is provided to expand the Visa Security Program to high-threat countries; and an increase of $3,500,000 is provided to support enhancements to the PATRIOT information technology system for visa vetting. In support of ICE's international efforts to counter the humanitarian crisis caused by the influx of UAC, the bill also provides increases of $1,764,000 to double the number of vetted units in Central America and $3,373,000 to expand human smuggling investigations.

Enforcement and Removal Operations

A total of $3,431,444,000 is provided for Enforcement and Removal Operations (ERO), including full funding to support all 287(g) memoranda of understanding.

The bill does not include funds for ICE's efforts to establish a unified career path for ERO frontline law enforcement positions and ensure pay parity in the ERO workforce. Such funds were not requested by the President and are not affordable due to other immigration enforcement and border security budget shortfalls.

In lieu of the ERO quarterly data required by the Senate report, ICE is directed to provide regular updates on the detained and non-detained populations subject to removal proceedings, including details on enforcement priority level, and to work with the Committees on the format and content of such updates.

ICE is directed to continue to submit semi-annual reports on the deportation of parents of U.S.-born citizens.

Custody Operations

A total of $2,532,593,000 is provided for Custody Operations. Because the fiscal year 2015 budget request assumed an artificially low cost per detention bed, it failed to propose funding sufficient to support even the 30,539 beds included in the request, much less the 34,000 detention beds required in annual appropriations Acts. This type of flawed budgeting practice is not credible, and forces the Committees to rectify the shortfall at considerable expense to other critical ICE and DHS priorities. Consequently, an increase of $385,103,000 above the request is required to maintain 34,000 beds. DHS is directed to present a fiscal year 2016 budget request for ICE that uses accurate cost estimates, and to include details in the budget justification material that rigorously support those estimates. The Department must stop employing misleading and operationally harmful budgeting gimmicks.

The bill also provides an increase of $362,155,000 to support additional staffing and detention capacity secured by ICE in response to the significant growth in family units crossing the Southwest border illegally during fiscal year 2014, which is intended to serve as a deterrent to future illegal migration. ICE shall ensure these facilities meet all ICE Family Residential Standards and shall immediately notify the Committees of any material violations of such standards.

Fugitive Operations

A total of $142,615,000 is provided for Fugitive Operations, including $12,100,000 above the request to hire additional officers and restore staffing to fiscal year 2013 levels.

Criminal Alien Program

A total of $327,223,000 is provided for the Criminal Alien Program, including an increase of $7,500,000 to mitigate the potential public safety challenge posed by the growing number of jurisdictions choosing not to honor ICE detainers on illegal aliens in their custody. Of primary concern is the release of aliens subject to removal who may pose a danger to the community, requiring ICE to expend additional resources and putting ICE personnel at greater risk when bringing the aliens back into custody. ICE is directed to publish on its website the list of jurisdictions failing to honor ICE detainers and to include details on individuals released as a result of these decisions, segmented by jurisdiction and level of criminality.

Alternatives to Detention

A total of $109,740,000 is provided for the Alternatives to Detention (ATD) program, including an increase of $15,878,000 to support the supervision of family units placed into removal proceedings after illegally crossing the border.

In recent years, ICE has taken steps to improve ATD cost-effectiveness through better guidance to ERO officers and agents on the factors to consider when determining appropriate placements in ATD. This has included guidance on when enrollment in ATD, transition to lower levels of supervision, or re-enrollment in ATD may be more or less effective depending on the particular stage in the removal process. ICE has also established additional performance measures to assess compliance with program requirements.

Beginning 90 days after the date of enactment of this Act, ICE shall provide semi-annual briefings to the Committees on compliance rates for both the full-service and the technology-only ATD programs. These briefings shall include evaluations of the ATD program by field office; a description of any plans for expansion of the program to additional field offices; and an update on the status of responding to recommendations by GAO (GAO–15–26) to collect additional compliance data and make better use of collected data to assess field office implementation of program guidance. In addition, in order to increase transparency on the use of ATD, ICE is expected to post on its website any contractor evaluations or OIG reports related to the program.

Transportation and Removal Program

A total of $319,273,000 is provided for the Transportation and Removal Program. The

amount includes an increase of $26,000,000 to support the requirement to maintain 34,000 detention beds, and an increase of $64,220,000 to support the transportation and removal costs for UAC and family units anticipated to enter the United States illegally in fiscal year 2015.

License Plate Readers

ICE is directed to establish, in coordination with OCRCL, an internal review process for any solicitation or request for proposal of a National License Plate Recognition database or other similar project, and to brief the Committees on this review process not later than 30 days after the date of enactment of this Act. ICE is directed to include in the review process notification to the Committees prior to obligation of any funds for such a database or any similar project. Further, for any such database being established, ICE shall undertake the required privacy impact assessment.

AUTOMATION MODERNIZATION

As requested, a total of $26,000,000 is provided for Automation Modernization.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

A total of $5,639,095,000 is provided for Aviation Security. In addition to the discretionary appropriation for Aviation Security, a mandatory appropriation totaling $250,000,000 is available through the Aviation Security Capital Fund. Statutory language reflects the collection of $2,065,000,000 from aviation security fees, as authorized.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Screening Partnership Program	$154,572	$166,666
Screener Personnel, Compensation, and Benefits	2,952,868	2,923,890
Screener Training and Other	226,290	225,442
Checkpoint Support	103,469	88,469
EDS Procurement/Installation	84,075	83,933
Screening Technology Maintenance	294,509	294,509
Aviation Regulation and Other Enforcement	348,653	349,821
Airport Management and Support	591,734	587,657
Federal Flight Deck Officer and Flight Crew Training	20,000	22,365
Air Cargo	106,920	106,343
Federal Air Marshals	800,214	790,000
Aviation Security Capital Fund (Mandatory)	(250,000)	(250,000)
Total, Aviation Security	$5,683,304	$5,639,095

Screening Partnership Program

A total of $166,666,000 is provided for the Screening Partnership Program (SPP), which reflects the estimated funding requirement for current and recently awarded SPP airports. TSA is expected to more proactively utilize the SPP, expeditiously approve the applications of airports seeking to participate in the program that meet legislatively mandated criteria, plan and manage toward a 12–month timeline for awarding applicable contracts for each new airport, and notify the Committees if it expects to obligate less than the appropriated amount.

TSA is directed to implement generally accepted accounting methodologies for cost and performance comparisons. As detailed in the House report, this includes, but is not limited to, appropriate, comprehensive, and accurate comparisons of Federal employee retirement costs and the administrative overhead associated with Federal screening services.

As detailed in the Senate report, TSA is directed to adjust its PPA lines and notify the Committees within 10 days to account for any changes in private screening contracts, including new awards under the SPP or the movement from privatized screening into Federal screening. TSA is to provide the Committees semi-annual reports on its execution of the SPP and the processing of applications for participation.

Screener Training and Other

A total of $225,442,000 is provided for Screener Training and Other, including $99,600,000 for Transportation Security Officer Training.

Checkpoint Support

A total of $88,469,000 is provided for Checkpoint Support. The reduction below the request reflects the availability of balances that have remained unobligated for over seven years.

Explosives Detection Systems

A total of $83,933,000 is provided for Explosives Detection Systems (EDS) Procurement and Installation. Including the existing mandatory Aviation Security Capital Fund appropriation of $250,000,000, the total appropriation for fiscal year 2015 for EDS procurement and installation is $333,933,000.

For airports that are more than 12 months from construction and are able to demonstrate that certain high-speed EDS for checked baggage would be more efficient and result in long term cost savings compared to medium-speed systems, TSA shall consider lifting the current prohibition on the use of TSA funding for design and construction of such systems not yet on TSA's Qualified Products List.

Investment Plans for Air Cargo, Checkpoint Security, and EDS

As described in the Senate report and in lieu of language in the House bill, TSA is directed to brief the Committees, not later than 60 days after the date of enactment of this Act, on its fiscal year 2015 investment plans for checkpoint security and EDS refurbishment, procurement, and installation on an airport-by-airport basis. The briefing shall address specific technologies intended for purchase, program schedules and major milestones, a schedule for obligation of the funds, recapitalization priorities, the status of operational testing for each passenger screening technology under development, and a table detailing current unobligated balances and anticipated unobligated balances at the close of the fiscal year. The briefing shall also include details on passenger screening pilot programs that are in progress or being considered for implementation in fiscal year 2015. Further, not later than 60 days after the date of enactment of this Act, TSA is directed to brief the Committees on its fiscal year 2015 investment plans for air cargo security. The expenditure plan briefings described under this heading are separate and distinct from the obligation and expenditure guidance noted in Title I of this statement.

Aviation Regulation and Other Enforcement

A total of $349,821,000 is provided for Aviation Regulation and Other Enforcement. Within this total, $129,900,000 is provided for the National Explosives Detection Canine Team Program and $70,550,000 is provided for Airport Law Enforcement and Assessments.

Federal Air Marshals

A total of $790,000,000 is provided for the Federal Air Marshals (FAMS). The amount provided under this heading reflects current attrition rates, the consolidation of FAMS into Aviation Security, and the realignment of the remaining FAMS funding into the Surface Transportation Security appropriation.

The Department is required to deploy Federal Air Marshals on flights determined to present high security risks, and to make nonstop, long distance flights, including inbound international flights, a priority, as per 49 U.S.C. 44917. Therefore, TSA is expected to utilize personnel and deployment patterns to optimize coverage of flights to address known threats, minimize risk, and complement the full range of security resources deployed by the U.S. government. TSA is to brief the Committees on the optimal mix of FAMS personnel and the types and frequency of flights for which coverage should be provided. Other details are included within the classified annex.

As detailed in the Senate report, FAMS is to brief the Committees, not later than 60 days after the date of enactment of this Act, on its efforts to implement recommendations made in a recent study of operations and staffing by the Homeland Security Studies and Analysis Institute.

SURFACE TRANSPORTATION SECURITY

A total of $123,749,000 is provided for Surface Transportation Security. Within the amount appropriated, $94,519,000 is for the Surface Inspectors and Visible Intermodal Prevention and Response (VIPR) PPA, including a reduction of $3,000,000 below the request to reduce the number of VIPR teams to 31, compared to the 33 requested in the budget.

INTELLIGENCE AND VETTING

A total of $219,166,000 is provided for Intelligence and Vetting. To facilitate oversight, TSA shall brief the Committees not later than 60 days after the date of enactment of this Act on efforts to modernize vetting and credentialing infrastructure.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Direct Appropriations:		
Intelligence	$51,801	$51,545
Secure Flight	112,543	99,569
Other Vetting Programs	68,182	68,052
Subtotal, Direct Appropriations	232,526	219,166
Fee Collections:		
Transportation Worker Identification Credential Fee	34,832	34,832
Hazardous Material Fee	12,000	12,000
General Aviation at DCA Fee	350	350
Commercial Aviation and Airport Fee	6,500	6,500
Other Security Threat Assessment Fee	50	50
Air Cargo/Certified Cargo Screening Program Fee	7,173	7,173
TSA Pre-Check Application Program Fee	13,700	13,700
Alien Flight School Fees	5,000	5,000
Subtotal, Fee Collections	79,605	79,605
Total, Intelligence and Vetting	$312,131	$298,771

Secure Flight

A total of $99,569,000 is provided for Secure Flight. Due to delays in implementing the Large Aircraft and Charter Screening Program, the funding requested is not provided.

TRANSPORTATION SECURITY SUPPORT

A total of $917,226,000 is provided for Transportation Security Support.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Headquarters Administration	$275,891	$269,100
Information Technology	451,920	449,000
Human Capital Services	204,215	199,126
Total, Transportation Security Support	$932,026	$917,226

The bill withholds $25,000,000 from obligation until TSA submits to the Committees a report providing evidence that behavioral indicators can be successfully used to identify passengers who may pose a threat to aviation security, as well as a report addressing GAO's concerns with TSA's Advanced Imaging Technology program. TSA shall also brief the Committees on the specific actions being taken to address recent allegations of unethical activity involving the purchase and sale of firearms within FAMS.

COAST GUARD

OPERATING EXPENSES

A total of $7,043,318,000 is provided for Operating Expenses, including $553,000,000 for defense activities, of which $213,000,000 is designated for overseas contingency operations (OCO) and the global war on terrorism (GWOT). Funds provided in support of GWOT and OCO under this heading may be allocated without regard to section 503 in Title V of this Act. Pending the submission of the Capital Investment Plan (CIP) with the President's budget, the bill withholds from obligation $85,000,000 of the appropriation.

The appropriated amount includes the following increases to the budget request: $50,000,000 to reduce the backlog in critical depot level maintenance; $7,800,000 to maintain one of the two High Endurance Cutters proposed for decommissioning; $15,000,000 to restore operational hours and critical depot maintenance reductions; $4,200,000 for counterdrug surge operations; $2,200,000 to restore a Bravo Zero response capability; $7,500,000 to restore unjustified cuts to military special pays; $1,000,000 to restore cuts to vessel boarding teams; $2,500,000 to restore cuts to information technology programs; and $2,740,000 to address an anticipated shortfall in small boat purchases. The appropriated amount also includes the request for the 2015 military pay increase.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Military Pay and Allowances	$3,433,594	$3,449,782
Civilian Pay and Benefits	787,372	781,517
Training and Recruiting	197,800	198,279
Operating Funds and Unit Level Maintenance	991,919	1,008,682
Centrally Managed Accounts	335,262	335,556
Intermediate and Depot Level Maintenance	1,003,786	1,056,502
Overseas Contingency Operations/Global War on Terrorism	– – –	213,000
Total, Operating Expenses	$6,749,733	$7,043,318

Overseas Contingency Operations and Global War on Terrorism Funding

The bill includes funding for OCO/GWOT within the Coast Guard Operating Expenses appropriation instead of within funding provided to the Department of Defense. The Coast Guard is directed to brief the Committees not later than 30 days after the date of enactment of this Act on any changes expected in the funding requirement for OCO/GWOT activities during fiscal year 2015. Further, the Coast Guard is directed to include details of its current and future support to Central Command in the classified annex of the fiscal year 2016 budget request.

Coast Guard Yard

The Coast Guard Yard located at Curtis Bay, Maryland, is recognized as a critical component of the Coast Guard's core logistics capability that directly supports fleet readiness. Sufficient industrial work should be assigned to the Yard to sustain this capability.

The Coast Guard shall provide a report on drydock facilities at the Coast Guard Yard, as directed in the Senate report.

National Housing Assessment

The Coast Guard shall submit, as part of the fiscal year 2016 budget request, the information directed in the Senate report concerning the National Housing Assessment.

Mission Needs Statement

Not later than July 1, 2015, the Commandant shall submit to the Committees a new Mission Needs Statement (MNS), which will be used to inform the out-year CIP. The MNS should assume that the Coast Guard requires the capability to continue to carry out all of its eleven statutory missions.

Not later than September 30, 2016, the Commandant shall submit to the Committees a revised Concept of Operations (CONOPS), which, in conjunction with the MNS, will be used as a planning document for the Coast Guard's re-capitalization needs. The CONOPS shall determine the most cost effective method of executing mission needs by addressing gaps identified in the MNS, addressing the funding requirements proposed in the five-year CIP, and providing options for reasonable combinations of alternative capabilities of air and surface assets, to include icebreaking resources and fleet mix.

Small Boat Purchases

The Department shall submit a report on fiscal year 2015 small boat purchases, as detailed in the Senate report. For fiscal year 2016, such information shall be included within the congressional budget justification. Further, the Coast Guard shall work with industry partners to outline annual small boat requirements and to better understand the cost implications of indefinite delivery/indefinite quantity purchase agreements.

Command and Control Aircraft

As directed in the Senate report, the Coast Guard shall notify the Committees of any changes in the type or number of its command and control aircraft. Further, not later than 90 days after the date of enactment of this Act, the Coast Guard shall brief the Committees on the path forward for future leases or purchases of such aircraft.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

A total of $13,197,000 is provided for Environmental Compliance and Restoration.

RESERVE TRAINING

A total of $114,572,000 is provided for Reserve Training.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

A total of $1,225,223,000 is provided for Acquisition, Construction, and Improvements. The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Vessels:		
Survey and Design—Vessel and Boats	$500	$500
In-Service Vessel Sustainment	24,500	49,000
National Security Cutter	638,000	632,847
Offshore Patrol Cutter	20,000	20,000
Fast Response Cutter	110,000	110,000
Cutter Boats	4,000	4,000
Polar Ice Breaking Vessel	6,000	– – –
Polar Icebreaker Preservation	– – –	8,000
Subtotal, Vessels	803,000	824,347
Aircraft:		
H–60 Airframe Replacement	– – –	12,000
HC–144 Conversion/Sustainment	15,000	15,000
HC–27J Conversion/Sustainment	15,000	20,000
HC–130J Acquisition/Conversion/Sustainment	8,000	103,000
HH–65 Conversion/Sustainment	30,000	30,000
Subtotal, Aircraft	68,000	180,000
Other Acquisition Programs:		
Program Oversight and Management	18,000	18,000
C4ISR	36,300	36,300
CG—Logistics Information Management System	3,000	5,000
Subtotal, Other Acquisition Programs	57,300	59,300
Shore Facilities and Aids to Navigation:		
Major Construction: Housing; ATON; Survey & Design	19,580	19,580
Major Acquisition Systems Infrastructure	16,000	16,000
Minor Shore	5,000	5,000
Subtotal, Shore Facilities and Aids to Navigation	40,580	40,580
Military Housing	– – –	6,000
Direct Personnel Costs	115,313	114,996
Total, Acquisition, Construction, and Improvements	$1,084,193	$1,225,223

National Security Cutter

A total of $632,847,000 is provided for the National Security Cutter (NSC) program. The total reflects a reduction of $7,500,000 based upon previous production cost savings and updated execution data from the Coast Guard and $3,953,000 for close out and other costs requested well ahead of need. Within the NSC total, $6,300,000 is included for small unmanned aircraft systems.

Polar Icebreaker Preservation

As detailed in the Senate report, $8,000,000 is included for the preservation of the Polar Sea in anticipation of a potential, future year reactivation.

Polar Ice Breaking Vessel

No additional funding is provided for the polar icebreaking program. Current program efforts for fiscal year 2015 are fully funded from prior year appropriations.

H–60 Airframe Replacement

A total of $12,000,000 is provided to allow for the continued work on the remanufacture of H–60 helicopters.

HC–130J Aircraft

An additional $95,000,000 is provided for one fully missionized HC–130J aircraft.

HC–27J Conversion/Sustainment

A total of $20,000,000 is provided for the HC–27J Spartan aircraft program, to include an additional $5,000,000 for aircraft spares.

Military Housing

A total of $6,000,000 is provided for the recapitalization, improvement, and acquisition of housing to support military families. The Coast Guard shall provide to the Committees an expenditure plan for these funds in the shore facilities report required to be submitted not later than 45 days after the date of enactment of this Act.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

A total of $17,892,000 is provided for Research, Development, Test, and Evaluation.

RETIRED PAY

A total of $1,450,626,000 is provided for Retired Pay. The Coast Guard's Retired Pay appropriation is a mandatory budget activity.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

A total of $1,615,860,000 is provided for Salaries and Expenses. Included in the amount is $21,500,000 to begin preparation and training for presidential candidate nominee protection for the 2016 presidential election, including for protective vehicles and communications technology; and $4,000,000 to establish the protective detail for the next former President.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Protection:		
Protection of Persons and Facilities	$874,885	$892,685
Protective Intelligence Activities	68,234	67,536
National Special Security Event Fund	4,500	4,500
Presidential Candidate Nominee Protection	25,500	25,500
Subtotal, Protection	973,119	990,221
Investigations:		
Domestic Field Operations	332,395	338,295
International Field Office Administration, Operations and Training	34,361	34,195
Support for Missing and Exploited Children	– – –	8,366
Subtotal, Investigations	366,756	380,856
Headquarters, Management and Administration	189,191	188,380
Rowley Training Center	55,868	55,378
Information Integration and Technology Transformation	1,036	1,025

($000)

	Budget Estimate	Final Bill
Total, Salaries and Expenses	$1,585,970	$1,615,860

White House Complex Security

Recent incidents at the White House have raised serious concerns about the leadership and management of the Secret Service. In its Security Report on the White House Incursion Incident of September 19, 2014, the Department highlighted critical failures in information sharing and communications, confusion about operational protocols, and gaps in training at the White House Complex. While some of these problems can be attributed to insufficient resources requested by DHS and the Office of Management and Budget, others are systemic and appear to reflect broader cultural challenges within the Secret Service. To begin addressing some of these shortfalls, the bill provides an additional $25,000,000 in the Protection of Persons and Facilities PPA. These resources shall be used in part to support additional tactical canine units and staff, assess and bolster security infrastructure at both the White House Complex and Vice President's Residence, and fund overtime and training. The Secret Service is directed to brief the Committees not later than 60 days after the date of enactment of this Act on its plans for using these additional resources to provide the necessary security enhancements and training.

Professionalism within the Workforce

As described in the House report, recurring allegations of misconduct within the Secret Service are deeply disappointing. The Secret Service is expected to take all steps necessary to ensure that it has in place the proper training and protocols to prevent similar incidents and to hold violators accountable for their actions. Accordingly, the bill withholds $10,000,000 from obligation for Headquarters, Management and Administration until the Secret Service submits to the Committees, not later than 90 days after the date of enactment of this Act, a report providing evidence that the Secret Service has sufficiently reviewed its professional standards of conduct; issued new guidance for the procedures and conduct of employees when engaged in overseas operations and protective missions; and instituted a professional standards policy consistent with the agency's critical missions and unique position of public trust.

Electronic Crimes Investigations and State and Local Cybercrime Training

As detailed in the House and Senate reports, a total of $108,437,000 is provided for the Secret Service's various cyber activities, including electronic crimes investigations and state and local cybercrime training. Within this total, not less than $12,000,000 is provided for the robust support and expansion of basic and advanced training for state and local law enforcement personnel, judges, and prosecutors to combat cybercrime.

National Special Security Event Fund

A total of $4,500,000 is provided to defray costs associated with the Secret Service's statutory responsibility to direct the planning and coordination of National Special Security Events (NSSEs). As described in the House report, the Secret Service shall provide periodic updates on NSSEs planned for fiscal year 2015 prior to and following each event.

Technology Activities

The bill provides a total of $1,025,000 for Information Integration and Technology Transformation activities of the Secret Service. The Secret Service is directed to brief the Committees on all Secret Service information technology activities to include the information previously required in the multi-year investment plan.

Strategic Human Capital Plan

Not later than 60 days after the date of enactment of this Act, the Secret Service is directed to provide a strategic human capital plan for fiscal years 2015 through 2019 that aligns mission requirements with resource projections and delineates between protective and investigative missions. The plan shall address how projected resources can provide the appropriate combination of special agents and Uniformed Division officers to avoid routine leave restrictions, enable a regular schedule of mission-critical training, and provide appropriate levels of support staffing.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

A total of $49,935,000 is provided for Acquisition, Construction, Improvements, and Related Expenses, including $5,380,000 for facilities and $44,555,000 for investments in Information Integration and Technology Transformation programs.

TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

MANAGEMENT AND ADMINISTRATION

A total of $61,651,000 is provided for Management and Administration (M&A) of the National Protection and Programs Directorate (NPPD). The request to transfer 18 FTE from OBIM to the NPPD M&A PPA is denied; therefore, the $2,914,000 for these FTE is included in the total provided for OBIM. The bill includes a new provision requiring NPPD to submit its fiscal year 2016 budget request by office and PPA. All information shall be submitted in the congressional budget justification and clearly demonstrate funding levels and projected program outcomes. NPPD is directed to brief the Committees quarterly on a plan for the obligation and expenditure of funds for all accounts, as specified under Title I of this statement.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

A total of $1,188,679,000 is provided for Infrastructure Protection and Information Security (IPIS), of which $225,000,000 is available until September 30, 2016.

A provision is included permitting the use of funds for Next Generation Networks activities if there are delays due to contract actions in other programs. The provision is provided to promote the best use of funds only if there are unavoidable delays in other critical activities.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Infrastructure Protection:		
Infrastructure Analysis and Planning	$63,999	$64,494
Sector Management and Governance	63,136	64,961
Regional Field Operations	57,034	56,550
Infrastructure Security Compliance	86,976	85,027
Subtotal, Infrastructure Protection	271,145	271,032
Cybersecurity and Communications:		
Cybersecurity:		
Cybersecurity Coordination	4,330	4,311
US Computer Emergency Readiness Team (US-CERT) Operations	98,794	98,573
Federal Network Security	171,500	171,000
Network Security Deployment	377,690	377,000
Global Cybersecurity Management	17,613	25,873
Critical Infrastructure Cyber Protection and Awareness	70,963	70,919
Business Operations	5,554	5,524
Subtotal, Cybersecurity	746,444	753,200
Communications:		
Office of Emergency Communications	36,480	37,335
Priority Telecommunications Services	53,381	53,324
Next Generation Networks	69,571	53,293
Programs to Study and Enhance Telecommunications	10,106	10,092
Critical Infrastructure Protection Programs	10,439	10,403
Subtotal, Communications	179,977	164,447
Subtotal, Cybersecurity and Communications	926,421	917,647
Total, Infrastructure Protection and Information Security	$1,197,566	$1,188,679

Infrastructure Protection

It is critical that NPPD maintain a robust infrastructure information and analysis capability to guide decision-making that helps prevent and respond to incidents. Within the amount provided for Infrastructure Analysis and Planning, $17,150,000 is for the National Infrastructure Simulation and Analysis Center; $15,500,000 is for Vulnerability Assessments; and $9,000,000 is for the Office of Bombing Prevention.

NPPD shall expand its efforts to strengthen the ability of government and private sector critical infrastructure partners to assess risks, coordinate programs and processes, and execute risk management programs and activities. Accordingly, a total of $64,961,000 is provided for Sector Management and Governance, which includes $2,000,000 above the request to define agency needs, identify requirements for community-level critical infrastructure protection and resilience, and rapidly develop, test, and transition to use technologies that address needs and requirements.

As described in the Senate report, NPPD shall provide semi-annual reports on the implementation of the Chemical Facility Anti-Terrorism Standards (CFATS) program that include the numbers of facilities covered; inspectors; completed inspections; inspections completed by region; pending inspections; days inspections are overdue; enforcement actions resulting from inspections; and enforcement actions overdue for resolution.

As described in the House and Senate reports, NPPD's excessive use of administratively uncontrollable overtime (AUO) was inappropriate. As a result, the President's budget request for Infrastructure Security Compliance has been reduced. NPPD shall brief the Committees on implementation of its new overtime policies and on overtime year-to-date and anticipated expenditures, not later than May 1, 2015.

Federal System Cybersecurity

The process of instituting base capabilities to secure the .gov domain remains onerous, prohibiting efficient implementation and the opportunity to make protections more broadly available to critical infrastructure operators and state and local governments. NPPD is directed to move as expeditiously as possible, working with the Tier I internet service providers, other partners, and Federal departments and agencies, to deploy intrusion prevention security systems and continuous diagnostics capabilities. As part of NPPD's quarterly briefings on obligations and expenditures, NPPD shall keep the Committees apprised of the deployment schedules associated with its major cybersecurity programs.

DHS has made progress through its collaborative efforts with Federal agencies in overcoming obstacles and implementing cybersecurity tools while safeguarding sensitive information. A recent agreement with the Census Bureau to use EINSTEIN services and the U.S. Computer Emergency Readiness Team should be used as a template for other Federal agencies that have been reticent to take advantage of EINSTEIN services because of concerns about protecting sensitive data.

Cybersecurity Workforce

A total of $25,873,000 is provided for Global Cybersecurity Management, of which no less than $15,810,000 is for cybersecurity education. As described in the Senate report, NPPD is directed to conduct a review of the feasibility and benefit (including cost savings and security) of using cybersecurity personnel and facilities outside of the National Capital Region to serve Federal and national needs. Findings of this review shall be reported to Congress not later than 120 days after the date of enactment of this Act.

FEDERAL PROTECTIVE SERVICE

A total of $1,342,606,000 is provided for the Federal Protective Service (FPS), as requested. This amount is fully offset by collections of security fees. Pursuant to the Senate report, the Secretary is directed to certify, not later than 30 days after the date of enactment of this Act that FPS will collect sufficient revenue and fees to fully fund operations and 1,371 FTE, including no less than 1,007 in law enforcement, as requested in the budget. A provision is included requiring that a strategic human capital plan be submitted with the President's fiscal year 2016 budget proposal.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

A total of $252,056,000 is provided for the Office of Biometric Identity Management (OBIM). The request to transfer 18 FTE from OBIM to the NPPD M&A PPA is denied; therefore, the $2,914,000 for these FTE is included in the total provided for OBIM. Not less than $25,382,000 is provided for IDENT system improvements and modernization efforts. OBIM is directed to brief the Committees on a plan for the obligation and expenditure of funds, as specified under Title I of this statement.

OBIM is directed to continue to brief the Committees semi-annually on its workload and service levels, staffing, modernization efforts, and other operations, with the first briefing not later than 90 days after the date of enactment of this Act. These briefings shall include an update on the estimated costs and schedule for replacing the current IDENT system and the schedule for enrolling TSA's special vetted populations and DHS employees and contractors into IDENT.

OBIM shall also continue semi-annual briefings on interagency coordination with the Departments of Justice, Defense, and State, and progress towards integrating the various biometric systems, including Unique Identity.

OFFICE OF HEALTH AFFAIRS

A total of $129,358,000 is provided for the Office of Health Affairs (OHA). Of the total amount, $86,891,000 is for BioWatch; $824,000 is for the Chemical Defense Program; $10,500,000 is for the National Biosurveillance Integration Center (NBIC); $4,995,000 is for Planning and Coordination; and $26,148,000 is for Salaries and Expenses.

Biosurveillance Activities

The bill provides an increase of $2,240,000 to begin replacement of aging BioWatch equipment to maintain current biodetection capabilities. OHA and the Science and Technology Directorate are directed to brief the Committees not later than 60 days after the date of enactment of this Act on the path forward for BioWatch and biosurveillance programs.

National Biosurveillance Integration Center

The bill provides $10,500,000 for NBIC, $2,500,000 above the amount requested, including a total of $3,400,000 to operationalize successful pilots funded in prior years. Prior to obligating this operationalization funding, OHA shall brief the Committees on its evaluation of the NBIC pilot projects and its proposal to operationalize successful pilots, including the resulting capability enhancements and funding requirements for those activities in fiscal year 2015 and future years.

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

A total of $934,396,000 is provided for Salaries and Expenses. Within the total, not less than: $2,000,000 is for the Emergency Management Assistance Compact; $4,199,515 is for the National Hurricane Program; $8,500,000 is for the National Earthquake Hazards Reduction Program; $9,100,000 is for the National Dam Safety Program; and $4,000,000 is for automation modernization. Of the total, $30,000,000 is for capital improvements to the Mount Weather Emergency Operations Center. A provision is included providing funding related to modernization of automated systems.

It is noted that the reprogramming notification requirements delineated in section 503 of this Act apply to the movement of funds between and among programs, projects, or activities (PPAs). In that regard, while the funding table included at the end of this statement provides guidance on reprogramming control levels, section 503 notification requirements also apply to funding amounts referenced in budget justification materials, Committee reports, and ''new starts,'' defined as any significant new activity that has not been explicitly justified to the Congress in budget justification material and appropriated by the Congress during the normal budget process. When determining which movements of funds are subject to section 503, FEMA is reminded to follow GAO's definition of ''program, project, or activity'' as detailed in the GAO's A Glossary of Terms Used in the Federal Budget Process.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Administrative and Regional Offices	$245,218	$244,183
Office of National Capital Region Coordination	– – –	(3,400)
Preparedness and Protection	185,000	180,797
Response	167,376	175,986
Urban Search and Rescue Response System	(27,513)	(35,180)
Recovery	56,030	55,789
Mitigation	25,782	28,876
Mission Support	141,809	145,316
Centrally Managed Accounts	103,449	103,449
Total, Salaries and Expenses	$924,664	$934,396

Budget Justification

As directed in Title I of this explanatory statement, FEMA shall include funding and FTE information in the budget justifications for fiscal year 2016, to include the prior year actual funding level, an estimate for current year funding, and the request for the budget year for all PPAs, programs, and sub-programs.

Training Assessment

As directed in the Senate report under the State and Local Programs appropriation, FEMA shall brief the Committees on the results of the review of its training programs when completed. The briefing shall include the requirements for attaining the personnel qualification levels dictated in the recent 2014–2018 FEMA Strategic Plan.

Automation Modernization

A total of $4,000,000 is provided for automation modernization. In lieu of the direction by the Senate, the Administrator of FEMA and the DHS CIO shall brief the Committees on the expenditure plan for automation modernization to include the prior year actual funding level, an estimate for current year funding, and the request for the budget year.

Roles and Missions Review of Regional Offices

The FEMA Administrator is encouraged to conduct an assessment that shall provide advice and recommendations regarding the appropriate roles and missions of the FEMA Regional Offices for the purpose of maximizing the Agency's ability to carry out authorized activities and determining budgetary requirements. The assessment will seek to identify and distinguish, in consideration of each region's unique requirements due to geography, demographics, and other factors, which FEMA Regional Office roles, missions, and functions might be added or enhanced; maintained at current levels of performance; reduced, eliminated, or moved; or better performed by private organizations (by contract or otherwise), public authorities, local or state governments, or other Federal agencies. The assessment will be completed not later than 180 days after the date of enactment of this Act.

DHS Unity of Effort

Associated with the Department's Unity of Effort initiative, $1,138,000 is realigned from the DHS Office of Policy to the Mitigation PPA for the Resilience STAR program; $900,000 is realigned from the DHS Office of Operations Coordination and Planning (OPS) to the Response PPA for the Very Small Aperture Terminal (VSAT) project; and $500,000 is realigned from OPS to the Response PPA for the Interagency Modeling and Atmospheric Center.

STATE AND LOCAL PROGRAMS

A total of $1,500,000,000 is provided for State and Local Programs, to be distributed by PPA as follows:

($000)

	Budget Estimate	Final Bill
State Homeland Security Grant Program	– – –	$467,000
Operation Stonegarden	– – –	(55,000)
Urban Area Security Initiative	– – –	600,000
Nonprofit Security Grants	– – –	(13,000)
Public Transportation Security Assistance and Railroad Security Assistance	– – –	100,000
Amtrak Security	– – –	(10,000)
Over-the-Road Bus Security	– – –	(3,000)
Port Security Grants	– – –	100,000
Subtotal, Discretionary Grants	– – –	1,267,000
Education, Training, and Exercises:		
Emergency Management Institute	– – –	20,569
Center for Domestic Preparedness	– – –	64,991
National Domestic Preparedness Consortium	– – –	98,000
National Exercise Program	– – –	19,919
Continuing Training	– – –	29,521
Subtotal, Education, Training, and Exercises	– – –	233,000
National Preparedness Grant Program	$1,043,200	– – –
First Responder Assistance Program:		
Emergency Management Performance Grants	350,000	– – –[1]
Fire Grants	335,000	– – –[1]
Staffing for Adequate Fire and Emergency Response (SAFER) Act Grants	335,000	– – –[1]
Training Partnership Grants	60,000	– – –
Education, Training, and Exercises	102,269	– – –
Subtotal, First Responder Assistance Program	1,182,269	– – –
Total, State and Local Programs	$2,225,469	$1,500,000

[1] Funds appropriated in separate accounts.

Provisions are included specifying timeframes for grant awards, limiting grantee administrative costs to five percent of the total amount of each grant, permitting the construction of communication towers under certain conditions, requiring reports from grantees as necessary, and permitting the use of certain funds for security buffer zones at FEMA facilities.

Education, Training, and Exercises

A total of $233,000,000 is provided for Education, Training, and Exercises. Within the total, $29,521,000 is for Continuing Training, including $3,500,000 for rural first responder training and not less than $2,000,000 for hazardous materials training.

Urban Area Security Initiative

Consistent with the 9/11 Act, FEMA shall conduct risk assessments for the 100 most populous metropolitan areas prior to making Urban Area Security Initiative (UASI) grant awards. Because most of the cumulative national terrorism risk to urban areas is focused on a relatively small number of cities, it is expected that UASI funding will be limited to urban areas representing up to 85 percent of such risk and that resources will continue to be allocated in proportion to risk.

FIREFIGHTER ASSISTANCE GRANTS

A total of $680,000,000 is provided for Firefighter Assistance Grants, including $340,000,000 in grants for firefighter equipment, protective gear, emergency vehicles, training and other resources, and $340,000,000 for firefighter staffing grants.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

A total of $350,000,000 is provided for Emergency Management Performance Grants.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

Statutory language is included providing for the receipt and expenditure of fees collected, as authorized by Public Law 105–276.

UNITED STATES FIRE ADMINISTRATION

A total of $44,000,000 is provided for the United States Fire Administration.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

A total of $7,033,464,494 is provided for the Disaster Relief Fund (DRF), of which $6,437,792,622 is designated as being for disaster relief for major disasters pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985. A provision is included transferring $24,000,000 to the OIG for audits and investigations related to all disasters.

A general provision is included in Title V of this Act rescinding $375,000,000 from amounts provided for non-major disaster response in prior years due to the significant balances carried over from fiscal year 2014 and amounts recovered from previous disasters during project closeouts. The remaining balances, combined with the amount appropriated in this bill, fully fund all known requirements, to include recovery from Hurricane Sandy, the Colorado wildfires, the Oklahoma tornadoes, and other previous disasters, as well as an estimate of relief efforts for future disasters.

In lieu of direction in the House report directing FEMA to provide a report on the Public Assistance Alternative Procedures Program to certain committees, FEMA shall provide the report to Congress.

As directed in Title I of this statement, FEMA shall include in the budget justification for fiscal year 2016 a detailed justification for all categories funded with base discretionary funding, including a detailed obligation plan for the Disaster Readiness Support (DRS) program. Additionally, FEMA shall provide briefings on the obligation and expenditure of DRS funding not later than 30 days after the date of enactment of this Act and semi-annually thereafter.

FEMA is directed to continue rigorous efforts to prevent improper payments to citizens seeking disaster assistance. Reclaiming funds from individuals during a financially fragile time is destructive and can leave families in ruin. If an improper payment is made, FEMA shall implement the appeals process efficiently and pay diligent attention to overpayments made due to FEMA's error. If the improper payment cannot be forgiven,

FEMA shall work with individuals based on ability to make the repayment.

FEMA shall make every effort to assist Federal agencies, including HUD, to find acceptable proof of work for completion of home elevations.

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

A total of $100,000,000 is provided for Flood Hazard Mapping and Risk Analysis.

NATIONAL FLOOD INSURANCE FUND

A total of $179,294,000 is provided for the National Flood Insurance Fund, for which administrative costs shall not exceed four percent.

FEMA is encouraged to promote more extensive use of the Community Rating System (CRS) nationwide. FEMA is directed to dedicate resources for robust implementation of CRS and to continue working with institutions with expertise in floodplain management and disaster risk management that can provide direct technical assistance to communities to develop applications.

NATIONAL PREDISASTER MITIGATION FUND

A total of $25,000,000 is provided for the National Predisaster Mitigation Fund, to remain available until expended.

EMERGENCY FOOD AND SHELTER

A total of $120,000,000 is provided for the Emergency Food and Shelter (EFS) program, of which administrative costs shall not exceed 3.5 percent. A provision, as proposed in the budget request, is not included for the FEMA Administrator to transfer the funding and administrative responsibility for EFS to the Department of Housing and Urban Development (HUD). While the proposal to transfer EFS to HUD has merits, outreach with appropriate stakeholders is required to ensure a successful transition. Should such a transfer be proposed in future budget requests, it is expected that FEMA and HUD will have a comprehensive outreach strategy as well as a full transition plan as part of such proposal.

TITLE IV—RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

E-Verify

A total of $124,435,000 is provided in discretionary appropriations for E-Verify.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

A total of $230,497,000 is provided for Salaries and Expenses. The amount available for official reception and representation expenses, $7,180, reflects recent historic expenditures for this purpose. FLETC is directed to brief the Committees on a plan for the obligation and expenditure of funds, as specified under Title I of this statement.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

A total of $27,841,000 is provided for Acquisition, Construction, Improvements, and Related Expenses. FLETC shall submit, not later than 180 days after the date of enactment of this Act, an updated five-year comprehensive master plan for its four training centers.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

A total of $129,993,000 is provided for Management and Administration. This amount includes funds realigned from the DHS Office of Operations Coordination and Planning for the S&T NextGen Air Transportation System, as part of the Secretary's Unity of Effort initiative.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

A total of $973,915,000 is provided for Research, Development, Acquisition, and Operations. In lieu of quarterly reports, the Science and Technology Directorate (S&T) is directed to provide semi-annual briefings to the Committees on the review and prioritization of each S&T-funded R&D project, including documentation on how each newly-funded project meets S&T's prioritization and funding criteria.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Research, Development, and Innovation	$433,788	$457,499
Laboratory Facilities	435,180	434,989
Acquisition and Operations Support	41,703	41,703
University Programs	31,000	39,724
Total, Research, Development, Acquisition, and Operations	$941,671	$973,915

Research, Development, and Innovation

A total of $457,499,000 is provided for Research, Development, and Innovation. S&T is directed to brief the Committees not later than 30 days after the date of enactment of this Act on the proposed allocation of funds by project and thrust area, and to provide quarterly status briefings on the plan and any changes from the original allocation.

Cybersecurity Research

The House and Senate reports both emphasized cybersecurity research as a strong priority. In addition, the Department is strongly encouraged to expand its work with cyber research infrastructure test beds and accompanying cyber education.

Apex Projects

As directed in both the House and Senate reports, S&T shall brief the Committees not later than 30 days after the date of enactment of this Act on the Apex funding allocation by project and on progress made to field improved technologies.

National Bio- and Agro-defense Facility

The bill provides $434,989,000 for Laboratory Facilities, of which $300,000,000 is for construction of the National Bio- and Agro-defense Facility.

Component Liaison Program

Not later than 60 days after the date of enactment of this Act, S&T shall submit a plan to the Committees on the proposed structure of a liaison program that establishes a permanent mechanism for interaction between S&T and the components.

University Programs

A total of $39,724,000 is provided for University Programs, which will allow S&T to fund all existing centers at an appropriate level and the new center expected to be awarded in fiscal year 2015. S&T shall brief the Committees not later than 45 days after the date of enactment of this Act on the status of competitively selecting the new center.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

A total of $37,339,000 is provided for Management and Administration. As directed in the Senate report, in lieu of an annual report, DNDO shall brief the Committees annually on the Department's strategic investment plan, including DNDO's ability to surge capabilities with Federal, state, and local level assets to respond to suspected radiological threats.

RESEARCH, DEVELOPMENT, AND OPERATIONS

A total of $197,900,000 is provided for Research, Development, and Operations. Included in this amount is an increase of $1,000,000 above the request to restore cuts to the National Nuclear Forensics Expertise Development Program.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Systems Engineering and Architecture	$17,924	$17,000
Systems Development	22,000	21,400
Transformational Research and Development	69,500	69,500
Assessments	38,079	38,000
Operations Support	31,565	31,000
National Technical Nuclear Forensics Center	20,000	21,000
Total, Research, Development, and Operations	$199,068	$197,900

SYSTEMS ACQUISITION

The bill provides a total of $72,603,000 for Systems Acquisition.

The amount provided for this appropriation by PPA is as follows:

($000)

	Budget Estimate	Final Bill
Radiation Portal Monitor Program	$5,000	$5,000
Securing the Cities	12,000	19,000
Human Portable Radiation Detection Systems	50,861	48,603
Total, Systems Acquisition	$67,861	$72,603

TITLE V—GENERAL PROVISIONS

Section 501. A provision proposed by the House and Senate is continued that no part of any appropriation shall remain available for obligation beyond the current year unless expressly provided.

Section 502. A provision proposed by the House and Senate is continued that unexpended balances of prior appropriations may be merged with new appropriation accounts and used for the same purpose, subject to reprogramming guidelines.

Section 503. A provision proposed by the House and Senate is continued that limits authority to reprogram appropriations within an account and provides authority to transfer up to five percent between appropriations accounts with 15–day advance notification to the Committees. Congressional control levels for reprogramming purposes include, but are not limited to, the amounts identified in the detailed funding table located at the end of this statement. These reprogramming guidelines shall be complied with by all agencies funded by this Act.

The Department shall submit reprogramming requests on a timely basis and provide complete explanations of the reallocations proposed, including detailed justifications of the increases and offsets, and any specific impact the proposed changes will have on the budget request for the following fiscal year and future-year appropriations requirements. Each request submitted to the Committees should include a detailed table showing the proposed revisions at the account, program, project, and activity level to the funding and staffing (full-time equivalent position) levels for the current fiscal year and to the levels requested in the President's budget for the following fiscal year.

The Department shall manage its programs and activities within the levels appropriated. The Department should only submit reprogramming or transfer requests in the case of an unforeseeable emergency or situation that could not have been predicted when formulating the budget request for the current fiscal year. When the Department submits a reprogramming or transfer request to the Committees and does not receive identical responses from the House and Senate, it is the responsibility of the Department to reconcile the House and Senate differences before proceeding and, if reconciliation is not possible, to consider the reprogramming or transfer request not approved.

Unless an initial notification has been provided, the Department is not to submit a reprogramming or transfer of funds notification after June 30 except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property. If a reprogramming or transfer is needed after June 30, the submittal should contain sufficient documentation as to why it meets this statutory exception.

Section 504. A provision proposed by the House and Senate is continued that prohibits funds appropriated or otherwise made available to the Department to make payment to the Working Capital Fund (WCF), except for activities and amounts allowed in the President's fiscal year 2015 request. Funds provided to the WCF are available until expended. The Department can only charge components for direct usage of the WCF and these funds may be used only for the purposes consistent with the contributing component. Any funds paid in advance or reimbursed must reflect the full cost of each service. The Department shall submit a notification for the addition or removal of any activity to the fund and shall submit quarterly execution reports with activity level detail.

Section 505. A provision proposed by the House and Senate is continued that not to exceed 50 percent of unobligated balances remaining at the end of fiscal year 2015 from appropriations made for salaries and expenses shall remain available through fiscal year 2016 subject to section 503 reprogramming guidelines.

Section 506. A provision proposed by the House and Senate is continued that funds for intelligence activities are deemed to be specifically authorized during fiscal year 2015 until the enactment of an Act authorizing intelligence activities for fiscal year 2015.

Section 507. A provision proposed by the House and Senate is continued and modified requiring notification of the Committees three days before grant allocations, grant awards, contract awards, other transactional agreements, letters of intent, a task or delivery order on a multiple contract award totaling $1,000,000 or more, a task or delivery order greater than $10,000,000 from multiyear funds, or sole-source grant awards, are announced by the Department, including contracts covered by the Federal Acquisition Regulation. The Department is required to brief the Committees five full business days prior to announcing the intention to make a grant under State and Local Programs. Notification shall include a description of the project or projects to be funded, including city, county, and state.

Section 508. A provision proposed by the House and Senate is continued that no agency shall purchase, construct, or lease additional facilities for Federal law enforcement training without advance approval of the Committees.

Section 509. A provision proposed by the House and Senate is continued that none of the funds may be used for any construction, repair, alteration, or acquisition project for which a prospectus, if required under chapter 33 of title 40, United States Code, has not been approved.

Section 510. A provision proposed by the House and Senate is continued that consolidates by reference prior year statutory bill language into one provision. These provisions relate to contracting officer's technical representative training; sensitive security information; and the use of funds in conformance with section 303 of the Energy Policy Act of 1992.

Section 511. A provision proposed by the House and Senate is continued that none of the funds may be used in contravention of the Buy American Act.

Section 512. A provision proposed by the House and Senate is continued regarding the oath of allegiance required by section 337 of the Immigration and Nationality Act.

Section 513. A provision proposed by the House and Senate is continued and modified requiring the Chief Financial Officer to submit monthly budget execution and staffing reports within 30 days after the close of each month.

Section 514. A provision proposed by the House and Senate is continued and modified directing that any funds appropriated or transferred to TSA's Aviation Security, Administration, and Transportation Security Support appropriations in fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for procurement and installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification. Semi-annual reports must be submitted identifying any funds that are recovered or deobligated.

Section 515. A provision proposed by the Senate is included regarding competitive sourcing for USCIS. The House proposed no similar provision.

Section 516. A provision proposed by the House and Senate is continued for fiscal year 2015 requiring that any funds appropriated to the Coast Guard's 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as a result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

Section 517. A provision proposed by the House and Senate is continued classifying the functions of the instructor staff at the Federal Law Enforcement Training Center as inherently governmental for purposes of the Federal Activities Inventory Reform Act.

Section 518. A provision proposed by the House and Senate is continued regarding grants or contracts awarded by any means other than full and open competition. The Inspector General is required to review Departmental contracts awarded noncompetitively and report on the results to the Committees.

Section 519. A provision proposed by the House is included that prohibits funding pertaining to the Principal Federal Official during a Stafford Act declared disaster or emergency, with certain exceptions. The Senate proposed no similar provision.

Section 520. A provision proposed by the House and Senate is continued that precludes DHS from using funds in this Act to carry out reorganization authority. This prohibition is not intended to prevent the Department from carrying out routine or small reallocations of personnel or functions within components, subject to section 503 of this Act. This language prevents large scale reorganization of the Department, which should be acted on legislatively by the relevant congressional committees of jurisdiction.

Section 521. A provision proposed by the Senate is included prohibiting the Secretary from reducing operations within the Coast Guard's Civil Engineering Program except as specifically authorized by a statute enacted after the date of enactment of this Act. The House proposed no similar provision.

Section 522. A provision proposed by the House and Senate is continued that prohibits funding to grant an immigration benefit to any individual unless the results of the background checks required in statute, to be completed prior to the grant of the benefit, have been received by DHS.

Section 523. A provision proposed by the House and Senate is continued extending other transactional authority for DHS through fiscal year 2015.

Section 524. A provision proposed by the House and Senate is continued requiring the

Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 525. A provision proposed by the House and Senate is continued regarding waivers of the Jones Act.

Section 526. A provision proposed by the House and Senate is continued related to prescription drugs.

Section 527. A provision proposed by the Senate is included prohibiting funds from being used to reduce the Coast Guard's Operations Systems Center mission or its government-employed or contract staff. The House proposed no similar provision.

Section 528. A provision proposed by the House and Senate is continued requiring the Secretary, in conjunction with the Secretary of the Treasury, to notify the Committees of any proposed transfers from the Department of Treasury Forfeiture Fund to any agency within DHS. No funds may be obligated until the Committees approve the proposed transfers.

Section 529. A provision proposed by the House and Senate is continued prohibiting funds for planning, testing, piloting, or developing a national identification card.

Section 530. A provision proposed by the Senate is included prohibiting funds to be used to conduct or implement the results of a competition under Office of Management and Budget Circular A–76 with respect to the Coast Guard National Vessel Documentation Center. The House proposed no similar provision.

Section 531. A provision proposed by the House and Senate is continued that requires a report to be posted on the FEMA website summarizing damage assessment information used to determine whether to declare a major disaster.

Section 532. A provision proposed by the House and Senate is continued directing that any official required by this Act to report or to certify to the Committees on Appropriations may not delegate any such authority unless expressly authorized to do so in this Act.

Section 533. A provision proposed by the House and Senate is continued prohibiting the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

Section 534. A provision proposed by the House and Senate is continued prohibiting funds in this Act to be used for first-class travel.

Section 535. A provision proposed by the House and Senate is continued prohibiting funds to be used to employ illegal workers as described in Section 274A(h)(3) of the Immigration and Nationality Act.

Section 536. A provision proposed by the House and Senate is continued and made permanent relating to the proper disposal of personal information collected through the Registered Traveler program.

Section 537. A provision proposed by the House and Senate is continued prohibiting funds appropriated or otherwise made available by this Act to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Section 538. A provision proposed by the House and Senate is continued that requires any new processes developed to screen aviation passengers and crews for transportation or national security to consider privacy and civil liberties, consistent with applicable laws, regulations, and guidance.

Section 539. A provision proposed by the House and Senate is continued that permits the allocation of funds for an immigrant integration grants program. The grants shall be used to provide services to individuals who have been lawfully admitted into the U.S. for permanent residence.

Section 540. A provision proposed by the Senate is included providing a total of $48,600,000 for consolidation of the new DHS headquarters at St. Elizabeths and related mission support activities. The House proposed no similar provision.

Section 541. A provision proposed by the House and Senate is continued prohibiting funds appropriated or otherwise made available by this Act for DHS to enter into a Federal contract unless the contract meets requirements of the Federal Property and Administrative Services Act of 1949 or chapter 137 of title 10 U.S.C., and the Federal Acquisition Regulation, unless the contract is otherwise authorized by statute without regard to this section.

Section 542. A provision proposed by the House and Senate is included and modified providing $34,072,000 for financial systems modernization activities to be allocated by the Secretary and allowing the Secretary to transfer financial systems modernization funds made available by this Act between appropriations after notifying the Committees 15 days in advance. Funding is available for two years.

Section 543. A provision proposed by the House and Senate is continued providing flexibility to the Department in responding to an immigration emergency, subject to notification.

Section 544. A provision proposed by the House and Senate is continued permitting the Department to sell ICE-owned detention facilities and use the proceeds from any sale for improvement to other facilities provided that any such sale will not result in the maintenance of fewer than 34,000 detention beds.

Section 545. A provision proposed by the House and Senate is continued and modified pertaining to multi-year investment and management plans for certain activities within CBP and ICE.

Section 546. A provision proposed by the House and Senate is continued and modified stating that the Secretary shall ensure enforcement of all immigration laws.

Section 547. A provision proposed by the House and Senate is included and modified regarding Federal Network Security.

Section 548. A provision proposed by the House and Senate is continued regarding restrictions on electronic access to pornography, except for law enforcement purposes.

Section 549. A provision proposed by the House and Senate is continued regarding the transfer of firearms by Federal law enforcement personnel.

Section 550. A provision proposed by the House and Senate is continued prohibiting any funds from this or any other Act to be used for creation of the National Preparedness Grant Program or any successor grant programs unless explicitly authorized by Congress.

Section 551. A provision proposed by the House is included prohibiting funds for the position of Public Advocate or a successor position within ICE. The Senate proposed no similar provision.

Section 552. A provision proposed by the House and Senate is included and modified amending Division F of Public Law 113–76, and Division D of Public Law 113–6, regarding reimbursable public-private partnerships and donation authority related to CBP port of entry operations.

Section 553. A provision proposed by the House and Senate is continued regarding funding restrictions and reporting requirements related to conferences occurring outside of the United States.

Section 554. A provision proposed by the House and Senate is continued that prohibits funds made available by this Act to reimburse any Federal department or agency for its participation in a NSSE.

Section 555. A provision proposed by the House and Senate is included and modified requiring certification to Congress for new air preclearance operations.

Section 556. A provision proposed by the House is included prohibiting any funds from this or any other Act to be used to require airport operators to provide airport-financed staffing to monitor exit points from the sterile area of any airport at which TSA provided such monitoring as of December 1, 2013. The Senate proposed no similar provision.

Section 557. A provision proposed by the House and Senate is continued providing the Secretary discretion to waive certain provisions of law related to requirements for Staffing for Adequate Fire and Emergency Response (SAFER) grants.

Section 558. A provision proposed by the House and Senate is continued that prohibits the collection of new land border fees or the study of the imposition of such border fees.

Section 559. A provision proposed by the Senate is included pertaining to the temporary reemployment of administrative law judges for arbitration dispute resolution. The House proposed no similar provision.

Section 560. A provision proposed by the House and Senate is continued that clarifies that fees collected pursuant to the Colombia Free Trade Agreement are available until expended.

Section 561. A provision proposed by the Senate is included related to user fee proposals that have not been enacted into law prior to submission of the budget. The House proposed no similar provision.

Section 562. A provision proposed by the House is included requiring the Secretary to report on the Department's requirements for and usage of weapons. The Senate proposed no similar provision.

Section 563. A provision proposed by the House is included which prohibits funds from being used for environmental remediation of LORAN support in a specified location. The Senate proposed no similar provision.

Section 564. A provision proposed by the House and Senate is included directing the inclusion of budget justification for any structural pay reform that affects more than 100 FTE positions or costs more than $5,000,000.

Section 565. A provision proposed by the Senate is included and modified directing the Department to post on a public website reports required by the Committees on Appropriations unless public posting compromises homeland or national security or contains proprietary information. The House proposed no similar provision.

Section 566. A provision proposed by the Senate is included repealing section 605 of Public Law 110–161 related to land border port of entry technology demonstration projects. The House proposed no similar provision.

Section 567. A provision proposed by the Senate is included regarding a transfer to the Disaster Relief Fund from the Disaster Assistance Direct Loan Program. The transfer has no impact on ongoing loan determinations. The House proposed no similar provision.

Section 568. A provision proposed by the House and Senate is included deeming a Transportation Security Officer, who died as the direct result of an injury sustained in the line of duty on November 13, 2013, as having been a public safety officer for the purposes of the Omnibus Crime Control and Safe Streets Act of 1968.

Section 569. A provision proposed by the House and Senate is included requiring OMB and DHS to include in budget justifications budget estimates for costs related to UAC.

Section 570. A provision proposed by the Senate is included regarding the Fire Management Assistance Grant Program. The House proposed no similar provision.

Section 571. A new provision is included regarding reprogramming and transfer authority for CBP and ICE Salaries and Expenses accounts related to the care and transportation of unaccompanied alien children.

Section 572. A new provision is included making costs of providing humanitarian relief to unaccompanied alien children and to alien adults and their minor children an eligible use for certain Homeland Security grants to Southwest border recipients for fiscal years 2013 and 2014. State and local costs to include the costs of personnel, overtime and travel related to enhancing border security are already eligible expenses under the major Homeland Security grant programs; however, costs associated with the immediate care and transportation of UAC and families that were incurred by state and local jurisdictions would otherwise not be eligible.

The influx of UAC and families that came across the Southwest border overwhelmed Federal resources and put a burden on state and local jurisdictions, particularly small counties along the border. This created not only a humanitarian crisis but also a greater vulnerability to terrorism and other security risks to our Nation.

RESCISSIONS

Section 573. A provision proposed by the House and Senate is included and modified rescinding unobligated balances from specified programs.

Section 574. A provision proposed by the House and Senate is included and modified rescinding specified funds from the Treasury Forfeiture Fund.

Section 575. A provision proposed by the House and Senate is included and modified rescinding unobligated balances from legacy programs.

Section 576. A new provision is included rescinding unobligated lapsed balances from DHS programs.

Section 577. A provision proposed by the House and Senate is continued and modified rescinding unobligated balances from FEMA DRF.

Section 578. A new provision is included that allows that the explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record, shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
DEPARTMENT OF HOMELAND SECURITY					
TITLE I - DEPARTMENTAL MANAGEMENT AND OPERATIONS					
Departmental Operations					
Office of the Secretary and Executive Management:					
Immediate Office of the Secretary	4,050	3,950	7,939	+3,889	+3,989
Immediate Office of the Deputy Secretary	1,750	1,751	1,740	-10	-11
Office of the Chief of Staff	2,050	2,112	2,782	+732	+670
Executive Secretary	7,400	7,719	5,589	-1,811	-2,130
Office of Policy	36,500	38,470	38,073	+1,573	-397
Office of Public Affairs	8,550	8,741	5,591	-2,959	-3,150
Office of Legislative Affairs	5,350	5,583	5,403	+53	-180
Office of Intergovernmental Affairs / Partnership and Engagement	2,250	2,429	9,848	+7,598	+7,419
Office of General Counsel	19,750	21,310	19,950	+200	-1,360
Office for Civil Rights and Civil Liberties	21,500	22,003	21,800	+300	-203
Citizenship and Immigration Services Ombudsman	5,250	6,428	5,825	+575	-603
Privacy Officer	7,950	8,273	8,033	+83	-240
Subtotal	122,350	128,769	132,573	+10,223	+3,804
Office of the Under Secretary for Management:					
Immediate Office of the Under Secretary for Management	2,700	2,757	2,740	+40	-17
Office of the Chief Security Officer	64,000	63,597	64,308	+308	+711

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Office of the Chief Procurement Officer	65,000	64,036	60,107	-4,893	-3,929
Subtotal	131,700	130,390	127,155	-4,545	-3,235
Office of the Chief Human Capital Officer:					
Salaries and Expenses	22,000	21,253	20,944	-1,056	-309
Human Resources Information Technology	7,815	9,878	6,000	-1,815	-3,878
Subtotal	29,815	31,131	26,944	-2,871	-4,187
Office of the Chief Readiness Support Officer:					
Salaries and Expenses	30,000	29,272	28,911	-1,089	-361
Nebraska Avenue Complex (NAC)	4,500	4,493	4,493	-7	---
Subtotal	34,500	33,765	33,404	-1,096	-361
Subtotal, Office of the Under Secretary for Management	196,015	195,286	187,503	-8,512	-7,783
DHS Headquarters Consolidation:					
Mission support	---	15,300	---	---	-15,300
St. Elizabeths	---	57,700	---	---	-57,700
Total, DHS Headquarters Consolidation	---	73,000	---	---	-73,000

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Office of the Chief Financial Officer	46,000	94,626	52,020	+6,020	-42,606
Office of the Chief Information Officer:					
Salaries and Expenses	115,000	95,444	99,028	-15,972	+3,584
Information Technology Services	34,000	38,627	68,298	+34,298	+29,671
Infrastructure and Security Activities	45,000	52,140	52,640	+7,640	+500
Homeland Secure Data Network	63,156	70,132	68,156	+5,000	-1,976
Subtotal	257,156	256,343	288,122	+30,966	+31,779
Analysis and Operations	300,490	302,268	255,804	-44,686	-46,464
Total, Departmental Operations	922,011	1,050,292	916,022	-5,989	-134,270
Office of Inspector General:					
Operating Expenses	115,437	121,457	118,617	+3,180	-2,840
(by transfer from Disaster Relief)	(24,000)	(24,000)	(24,000)	---	---
Total, Office of Inspector General	139,437	145,457	142,617	+3,180	-2,840
Total, title I, Departmental Management and Operations	1,037,448	1,171,749	1,034,639	-2,809	-137,110
(by transfer)	(24,000)	(24,000)	(24,000)	---	---

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
U.S. Customs and Border Protection					
Salaries and Expenses:					
Headquarters, Management, and Administration:					
Commissioner	23,656	27,245	27,151	+3,495	-94
Chief Counsel	42,921	45,663	45,483	+2,562	-180
Congressional Affairs	2,466	2,514	2,504	+38	-10
Internal Affairs	149,061	140,141	139,493	-9,568	-648
Public Affairs	11,934	13,064	13,009	+1,075	-55
Training and Development	76,082	71,926	71,585	-4,497	-341
Tech, Innovation, Acquisition	22,788	25,374	25,277	+2,489	-97
Intelligence/Investigative Liaison	60,747	61,512	62,235	+1,488	+723
Administration	403,473	386,793	382,870	-20,603	-3,923
Rent	405,802	409,490	598,593	+192,791	+189,103
Subtotal	1,198,930	1,183,722	1,368,200	+169,270	+184,478
Border Security Inspections and Trade Facilitation:					
Inspections, Trade, and Travel Facilitation at Ports of Entry	2,856,573	2,830,872	2,810,524	-46,049	-20,348
Harbor Maintenance Fee Collection (trust fund)	3,274	3,274	3,274	---	---
International Cargo Screening	67,461	69,173	68,902	+1,441	-271
Other International Programs	24,000	25,706	25,548	+1,548	-158
Customs-Trade Partnership Against Terrorism (C-TPAT)	40,912	40,841	41,619	+707	+778
Trusted Traveler Programs	5,811	5,811	5,811	---	---

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Inspection and Detection Technology Investments.	112,004	123,866	122,811	+10,807	-1,055
National Targeting Center	65,106	70,592	74,623	+9,517	+4,031
Training	40,703	33,906	33,880	-6,823	-26
Subtotal	3,215,844	3,204,041	3,186,992	-28,852	-17,049
Border Security and Control Between Ports of Entry:					
Border Security and Control	3,675,236	3,882,015	3,848,074	+172,838	-33,941
Training	55,558	56,608	56,391	+833	-217
Subtotal	3,730,794	3,938,623	3,904,465	+173,671	-34,158
Subtotal, Salaries and Expenses	8,145,568	8,326,386	8,459,657	+314,089	+133,271
Appropriations	(8,142,294)	(8,323,112)	(8,456,383)	(+314,089)	(+133,271)
Harbor Maintenance Trust Fund	(3,274)	(3,274)	(3,274)	---	---
Small Airport User Fee (permanent indefinite discretionary appropriation)	5,000	9,000	9,000	+4,000	---
Automation Modernization:					
Information Technology	358,655	365,700	362,094	+3,439	-3,606
Automated Targeting Systems	116,932	109,273	109,230	-7,702	-43
Automated Commercial Environment/International Trade Data System (ITDS)	140,762	141,061	140,970	+208	-91
Current Operations Protection and Processing Support (COPPS)	200,174	196,376	195,875	-4,299	-501
Subtotal	816,523	812,410	808,169	-8,354	-4,241

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Border Security Fencing, Infrastructure, and Technology (BSFIT):					
Development and Deployment	160,435	110,594	125,594	-34,841	+15,000
Operations and Maintenance	191,019	251,872	256,872	+65,853	+5,000
Subtotal	351,454	362,466	382,466	+31,012	+20,000
Air and Marine Operations:					
Salaries and Expenses	286,818	293,016	299,800	+12,982	+6,784
Operations and Maintenance	392,000	362,669	397,669	+5,669	+35,000
Procurement	126,250	53,000	53,000	-73,250	---
Subtotal	805,068	708,685	750,469	-54,599	+41,784
Construction and Facilities Management:					
Facilities Construction and Sustainment	375,398	385,137	205,393	-170,005	-179,744
Program Oversight and Management	80,880	97,068	83,428	+2,548	-13,640
Subtotal	456,278	482,205	288,821	-167,457	-193,384
Total, U.S. Customs and Border Protection Direct Appropriations	10,579,891	10,701,152	10,698,582	+118,691	-2,570

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Fee Accounts:					
Immigration Inspection User Fee	(598,552)	(630,218)	(630,218)	(+31,666)	---
Immigration Enforcement Fines	(773)	(752)	(752)	(-21)	---
Electronic System for Travel Authorization Fee	(55,168)	(54,929)	(54,929)	(-239)	---
Land Border Inspection Fee	(42,941)	(43,931)	(43,931)	(+990)	---
COBRA Passenger Inspection Fee	(500,134)	(482,501)	(482,501)	(-17,633)	---
APHIS Inspection Fee	(355,216)	(464,514)	(464,514)	(+109,298)	---
Global Entry User Fee	(34,835)	(91,192)	(91,192)	(+56,357)	---
Puerto Rico Collections	(98,602)	(98,076)	(98,076)	(-526)	---
Virgin Island Fee	(11,302)	(11,789)	(11,789)	(+487)	---
Customs Unclaimed Goods	(5,992)	(5,992)	(5,992)	---	---
Subtotal, Fee Accounts	(1,703,515)	(1,883,894)	(1,883,894)	(+180,379)	---
Total, U.S. Customs and Border Protection	12,283,406	12,585,046	12,582,476	+299,070	-2,570
Appropriations	(10,579,891)	(10,701,152)	(10,698,582)	(+118,691)	(-2,570)
Fee Accounts	(1,703,515)	(1,883,894)	(1,883,894)	(+180,379)	---
U.S. Immigration and Customs Enforcement					
Salaries and Expenses:					
Headquarters Management and Administration:					
Personnel Compensation and Benefits, Services and Other Costs	191,909	198,602	197,002	+5,093	-1,600
Headquarters Managed IT Investment	143,808	150,927	150,419	+6,611	-508
Subtotal	335,717	349,529	347,421	+11,704	-2,108

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Legal Proceedings	205,584	214,731	217,393	+11,809	+2,662
Investigations:					
Domestic Investigations	1,672,220	1,644,552	1,699,811	+27,591	+55,259
International Investigations:					
International Operations	99,741	101,228	110,682	+10,941	+9,454
Visa Security Program	31,541	31,854	49,526	+17,985	+17,672
Subtotal	131,282	133,082	160,208	+28,926	+27,126
Subtotal, Investigations	1,803,502	1,777,634	1,860,019	+56,517	+82,385
Intelligence	74,298	77,045	76,479	+2,181	-566
Enforcement and Removal Operations:					
Custody Operations	1,993,770	1,791,913	2,532,593	+538,823	+740,680
Fugitive Operations	128,802	131,591	142,615	+13,813	+11,024
Criminal Alien Program	294,155	322,407	327,223	+33,068	+4,816
Alternatives to Detention	91,444	94,106	109,740	+18,296	+15,634
Transportation and Removal Program	276,925	229,109	319,273	+42,348	+90,164
Subtotal	2,785,096	2,569,126	3,431,444	+646,348	+862,318
Secure Communities	25,264	---	---	-25,264	---
Subtotal, Salaries and Expenses	5,229,461	4,988,065	5,932,756	+703,295	+944,691

Department of Homeland Security Appropriations Act, 2015
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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Automation Modernization:					
Automation modernization	---	26,000	26,000	+26,000	---
IT Investment	8,400	---	---	-8,400	---
TECS Modernization	23,000	---	---	-23,000	---
Electronic Health Records	3,500	---	---	-3,500	---
Subtotal	34,900	26,000	26,000	-8,900	---
Construction	5,000	---	---	-5,000	---
Total, U.S. Immigration and Customs Enforcement Direct Appropriations	5,269,361	5,014,065	5,958,756	+689,395	+944,691
Fee Accounts:					
Immigration Inspection User Fee	(135,000)	(135,000)	(135,000)	---	---
Breached Bond/Detention Fund	(65,000)	(65,000)	(65,000)	---	---
Student Exchange and Visitor Fee	(145,000)	(145,000)	(145,000)	---	---
Subtotal	345,000	345,000	345,000	---	---
Total, U.S. Immigration and Customs Enforcement	5,614,361	5,359,065	6,303,756	+689,395	+944,691
Appropriations	(5,269,361)	(5,014,065)	(5,958,756)	(+689,395)	(+944,691)
Fee Accounts	(345,000)	(345,000)	(345,000)	---	---

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Transportation Security Administration					
Aviation Security:					
Screening Operations:					
Screener Workforce:					
Privatized Screening	158,190	---	---	-158,190	---
Screener Personnel, Compensation, and Benefits	3,033,526	---	---	-3,033,526	---
Subtotal	3,191,716	---	---	-3,191,716	---
Screener Training and Other	226,857	---	---	-226,857	---
Checkpoint Support	103,309	---	---	-103,309	---
EDS/ETD Systems:					
EDS Procurement and Installation	73,845	---	---	-73,845	---
Screening Technology Maintenance	298,509	---	---	-298,509	---
Subtotal	372,354	---	---	-372,354	---
Subtotal, Screening Operations	3,894,236	---	---	-3,894,236	---

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Aviation Security Direction and Enforcement:					
Aviation Regulation and Other Enforcement	354,437	---	---	-354,437	---
Airport Management and Support	587,000	---	---	-587,000	---
Federal Flight Deck Officer and Flight Crew Training	24,730	---	---	-24,730	---
Air Cargo	122,332	---	---	-122,332	---
Subtotal	1,088,499	---	---	-1,088,499	---
Aviation Security Capital Fund (mandatory)	(250,000)	---	---	(-250,000)	---
Total, Aviation Security (gross)	4,982,735	---	---	-4,982,735	---
Aviation Security Fees (offsetting collections)	-2,120,000	---	---	+2,120,000	---
Total, Aviation Security (net, discretionary)	2,862,735	---	---	-2,862,735	---
Aviation Security:					
Screening Partnership Program	---	154,572	166,666	+166,666	+12,094
Screener Personnel, Compensation, and Benefits	---	2,952,868	2,923,890	+2,923,890	-28,978
Screener Training and Other	---	226,290	225,442	+225,442	-848
Checkpoint Support	---	103,469	88,469	+88,469	-15,000
EDS Procurement/Installation	---	84,075	83,933	+83,933	-142
Screening Technology Maintenance	---	294,509	294,509	+294,509	---
Aviation Regulation and Other Enforcement	---	348,653	349,821	+349,821	+1,168
Airport Management and Support	---	591,734	587,657	+587,657	-4,077
Federal Flight Deck Officer and Flight Crew Training	---	20,000	22,365	+22,365	+2,365
Air Cargo	---	106,920	106,343	+106,343	-577

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Federal Air Marshals	---	800,214	790,000	+790,000	-10,214
Aviation Security Capital Fund (mandatory)	---	(250,000)	(250,000)	(+250,000)	---
Total, Aviation Security (gross)	---	5,683,304	5,639,095	+5,639,095	-44,209
Aviation Security Fees (offsetting collections)	---	-2,080,000	-2,065,000	-2,065,000	+15,000
Additional Offsetting Collections (leg. proposal)	---	-570,000	---	---	+570,000
Total, Aviation Security (net, discretionary)	---	3,033,304	3,574,095	+3,574,095	+540,791
Surface Transportation Security:					
Staffing and Operations	35,262	29,375	29,230	-6,032	-145
Surface Inspectors and VIPR	73,356	98,262	94,519	+21,163	-3,743
Subtotal	108,618	127,637	123,749	+15,131	-3,888
Intelligence and Vetting:					
Intelligence	---	51,801	51,545	+51,545	-256
Secure Flight	93,202	112,543	99,569	+6,367	-12,974
Other Vetting Programs	83,287	68,182	68,052	-15,235	-130
TWIC Fee	(36,700)	(34,832)	(34,832)	(-1,868)	---
Hazardous Material Fee	(12,000)	(12,000)	(12,000)	---	---
General Aviation at DCA Fee	(350)	(350)	(350)	---	---
Commercial Aviation and Airport Fee	(6,500)	(6,500)	(6,500)	---	---
Other Security Threat Assessments Fee	(50)	(50)	(50)	---	---
Air Cargo/Certified Cargo Screening Program Fee	(5,400)	(7,173)	(7,173)	(+1,773)	---
TSA Precheck Application Program Fee	---	(13,700)	(13,700)	(+13,700)	---

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Alien Flight School Fee	(5,000)	(5,000)	(5,000)	---	---
Subtotal	242,489	312,131	298,771	+56,282	-13,360
Direct Appropriations	(176,489)	(232,526)	(219,166)	(+42,677)	(-13,360)
Fee Funded Programs	(66,000)	(79,605)	(79,605)	(+13,605)	---
Transportation Security Support:					
Headquarters Administration	272,250	275,891	269,100	-3,150	-6,791
Information Technology	441,000	451,920	449,000	+8,000	-2,920
Human Capital Services	204,250	204,215	199,126	-5,124	-5,089
Intelligence	44,561	---	---	-44,561	---
Subtotal	962,061	932,026	917,226	-44,835	-14,800
Federal Air Marshals:					
Management and Administration	708,004	---	---	-708,004	---
Travel and Training	110,603	---	---	-110,603	---
Subtotal	818,607	---	---	-818,607	---
Total, Transportation Security Administration	7,364,510	7,305,098	7,228,841	-135,669	-76,257
Offsetting Collections	(-2,120,000)	(-2,650,000)	(-2,065,000)	(+55,000)	(+585,000)
Aviation Security Capital Fund (mandatory)	(250,000)	(250,000)	(250,000)	---	---
Fee Funded Programs	(66,000)	(79,605)	(79,605)	(+13,605)	---
Total, Transportation Security Administration (net)	4,928,510	4,325,493	4,834,236	-94,274	+508,743

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Coast Guard					
Operating Expenses:					
Military Pay and Allowances	3,416,580	3,433,594	3,449,782	+33,202	+16,188
Civilian Pay and Benefits	782,874	787,372	781,517	-1,357	-5,855
Training and Recruiting	205,928	197,800	198,279	-7,649	+479
Operating Funds and Unit Level Maintenance	1,034,650	991,919	1,008,682	-25,968	+16,763
Centrally Managed Accounts	319,135	335,262	335,556	+16,421	+294
Intermediate and Depot Level Maintenance	1,012,840	1,003,786	1,056,502	+43,662	+52,716
St. Elizabeths Support	12,800	---	---	-12,800	---
Overseas Contingency Operations/ Global War on Terrorism	227,000	---	213,000	-14,000	+213,000
Subtotal	7,011,807	6,749,733	7,043,318	+31,511	+293,585
(Defense)	(567,000)	(340,000)	(553,000)	(-14,000)	(+213,000)
(Nondefense)	(6,444,807)	(6,409,733)	(6,490,318)	(+45,511)	(+80,585)
Environmental Compliance and Restoration	13,164	13,214	13,197	+33	-17
Reserve Training	120,000	109,605	114,572	-5,428	+4,967
Acquisition, Construction, and Improvements:					
Vessels:					
Survey and Design-Vessel and Boats	1,000	500	500	-500	---
Response Boat-Medium	10,000	---	---	-10,000	---
In-Service Vessel Sustainment	21,000	24,500	49,000	+28,000	+24,500
National Security Cutter	629,000	638,000	632,847	+3,847	-5,153
Offshore Patrol Cutter	23,000	20,000	20,000	-3,000	---
Fast Response Cutter	310,000	110,000	110,000	-200,000	---
Cutter Boats	3,000	4,000	4,000	+1,000	---

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Polar Ice Breaking Vessel	2,000	6,000	---	-2,000	-6,000
Polar Icebreaker Preservation	---	---	8,000	+8,000	+8,000
Subtotal	999,000	803,000	824,347	-174,653	+21,347
Aircraft:					
H-60 Airframe Replacement	---	---	12,000	+12,000	+12,000
HC-144 Conversion/Sustainment	9,200	15,000	15,000	+5,800	---
HC-27J Conversion/Sustainment	24,900	15,000	20,000	-4,900	+5,000
HC-130J Acquisition/Conversion/Sustainment	129,210	8,000	103,000	-26,210	+95,000
HH-65 Conversion/Sustainment	12,000	30,000	30,000	+18,000	---
Subtotal	175,310	68,000	180,000	+4,690	+112,000
Other Acquisition Programs:					
Program Oversight and Management	10,000	18,000	18,000	+8,000	---
Systems Engineering and Integration	204	---	---	-204	---
C4ISR	40,226	36,300	36,300	-3,926	---
CG-Logistics Information Management System	1,500	3,000	5,000	+3,500	+2,000
Nationwide Automatic Identification System	13,000	---	---	-13,000	---
Subtotal	64,930	57,300	59,300	-5,630	+2,000

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Shore Facilities and Aids to Navigation:					
Major Construction; Housing; ATON; and Survey and Design	2,000	19,580	19,580	+17,580	---
Major Acquisition Systems Infrastructure	---	16,000	16,000	+16,000	---
Minor Shore	3,000	5,000	5,000	+2,000	---
Subtotal	5,000	40,580	40,580	+35,580	---
Military Housing	18,000	---	6,000	-12,000	+6,000
Personnel and Related Support:					
Direct Personnel Costs	112,956	115,313	114,996	+2,040	-317
Core Acquisition Costs	439	---	---	-439	---
Subtotal	113,395	115,313	114,996	+1,601	-317
Subtotal, Acquisition, Construction, and Improvements	1,375,635	1,084,193	1,225,223	-150,412	+141,030
Research, Development, Test, and Evaluation	19,200	17,947	17,892	-1,308	-55
Health Care Fund Contribution (permanent indefinite discretionary appropriation)	201,000	176,970	176,970	-24,030	---

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Retired Pay (mandatory)	1,460,000	1,450,626	1,450,626	-9,374	---
Total, Coast Guard	10,200,806	9,602,288	10,041,798	-159,008	+439,510
Appropriations	(9,973,806)	(9,602,288)	(9,828,798)	(-145,008)	(+226,510)
Overseas Contingency Operations/Global War on Terrorism	(227,000)	---	(213,000)	(-14,000)	(+213,000)
(mandatory)	(1,460,000)	(1,450,626)	(1,450,626)	(-9,374)	---
(discretionary)	(8,740,806)	(8,151,662)	(8,591,172)	(-149,634)	(+439,510)
United States Secret Service					
Salaries and Expenses:					
Protection:					
Protection of Persons and Facilities	848,263	874,885	892,685	+44,422	+17,800
Protective Intelligence Activities	67,165	68,234	67,536	+371	-698
National Special Security Event Fund	4,500	4,500	4,500	---	---
Presidential Candidate Nominee Protection	---	25,500	25,500	+25,500	---
Subtotal	919,928	973,119	990,221	+70,293	+17,102
Investigations:					
Domestic Field Operations	329,291	332,395	338,295	+9,004	+5,900
International Field Office Administration, Operations and Training	30,811	34,361	34,195	+3,384	-166
Support for Missing and Exploited Children	8,366	---	8,366	---	+8,366
Subtotal	368,468	366,756	380,856	+12,388	+14,100

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Headquarters, Management and Administration.....	188,964	189,191	188,380	-584	-811
Rowley Training Center.....	55,118	55,868	55,378	+260	-490
Information Integration and Technology Transformation.....	1,019	1,036	1,025	+6	-11
Subtotal, Salaries and Expenses.....	1,533,497	1,585,970	1,615,860	+82,363	+29,890
Acquisition, Construction, Improvements, and Related Expenses:					
Facilities.....	5,380	5,380	5,380	---	---
Information Integration and Technology Transformation.....	46,395	44,555	44,555	-1,840	---
Subtotal.....	51,775	49,935	49,935	-1,840	---
Total, United States Secret Service.....	1,585,272	1,635,905	1,665,795	+80,523	+29,890
Total, title II, Security, Enforcement, and Investigations.....	32,563,840	31,278,903	33,199,167	+635,327	+1,920,264
Appropriations.....	(32,336,840)	(31,278,903)	(32,986,167)	(+649,327)	(+1,707,264)
Overseas Contingency Operations/Global War on Terrorism.....	(227,000)	---	(213,000)	(-14,000)	(+213,000)
(Fee Accounts).....	(2,114,515)	(2,308,499)	(2,308,499)	(+193,984)	---

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
TITLE III - PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY					
National Protection and Programs Directorate					
Management and Administration	56,499	65,910	61,651	+5,152	-4,259
Infrastructure Protection and Information Security:					
Infrastructure Protection:					
Infrastructure Analysis and Planning	63,134	63,999	64,494	+1,360	+495
Sector Management and Governance	62,562	63,136	64,961	+2,399	+1,825
Regional Field Operations	56,550	57,034	56,550	---	-484
Infrastructure Security Compliance	81,000	86,976	85,027	+4,027	-1,949
Subtotal, Infrastructure Protection	263,246	271,145	271,032	+7,786	-113
Cybersecurity and Communications:					
Cybersecurity:					
Cybersecurity Coordination	4,320	4,330	4,311	-9	-19
US Computer Emergency Readiness Team (US-CERT) Operations	102,000	98,794	98,573	-3,427	-221
Federal Network Security	199,725	171,500	171,000	-28,725	-500
Network Security Deployment	382,252	377,690	377,000	-5,252	-690
Global Cybersecurity Management	25,892	17,613	25,873	-19	+8,260

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Critical Infrastructure Cyber Protection and Awareness	73,013	70,963	70,919	-2,094	-44
Business Operations	5,089	5,554	5,524	+435	-30
Subtotal, Cybersecurity	792,291	746,444	753,200	-39,091	+6,756
Communications:					
Office of Emergency Communications	37,450	36,480	37,335	-115	+855
Priority Telecommunications Services	53,372	53,381	53,324	-48	-57
Next Generation Networks	21,158	69,571	53,293	+32,135	-16,278
Programs to Study and Enhance Telecommunications	10,074	10,106	10,092	+18	-14
Critical Infrastructure Protection Programs	9,409	10,439	10,403	+994	-36
Subtotal, Communications	131,463	179,977	164,447	+32,984	-15,530
Subtotal, Cybersecurity and Communications	923,754	926,421	917,647	-6,107	-8,774
Subtotal, Infrastructure Protection and Information Security	1,187,000	1,197,566	1,188,679	+1,679	-8,887
Federal Protective Service:					
Basic Security	271,540	275,763	275,763	+4,223	---
Building-specific Security	509,056	600,615	600,615	+91,559	---

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Reimbursable Security Fees (Contract Guard Services)	521,228	466,228	466,228	-55,000	---
Subtotal, Federal Protective Service	1,301,824	1,342,606	1,342,606	+40,782	---
Offsetting Collections	-1,301,824	-1,342,606	-1,342,606	-40,782	---
Office of Biometric Identity Management	227,108	251,584	252,056	+24,948	+472
Total, National Protection and Programs Directorate (gross)	2,772,431	2,857,666	2,844,992	+72,561	-12,674
Offsetting Collections	(-1,301,824)	(-1,342,606)	(-1,342,606)	(-40,782)	---
Total, National Protection and Programs Directorate (net)	1,470,607	1,515,060	1,502,386	+31,779	-12,674
Office of Health Affairs					
BioWatch	85,277	84,651	86,891	+1,614	+2,240
National Biosurveillance Integration Center	10,000	8,000	10,500	+500	+2,500
Chemical Defense Program	824	824	824	---	---
Planning and Coordination	4,995	4,995	4,995	---	---
Salaries and Expenses	25,667	27,297	26,148	+481	-1,149
Total, Office of Health Affairs	126,763	125,767	129,358	+2,595	+3,591

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Federal Emergency Management Agency					
Salaries and Expenses:					
Administrative and Regional Offices	249,855	245,218	244,183	-5,672	-1,035
Office of National Capital Region Coordination	(3,400)	---	(3,400)	---	(+3,400)
Preparedness and Protection	173,406	185,000	180,797	+7,391	-4,203
Response	178,692	167,376	175,986	-2,706	+8,610
Urban Search and Rescue Response System	(35,180)	(27,513)	(35,180)	---	(+7,667)
Recovery	55,121	56,030	55,789	+668	-241
Mitigation	27,858	25,782	28,876	+1,018	+3,094
Mission Support	151,744	141,809	145,316	-6,428	+3,507
Centrally Managed Accounts	110,306	103,449	103,449	-6,857	---
Subtotal, Salaries and Expenses	946,982	924,664	934,396	-12,586	+9,732
(Defense)	(74,000)	(76,000)	(72,000)	(-2,000)	(-4,000)
(Nondefense)	(872,982)	(848,664)	(862,396)	(-10,586)	(+13,732)
Grants and Training:					
State and Local Programs:					
State Homeland Security Grant Program	466,346	---	467,000	+654	+467,000
Operation Stonegarden	(55,000)	---	(55,000)	---	(+55,000)

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Urban Area Security Initiative	600,000	---	600,000	---	+600,000
Nonprofit Security Grants	(13,000)	---	(13,000)	---	(+13,000)
Public Transportation Security Assistance and					
Railroad Security Assistance	100,000	---	100,000	---	+100,000
Amtrak Security	(10,000)	---	(10,000)	---	(+10,000)
Over-Road Bus Security	---	---	(3,000)	(+3,000)	(+3,000)
Port Security Grants	100,000	---	100,000	---	+100,000
Subtotal, Discretionary Grants	1,266,346	---	1,267,000	+654	+1,267,000
Education, Training, and Exercises:					
Emergency Management Institute	20,569	---	20,569	---	+20,569
Center for Domestic Preparedness	64,991	---	64,991	---	+64,991
National Domestic Preparedness Consortium	98,000	---	98,000	---	+98,000
National Exercise Program	21,094	---	19,919	-1,175	+19,919
Continuing Training	29,000	---	29,521	+521	+29,521
Subtotal	233,654	---	233,000	-654	+233,000

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
National Preparedness Grant Program	---	1,043,200	---	---	-1,043,200
First Responder Assistance Program:					
Emergency Management Performance Grants	---	350,000	---	---	-350,000
Fire Grants	---	335,000	---	---	-335,000
Staffing for Adequate Fire and Emergency Response (SAFER) Act Grants	---	335,000	---	---	-335,000
Training Partnership Grants	---	60,000	---	---	-60,000
Education, Training and Exercises	---	102,269	---	---	-102,269
Subtotal, First Responder Assistance Program	---	1,182,269	---	---	-1,182,269
Subtotal, State and Local Programs	1,500,000	2,225,469	1,500,000	---	-725,469
(Defense)	---	---	---	---	---
(Nondefense)	(1,500,000)	(2,225,469)	(1,500,000)	---	(-725,469)
Firefighter Assistance Grants:					
Fire Grants	340,000	---	340,000	---	+340,000
Staffing for Adequate Fire and Emergency Response (SAFER) Act Grants	340,000	---	340,000	---	+340,000
Subtotal	680,000	---	680,000	---	+680,000

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	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Emergency Management Performance Grants	350,000	---	350,000	---	+350,000
Subtotal, Grants and Training	2,530,000	2,225,469	2,530,000	---	+304,531
Radiological Emergency Preparedness Program	-1,272	-1,815	-1,815	-543	---
United States Fire Administration	44,000	41,407	44,000	---	+2,593
Disaster Relief Fund:					
Base Disaster Relief	594,522	595,672	595,672	+1,150	---
Disaster Relief Category	5,626,386	6,437,793	6,437,793	+811,407	---
Subtotal, Disaster Relief Fund	6,220,908	7,033,465	7,033,465	+812,557	---
(transfer out to Inspector General)	(-24,000)	(-24,000)	(-24,000)	---	---
Subtotal, Disaster Relief Fund (net)	6,196,908	7,009,465	7,009,465	+812,557	---
Flood Hazard Mapping and Risk Analysis Program	95,202	84,403	100,000	+4,798	+15,597
National Flood Insurance Fund:					
Salaries and Expenses	22,000	23,759	23,759	+1,759	---
Flood Plain Management and Mapping	154,300	155,535	155,535	+1,235	---
Subtotal	176,300	179,294	179,294	+2,994	---
Offsetting Fee Collections	-176,300	-179,294	-179,294	-2,994	---

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
National Predisaster Mitigation Fund	25,000	---	25,000	---	+25,000
Emergency Food and Shelter	120,000	100,000	120,000	---	+20,000
Total, Federal Emergency Management Agency	9,980,820	10,407,593	10,785,046	+804,226	+377,453
(Appropriations)	(4,354,434)	(3,969,800)	(4,347,253)	(-7,181)	(+377,453)
(Disaster Relief Category)	(5,626,386)	(6,437,793)	(6,437,793)	(+811,407)	---
(Transfer out)	(-24,000)	(-24,000)	(-24,000)	---	---
Total, title III, Protection, Preparedness, Response and Recovery Directorate	11,578,190	12,048,420	12,416,790	+838,600	+368,370
Appropriations	(5,951,804)	(5,610,627)	(5,978,997)	(+27,193)	(+368,370)
Disaster Relief Category	(5,626,386)	(6,437,793)	(6,437,793)	(+811,407)	---
(Transfer out)	(-24,000)	(-24,000)	(-24,000)	---	---
TITLE IV - RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES					
United States Citizenship and Immigration Services					
Appropriations:					
E-Verify Program	113,889	124,755	124,435	+10,546	-320
Immigrant Integration Programs	---	10,000	---	---	-10,000
Subtotal	113,889	134,755	124,435	+10,546	-10,320

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Fee Accounts:					
Adjudication Services:					
District Operations	(1,544,380)	(1,539,859)	(1,565,903)	(+21,523)	(+26,044)
(Immigrant Integration Grants)	(7,500)	---	(10,000)	(+2,500)	(+10,000)
Service Center Operations	(578,393)	(542,449)	(542,449)	(-35,944)	---
Asylum, Refugee and International Operations	(236,710)	(238,755)	(239,065)	(+2,355)	(+310)
Records Operations	(94,039)	(93,209)	(93,209)	(-830)	---
Business Transformation	(183,464)	(184,923)	(184,923)	(+1,459)	---
Subtotal	2,636,986	2,599,195	2,625,549	-11,437	+26,354
Information and Customer Services:					
Operating Expenses	(96,409)	(98,868)	(98,868)	(+2,459)	---
Administration:					
Operating Expenses	(339,421)	(342,308)	(342,308)	(+2,887)	---
Systematic Alien Verification for Entitlements (SAVE)	(29,937)	(30,259)	(30,259)	(+322)	---
Subtotal, Fee Accounts	3,102,753	3,070,630	3,096,984	-5,769	+26,354
H1-B Visa Fee Account:					
Adjudication Services:					
Service Center Operations	---	(13,500)	---	---	(-13,500)

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
H1-B and L Fraud Prevention Fee Account:					
Adjudication Services:					
District Operations	---	(26,044)	---	---	(-26,044)
Asylum and Refugee Operating Expenses	---	(310)	---	---	(-310)
Service Center Operations	---	(14,646)	---	---	(-14,646)
Subtotal	---	41,000	---	---	-41,000
Total, Fee Accounts	3,102,753	3,125,130	3,096,984	-5,769	-28,146
Total, United States Citizenship and Immigration Services	(3,216,642)	(3,259,885)	(3,221,419)	(+4,777)	(-38,466)
Appropriations	(113,889)	(134,755)	(124,435)	(+10,546)	(-10,320)
Fee Accounts	(3,102,753)	(3,125,130)	(3,096,984)	(-5,769)	(-28,146)
(Immigration Examination Fee Account)	(3,048,753)	(3,070,630)	(3,042,484)	(-6,269)	(-28,146)
(H1-B Visa Fee Account)	(13,000)	(13,500)	(13,500)	(+500)	---
(H1-B and L Fraud Prevention Fee Account)	(41,000)	(41,000)	(41,000)	---	---
Federal Law Enforcement Training Center					
Salaries and Expenses:					
Law Enforcement Training	198,317	202,122	202,122	+3,805	---
Management and Administration	28,228	28,337	27,080	-1,148	-1,257
Accreditation	1,300	1,295	1,295	-5	---
Subtotal	227,845	231,754	230,497	+2,652	-1,257

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Acquisitions, Construction, Improvements, and Related Expenses	30,885	27,841	27,841	-3,044	---
Total, Federal Law Enforcement Training Center	258,730	259,595	258,338	-392	-1,257
Science and Technology					
Management and Administration	129,000	130,147	129,993	+993	-154
Research, Development, Acquisition, and Operations:					
Research, Development, and Innovation	462,000	433,788	457,499	-4,501	+23,711
Laboratory Facilities	547,785	435,180	434,989	-112,796	-191
Acquisition and Operations Support	41,703	41,703	41,703	---	---
University Programs	39,724	31,000	39,724	---	+8,724
Subtotal	1,091,212	941,671	973,915	-117,297	+32,244
Total, Science and Technology	1,220,212	1,071,818	1,103,908	-116,304	+32,090
Domestic Nuclear Detection Office					
Management and Administration	37,353	37,494	37,339	-14	-155
Research, Development, and Operations:					
Systems Engineering and Architecture	21,000	17,924	17,000	-4,000	-924
Systems Development	21,000	22,000	21,400	+400	-600
Transformational Research and Development	71,102	69,500	69,500	-1,602	---
Assessments	39,300	38,079	38,000	-1,300	-79
Operations Support	30,200	31,565	31,000	+800	-565

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
National Technical Nuclear Forensics Center	22,700	20,000	21,000	-1,700	+1,000
Subtotal	205,302	199,068	197,900	-7,402	-1,168
Systems Acquisition:					
Radiation Portal Monitor Program	7,000	5,000	5,000	-2,000	---
Securing the Cities	22,000	12,000	19,000	-3,000	+7,000
Human Portable Radiation Detection Systems	13,600	50,861	48,603	+35,003	-2,258
Subtotal	42,600	67,861	72,603	+30,003	+4,742
Total, Domestic Nuclear Detection Office	285,255	304,423	307,842	+22,587	+3,419
Total, title IV, Research and Development, Training, and Services	1,878,086	1,770,591	1,794,523	-83,563	+23,932
(Fee Accounts)	(3,102,753)	(3,125,130)	(3,096,984)	(-5,769)	(-28,146)
TITLE V - GENERAL PROVISIONS					
DHS Consolidated Headquarters Project	35,000	---	48,600	+13,600	+48,600
Financial Systems Modernization	29,548	---	34,072	+4,524	+34,072
Columbia Free Trade Act Collections	110,000	138,000	138,000	+28,000	---
CBP BSFIT (rescission)	-67,498	---	-5,000	+62,498	-5,000
CBP OAM (rescission)(P.L. 113-76)	---	---	-8,000	-8,000	-8,000
CBP Construction and Facilities Management (rescission)	---	---	-10,000	-10,000	-10,000
TSA Aviation Security (70 x 0550) (rescission)	-2,000	---	-15,300	-13,300	-15,300
TSA Aviation Security (rescission) (P.L. 113-76)	---	---	-187,000	-187,000	-187,000

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
Coast Guard AC&I (rescission)(P.L. 112-10)	-35,500	---	-2,550	+32,950	-2,550
Coast Guard AC&I (rescission)(P.L. 112-74)	-79,300	---	-12,095	+67,205	-12,095
Coast Guard AC&I (rescission)(P.L. 113-6)	-19,879	---	-16,349	+3,530	-16,349
Coast Guard AC&I (rescission)(P.L. 113-76)	---	---	-30,643	-30,643	-30,643
FEMA Predisaster Mitigation (70 x 0716)(rescission)	---	---	-24,000	-24,000	-24,000
Science and Technology, Research, Development, Acquisition, and Operations (70 x 0800)(rescission)	---	---	-16,627	-16,627	-16,627
Treasury Asset Forfeiture Fund (rescission)	-100,000	---	-175,000	-75,000	-175,000
Rescission of Legacy Funds (rescission)	-4,657	---	-1,476	+3,181	-1,476
Rescission of Unobligated Balances (nondefense)	-13,593	---	-14,653	-1,060	-14,653
Rescission of Unobligated Balances (defense)	---	---	-679	-679	-679
FEMA Disaster Relief Fund (rescission)	-300,522	-200,000	-375,000	-74,478	-175,000
U-Visa immigration proposal	---	13,000	---	---	-13,000
COBRA Passenger Inspection Fee (leg. proposal)	---	(212,000)	---	---	(-212,000)
IUF Fee (leg. proposal)	---	(229,000)	---	---	(-229,000)
Coast Guard AC&I (rescission)(P.L. 111-83)	-14,500	---	---	+14,500	---
Data Center Migration	42,200	---	---	-42,200	---
USCIS Immigrant Integration Grants	2,500	---	---	-2,500	---
TSA Surface Transportation Security (rescission)(P.L. 113-6)	-20,000	---	---	+20,000	---
TSA Aviation Security (rescission)(P.L. 113-6)	-35,000	---	---	+35,000	---

Department of Homeland Security Appropriations Act, 2015
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Final Bill	Final Bill vs FY 2014	Final Bill vs Request
TSA Research and Development (rescission)	-977	---	---	+977	---
Total, title V, General Provisions	-474,178	-49,000	-673,700	-199,522	-624,700
Fee Accounts	---	(441,000)	---	---	(-441,000)
Appropriations	(219,248)	(151,000)	(220,672)	(+1,424)	(+69,672)
Rescissions	(-693,426)	(-200,000)	(-894,372)	(-200,946)	(-694,372)
Grand Total	46,583,386	46,220,663	47,771,419	+1,188,033	+1,550,756
Appropriations	(41,423,426)	(39,982,870)	(42,014,998)	(+591,572)	(+2,032,128)
Rescissions	(-693,426)	(-200,000)	(-894,372)	(-200,946)	(-694,372)
Overseas Contingency Operations/Global War on Terrorism	(227,000)	---	(213,000)	(-14,000)	(+213,000)
Disaster Relief Category	(5,626,386)	(6,437,793)	(6,437,793)	(+811,407)	---
(Fee Funded Programs)	(5,217,268)	(5,874,629)	(5,405,483)	(+188,215)	(-469,146)
(by transfer)	(24,000)	(24,000)	(24,000)	---	---
(transfer out)	(-24,000)	(-24,000)	(-24,000)	---	---

Mrs. LOWEY. Mr. Chair, before I yield to the next speaker, I want to make it very clear that the bill that was negotiated by the Democrats and Republicans, House and Senate, would pass immediately today, and then we could look forward to a debate on comprehensive immigration reform.

I am very pleased to yield 9 minutes to the distinguished gentleman from North Carolina (Mr. PRICE), the ranking member of the Homeland Security Appropriations Subcommittee, who worked so hard with the Republicans in producing this outstanding bill. Unfortunately, the bill is very different with the additions that were added just in the last week.

Mr. PRICE of North Carolina. I thank my colleague for yielding.

Mr. Chair, the bill before us today, funding the Department of Homeland Security for fiscal year 2015, has been ready for final passage for almost 2 months. I want to thank the gentleman from Texas, Chairman CARTER, our Senate counterparts, as well as our dedicated committee staff for working cooperatively through November and December to negotiate a comprehensive and balanced measure.

Chairman CARTER has summarized the underlying bill very, very well. It provides necessary funding increases for the Secret Service to hire new agents for the 2016 Presidential campaign, as well as to make the necessary security adjustments at the White House.

It provides increased funding for the completion of the Coast Guard's eighth National Security Cutter, $813 million more in disaster relief funding at FEMA, and funding for NPPD's efforts to continue enhancing our national cybersecurity capability.

But it pains me to say, Mr. Chair, that all of these positive efforts stand in stark contrast to the poison pill amendments that the Rules Committee has made in order for this bill, amendments designed to inject partisan anti-immigration politics into a bipartisan effort to keep our Nation safe.

Unfortunately, there is nothing new about adding highly inflammatory riders to appropriations bills in a way that wrecks months of cooperative work and makes bipartisan support impossible. We have seen this in middle-of-the-night Homeland Security anti-immigration amendments for 2 years running. But today we are seeing the most egregious and irresponsible abuse of the appropriations process yet.

Republican leaders have already delayed a full-year funding bill for Homeland Security by nearly a month longer than for the rest of the government despite the fact that this bill was fully negotiated and ready for consideration well before the omnibus bill was assembled at the end of the last Congress. Now, more than a quarter of the way through the fiscal year, the Republican leadership is continuing to play dangerous and irresponsible games with the funding of this Department, the Department that was created to protect the Nation from terrorist attacks.

Members, of course, are aware of the horrendous murder of 17 individuals last week in France by terrorists. This is an alarming example of the kind of brutal and calculated attack that the Department of Homeland Security and its law enforcement partners are working hard to prevent here in the United States. It is the kind of attack that keeps Secretary Johnson up at night and should keep us up at night as well. This alone should make it unthinkable to dawdle on a full-year funding bill for the Department of Homeland Security.

Last Sunday, 3 million people participated in unity marches in France. But we are sending a very different message by delaying homeland security funding.

Six days removed from a heinous terrorist act, we are dawdling. We are holding back. We are refusing to immediately send to the President a bipartisan bill designed to keep the Nation safe. Instead, we are tacking on politically charged items that will rightfully ensure a veto.

Now, Mr. Chair, some Members seem to be under the mistaken impression that departments and agencies might make out just fine under a continuing resolution. Perhaps some Members even think that it would be okay for the Department's funding to expire for some amount of time beginning in late February so that they could underscore the political point they want to make. That is a patently false assumption.

In a few weeks, the fiscal year 2016 budget will be submitted by the President, and DHS still doesn't know how much money it will be spending in 2015. How can we expect the Department to effectively budget if it has no idea of what the baseline will be for its programs and activities? How can we expect an agency to effectively function when the availability of funding for critical new endeavors is undetermined for a quarter of the fiscal year or more? How can we, as a Congress, even perform effective oversight when we force ourselves to simultaneously finish 2015 funding as we consider the 2016 request?

□ 1800

Ironically, the two agencies that stand to lose the most from this flawed Republican strategy are the very agencies they purport to champion, agencies responsible for immigration enforcement: Customs and Border Protection, and Immigration and Customs Enforcement.

Under the House bill, these two agencies combined would receive nearly $1 billion more than the current spending level, which a CR would reflect. The bill we are not passing would provide that additional funding. Republicans, however, appear more interested in scoring political points than in actually making progress on the border.

Now, the apparent intent of the House majority in holding back full-year funding for DHS is to help them reverse the President's executive actions on immigration policy; but how is that going to really play out?

Without 60 votes in the Senate, the bill will go nowhere. Even if the Senate were to pass the bill with the poison pill riders intact, the President would certainly veto it with absolutely no chance the House or Senate could override that veto.

What is left of the majority's strategy? Would the Republican majorities in the House and Senate really be willing to let funding for the Department of Homeland Security lapse when the short-term continuing resolution expires? The vast majority of DHS employees are considered essential, so they would still need to show up for work.

Will the House majority really be willing to let frontline agents and officers at CBP and ICE work without pay? Would the House majority be willing to let the Coast Guard military personnel continue to risk their lives at sea without compensation?

Imagine the outrage—imagine—if a Democratic Congress ever held funding for the Department of Homeland Security hostage during the George W. Bush administration; yet that is precisely what House Republicans are doing with these poison pill amendments made in order under the rule.

Believe me, these pills really are poison. They cater to the Republican Conference's most extreme elements; one of them even targets the DREAM Act students, reversing the President's widely-acclaimed and -accepted decision to focus instead on the deportation of dangerous criminals.

A full-year DHS funding bill was negotiated in good faith on a bicameral, bipartisan basis, and it addresses the most pressing needs of the Department and works to protect the country from harm.

If Republicans want to make mean-spirited and destructive changes in immigration policy, there is a legislative process for doing that.

In the meantime, we should be passing a clean, full-year funding bill for the Department of Homeland Security, just as we should have done in December. I urge defeat of the anti-immigration amendments and adoption of the underlying appropriations bill, and I yield back the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia (Mr. GOODLATTE), the honorable chairman of the Judiciary Committee.

Mr. GOODLATTE. Mr. Chairman, I first want to begin by thanking the chairman of the Subcommittee on Homeland Security of the Committee on Appropriations and the chairman of the full Appropriations Committee, the gentlemen from Texas and Kentucky, for their excellent work on this legislation.

It is important that we pass it, and it is important that we use the power of

the purse in this process to stop the President's unconstitutional actions.

President Obama has embarked on some of the biggest executive power grabs in American history by unilaterally rewriting our Nation's immigration laws. These actions ignore the will of the American people who voted in November to change the way Washington operates, and these actions flout the United States Constitution.

They must be ended because these policies threaten the separation of powers between Congress and the executive branch and violate President Obama's obligation to take care that the laws be faithfully executed.

Congress must fight to stop these unconstitutional actions from being implemented, and today, the House of Representatives is doing just that. We will consider amendments to this bill that will stop President Obama's executive overreach in its tracks.

Two of the amendments will completely defund President Obama's executive power grabs. One offered by Representatives ROBERT ADERHOLT, MICK MULVANEY, and LOU BARLETTA will defund the President's new deferred action program for over 4 million unlawful alien parents. It will also defund the other executive actions he announced on November 20 and DHS' so-called prosecutorial discretion memos that have gutted immigration enforcement within the United States.

Importantly, in addition to barring the use of appropriated funds to carry out these policies, the amendment will bar President Obama from using immigration user fees, the filing fees to accomplish his executive fiat, and it will prevent him and subsequent Presidents from carrying out similar policies in the future by whatever means, whether it be by memo, executive order, or regulation.

The other defunding amendment, offered by Representative MARSHA BLACKBURN, completely defunds DACA, the Deferred Action for Childhood Arrivals program, that has granted deferred action and work authorization to hundreds of thousands of unlawful aliens.

The third amendment will be offered by Representatives DESANTIS and ROBY. It will ensure that sex offenders and domestic violence perpetrators are top priorities for removal by U.S. Immigration and Customs Enforcement, something that is not the case in this current administration under the President's memos.

The fourth amendment will be offered by Representative SCHOCK. It expresses the sense of Congress that the Obama administration should stop putting the interests of unlawful aliens ahead of legal immigrants.

Under the President's DACA program, legal immigrants playing by the rules and seeking to come to the United States the right way have paid the price; they have faced longer wait times even though they have paid the fees to have their applications processed and seeing those fees diverted to pay for people who entered the country unlawfully.

The fifth amendment will be offered by Representatives SALMON and THOMPSON. It expresses the sense of Congress that U.S. workers should not be harmed by the granting of deferred action and work authorization to unlawful aliens.

In many cases, businesses now have a $3,000 incentive to hire an alien granted DACA benefits over a U.S. citizen or legal immigrant worker, since DACA recipients are not eligible for ObamaCare. So, in other words, an employer has an incentive, either not having to provide health insurance and not having to pay the fine, so a minimum of $3,000 if they hire somebody who is not lawfully present in the United States until the President's executive memos take effect. That should be stopped.

If President Obama's unilateral immigration amendments are not stopped, future Presidents will continue to expand the power of the executive branch and encroach upon individual liberty.

The time is now for Congress to take a stand against these abusive actions. I urge my colleagues to support this bill and these important amendments and yield back the balance of my time.

Mrs. LOWEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California (Mr. BECERRA), chairman of the House Democratic Caucus.

Mr. BECERRA. Mr. Chairman, I thank the ranking member for yielding.

To govern means to get things done. That is pretty simple, and quite honestly, that is about all the American people ask us to do on a daily basis: get things done.

Instead of bringing a clean Homeland Security funding bill to the floor of this House, our colleagues on the Republican side have decided to put our Nation's security at risk and cater to some of the most radical views in their party.

It is stunning that only a week after the tragic terrorist attacks in Paris, we are standing here on the floor of the House of Representatives talking about attempts to make it more difficult for the Department of Homeland Security in the United States of America to defend our Nation.

A good bill—and we have heard this, Republicans and Democrats alike say that the underlying bill to fund the Department of Homeland Security is a good one; it is just all the poison pill amendments that have been forced into this bill.

So a good bill to fund our government's Homeland Security and all of its obligations will come before us and become a victim of what has become known as shutdown partisan politics.

What is at stake? Border protection, customs enforcement, transportation security, Coast Guard protection, Secret Service protection, emergency management in the event of an attack or a natural or manmade disaster—all put in jeopardy to play partisan politics.

If the American people are going to believe that Congress is anything more than a graveyard for good ideas, then we need to get to work and not let a tiny minority of radical voices block progress. It is time for us to say to Americans: We get it; we heard you.

It is time to protect the homeland. It is time for us to act bipartisanly, and it is time for us to act as leaders for all Americans, not a political party.

We must pass a clean funding bill for the Department of Homeland Security without delay, and then, yes, we can get to debate immigration and immigration reform and pass a comprehensive immigration reform bill, but don't put the security of our people and our homeland at risk simply to game the system.

Let's pass a clean Homeland Security bill. Let us defeat all these amendments and get to work the way the American people expect us to.

Mr. CARTER of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Texas, Mr. JEB HENSARLING, the honorable chairman of the Committee on Financial Services.

Mr. HENSARLING. Mr. Chairman, I thank the gentleman for yielding, and I thank him for his leadership on this critical piece of legislation.

Mr. Chairman, every President in the history of our Republic, from George Washington to Barack Obama, has raised their right hand and said:

> I do solemnly swear that I will faithfully execute the office of the President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States.

Clause 4, section 8 of article I of the Constitution says the Congress—the Congress—''shall have power to establish an uniform rule of naturalization.'' When we as a body read the Constitution on the House floor last week, I had the honor of reading this very section for all to hear.

Section 3, article II of the Constitution says the President ''shall take care that the laws be faithfully executed,'' but never in the history of our Republic has a President so blatantly ignored his oath. We know our President has a pen; we know he has a phone. We just wonder when will he acquire a copy of the Constitution and read it.

His executive action on immigration is an unconstitutional power grab. It tramples on the authority that the Constitution gives Congress—the people's elected Representatives—over immigration. It ignores the separation of powers. We cannot let it stand.

Coequal branches of government, separation of powers, the rule of law—these must be preserved. In this bill, as amended, we do this by exercising the House's constitutional power of the purse. This DHS funding bill, as amended, will achieve this.

The debate is much bigger than immigration. It is much bigger than amnesty. It is about our Constitution. It is about the principle of separation of powers. It is the bedrock of our freedom and prosperity as Americans.

Mrs. LOWEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Maryland (Mr. HOYER), the minority whip of the House.

Mr. HOYER. Mr. Chair, I thank the gentlelady for yielding. I want to thank the chairman of the subcommittee for the work that he has done on this bill. I want to thank the ranking member of the Committee on Appropriations and Mr. PRICE for working on this bill.

This bill is an appropriation bill. This bill funds the Department that is charged with the responsibility of keeping America safe and Americans safe. This bill is an appropriation bill. It is against the rules of the House of Representatives to put legislative language on an appropriation bill.

Now, frankly, having served there 20, 30 years, I know that that rule is not always followed; and you, therefore, need a waiver from the Rules Committee in order to effect this end. This is not, therefore, regular order.

We just had another demonstration of the clear and present danger to which every citizen in the free world is subject. We saw it in France, and 17 people lost their lives.

□ 1815

We, of course, lost over 3,000 lives on 9/11. This is an issue on which there ought to be no difference among the 435 of us who have the privilege and honor of serving in this country and in this Congress.

Mr. HENSARLING raised his right hand to preserve and protect, yes, the Constitution and laws thereof, but also to preserve and protect the general welfare of all of our people. That is what this bill seeks to do.

Mr. Chairman, there are many compelling reasons why the House must pass a bill to fund the Department of Homeland Security without delay. I have spoken to some of them. We saw one of those reasons all too clearly last week, as I have said. Our Homeland Security agencies are hard at work every day to prevent incidents like those from occurring here in the United States, and how extraordinarily successful they have been since 9/11.

Again, Chairman CARTER and Ranking Member LOWEY, I want to congratulate you for coming together and agreeing on a bill, agreeing on funding levels, and agreeing on the objects of expenditures to keep Americans and America safe. But with only a continuing resolution to fund it, as has happened in December, the Department does not have the full flexibility necessary to respond to every threat to the best of its ability. This leaves us vulnerable at a time when we cannot afford to be vulnerable. That is why it is so unfortunate that House Republicans have chosen to play political games.

If this is, in fact, unconstitutional, the courts are set forth, in article III, to resolve this issue. If you feel so strongly that you are right, that is where relief should be sought. But let us not hold America's national security and the safety of our people hostage to that political difference. In doing so, you have managed to snatch partisanship from the jaws of consensus. We have agreement. The underlying bill before us will have the support of over 400 Members.

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

Mrs. LOWEY. I yield the gentleman an additional 1 minute.

Mr. HOYER. Over 400 Members would support the underlying bill. Wouldn't it be wonderful to show to the American public that we come together not in a partisan way, but as Americans to make sure they are as safe and secure as we can make them? But, no, we have denigrated this debate to a political debate about a difference between the President and the Congress. Now, that is a significant debate to have, but not on this bill, not where we have consensus, not where the American security is at risk if we fail.

Two of the amendments are solely designed to undermine the executive actions President Obama took to address our broken immigration system. We think they are appropriate; you don't. That is fine. That is a political difference. Do not defeat consensus because we have differences on an unrelated issue.

You will say it is related because this is, after all, the agency that deals with immigration and border security. I get that.

The Acting CHAIR. The time of the gentleman has again expired.

Mrs. LOWEY. I yield the gentleman an additional 1 minute.

Mr. HOYER. I thank the gentlewoman.

Mr. Chairman, we will vote against these amendments. But the sad truth is you know, all of you, that if those amendments are put on this bill, the President of the United States will not sign it, and you will therefore have to take it him to court. And I see my friend back there—who is my friend—saying, yes, that is great, he won't sign it, and we will blame him for undermining Homeland Security.

In other words, you are going to hold hostage the security, and if he doesn't do what you say, security be damned. That is not the way we ought to be running America, particularly on this issue. Americans expect better of us. More importantly, and as importantly, we ought to expect better of ourselves.

The Appropriations Committee has agreed. The Senate and the House have agreed. There is consensus here. Americans are so frustrated by all of us grabbing defeat, obstruction, and disagreement from the jaws of consensus.

Vote against these amendments so that all of us can vote to pass this important, critical bill.

Mr. CARTER. Mr. Chairman, at this time, I am very pleased to yield 2 minutes to the gentleman from Illinois, the Honorable PETER ROSKAM, my good friend and colleague.

Mr. ROSKAM. I thank the chairman for yielding.

Mr. Chairman, I look at this from an entirely different perspective. I look at this as the House of Representatives asserting its will, speaking out, and saying, no, we are not going to be silent in the movement of the President of the United States. If we had done nothing, Mr. Chairman, then the subsequent argument in weeks to come would have been, well, you did nothing. You were silent. You waived your right to assert yourself. You have the power of the purse, and you did nothing.

Well, clearly, we are not doing nothing. Clearly, we are taking it up. And now here it is. We are coming together and we are saying that we don't believe the President has this authority. We are asserting that, and this bill will be debated.

But at the underlying level there is something absolutely incredibly significant and very bright that is happening, regardless of what side of the aisle you are on, because do you know what we are talking about? We are talking about defending a country that we all hold dear.

There was a story I heard from an exchange student, Mr. Chairman, who came to visit the United States. She was asked about her time here—this was a young college student—and they said: What made the biggest impression upon you during your time in the United States? She said this: The number of people who came up to me and said, ''What do you hope to do for a living? What do you want to do?'' And it was totally different for this girl, because the culture that she was coming from, that wasn't her experience, but she came to the United States and there was a brightness to it, an opportunity to it, and a freshness to it. She found it so exciting and so dynamic. That is what we are fighting about. That is what we are fighting for. We are fighting for a nation, to defend a great nation, and to celebrate a great nation. That is worth taking up.

So, look, there are very big differences in this House in the direction to move. There are very deep differences in this House about how we need to deal with the immigration problem.

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

Mr. CARTER. I yield the gentleman an additional minute.

Mr. ROSKAM. Mr. Chairman, we all need to realize the brightness of this moment.

So I respect my colleague and his differences. I respect the other side and their differences. I think we need to go back to Thomas Jefferson, who said this, Mr. Chairman. Jefferson wrote a letter in 1790 to a guy named Charles Clay. He said:

The ground of liberty is to be gained by inches, and we must be contented to secure what we can get from time to time and eternally press forward for what is yet to get. It takes time to persuade men to do even what is for their own good.

Mr. Chairman, this is a game of inches. We need to prevail, we need to move forward, and we need to come together.

Mrs. LOWEY. I am pleased to yield another 30 seconds to the distinguished minority whip.

Mr. HOYER. I thank the gentlewoman.

Mr. Chairman, I want to say to my friend, as I observed, I think there is a legitimate question here. No one wants to see you silenced. Everyone thinks you have the right. You are a party, and you individually and collectively have the right to bring up this issue. What we urge you not to do is put at risk the passing of a Homeland Security bill which gives funding for a year's period so there will be stability and the ability to manage the national security of our country while, at the same time, on a parallel basis, raising legitimate questions that you want to take. So no one denies or wants to preclude you from the opportunity to do so.

I thank the gentlelady for yielding.

The Acting CHAIR. All Members are reminded to address their remarks to the Chair and not to individual Members.

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

Mrs. LOWEY. Mr. Chairman, I am very pleased to yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI), the House minority leader.

Ms. PELOSI. I thank the gentlelady for yielding.

Mr. Chairman, I join my colleagues who have commended the Appropriations Committee on the fine work they have done under difficult circumstances on the Homeland Security bill. It had been our hope that their fine work would have been rewarded by its passage in December, but the Republican leadership in the House decided that we would not pass the bill then to give some certainty to how Homeland Security would be funded in this year and instead toss it over until the new year.

We take an oath to protect and defend the American people. Their safety is essential to everything else. And Homeland Security is a place where we have a very big component for protecting and defending the American people. That is why we were so disappointed that, of all bills, the Republicans would pull that one bill out of the pack and say we are just doing this for a matter of weeks. It came with the promise that after the first of the year we would, of course, pass a Homeland Security bill. That was December.

In December, the Republicans said, no, we don't want to have that certainty, not just yet. Then, along came January, Paris. ''Je suis Charlie,'' around the world it is echoed, everybody coming together, heads of state, leaders of countries, whether you were present there or not, everybody present in the moment and the time since of support for protecting people throughout the world from terrorism.

It seems like that affected almost everybody, except it didn't penetrate the walls of this Chamber because here we are, once again, putting off, by other distractions, how we would pass as quickly as possible a homeland security bill. And what is interesting to me is that some of our colleagues are using immigration as the excuse.

But, Mr. Chairman, what further is interesting is that now they are saying it is not about immigration—which, of course, it has always been about passing an immigration bill and we don't even have to have this discussion. They are saying it is about the Constitution.

I have been here since President Reagan was President. I don't remember anybody calling up the Constitution when President Reagan used his executive action in the family fairness legislation. I don't remember anybody bringing up the Constitution when President George Herbert Walker Bush further expanded protections for people in our country—President Clinton and President George Herbert Walker Bush. So this is very interesting to hear it. But I do want to put this in perspective, and it will take a little time.

There is a strong legal and historical precedent to support the extension—we are just talking about deferred action here—to a broad category of people who have strong equities to our country. The Immigration and Nationality Act and the judicial precedent make clear that the Executive maintains broad discretion to determine how immigration laws are to be enforced. Such discretion extends to decisions regarding whether to defer enforcement against entire categories of people, whether such categories are defined by nationality or some other common characteristic that makes them particularly deserving of an act of administrative grace.

This legal authority has existed since the INA, the Immigration and Nationality Act, was first enacted in 1952 and has been exercised in various ways and under various names over the past 62 years. Based upon the administration's expansive prosecutorial discretion authority, the President could extend deferred action to persons who would qualify for registered provisional immigration status under S. 744, which passed the U.S. Senate on June 27, 2013, by a vote of 68–32.

The President could similarly establish a separate deferred action for persons deemed essential for agriculture in recognition of the fact that our country's agriculture industry and millions of jobs that rely upon it are largely dependent on the labor of unauthorized workers as for the parents of young people who have already received deferred action under DACA.

When Congress first passed the INA, the Immigration and Nationality Act, in 1952, it charged the Attorney General with the administration and enforcement of immigration laws and authorized the Attorney General to ''perform such other acts as he deems necessary for carrying out his authority under the provisions of this act.''

Courts have relied upon this delegation of authority to support the principle that the act ''commits enforcement of the INA to the Attorney General's discretion.''

□ 1830

With the creation of the Department of Homeland Security, DHS, in the Homeland Security Act of 2002, which many of us were here for, Congress further entrusted the newly created Secretary of Homeland Security with the responsibility of ''establishing national immigration enforcement policies and priorities.''

In doing so, Congress acknowledged the inherent authority of enforcement agencies to decide whom to investigate, detain, charge, and prosecute under the law. The Supreme Court ''has recognized on several occasions over many years that an agency's decision not to prosecute or enforce, whether through criminal or civil process, is a decision generally committed to an agency's absolute discretion.''

That is the Court's decision. If you want me to read the further authorities on that I will, but in the interest of brevity, courts consistently have applied this principle in the immigration context, and, in particular, to grants of deferred action and extended voluntary departure.

In Arizona v. United States, the Supreme Court relied upon the broad discretion exercised by Federal immigration officials, including ''whether it makes sense to pursue removal of all,'' to strike down almost all of Arizona's sweeping anti-immigration law. Because Arizona's law could result in ''unnecessary harassment of some aliens''—that is their term—for example, a veteran, a college student, or someone assisting with a criminal investigation whom Federal officials determine should not be removed, the law ''violates the principle that the removal process is entrusted at the discretion of the Federal Government.''

The idea that immigration enforcement efforts should be focused on high-priority targets has not always been controversial. Guidance pertaining to the use of prosecutorial discretion in the immigration context has been issued at least as far back as 1976. Under President George W. Bush, in recent memory, the Assistant Secretary for Immigration and Customs Enforcement, ICE, reaffirmed prosecutorial discretion guidance issued during the Clinton administration and reiterated the responsibility of ICE agents and officers to use discretion in identifying and responding to meritorious health-related cases and caregiver issues.

Indeed, 15 years ago, Democratic and Republican Members of Congress joined together on a letter to then-Attorney General Janet Reno urging her to issue guidelines that would provide specific instructions to agency personnel in order to alleviate some of the hardship caused by our immigration laws. Democrats and Republicans signed it, and the letter accepted the premise that ''the principle of prosecutorial discretion is well-established'' and asked the INS to explain why it would pursue removal cases that would result in unjustifiable hardship rather than prioritizing enforcement efforts against more serious cases.

Although the Deferred Action for Childhood Arrivals, DACA, program announced 2 years ago provides the most recent example of temporary relief from removal being offered to a substantial class of persons, it is the ''Family Fairness'' program adopted by President Ronald Reagan and President George Herbert Walker Bush that proves to be the strongest precedent for building upon DACA and offering deferred action to a larger class of persons who meet certain criteria.

This is very interesting, my colleagues, because in 1986, Congress passed and President Reagan signed into law the Immigration Reform and Control Act of 1986, IRCA. The law provided a path to legal status for millions of undocumented immigrants but provided no relief to the children and spouses of such persons who were not themselves able to meet the requirements for legalization. Indeed, when the Senate Judiciary Committee reported the bill to the floor, it wrote:

> It is the intent of the committee that the families of legalized aliens will obtain no special petitioning right by virtue of the legalization. They will be required to ''wait in line'' in the same manner as immediate family members of other new resident aliens.

But on October 26, 1987—less than 1 year after IRCA was enacted into law—President Reagan made the decision to defer enforcement against some of the close family members of persons who obtained lawful status under IRCA.

Now this is President Reagan acting. President Obama is acting in the absence of congressional action; President Reagan is acting in the presence of congressional action and saying, You didn't go far enough.

Under the Family Fairness program issued by then-INS Commissioner Nelson, the Reagan administration offered ''indefinite voluntary departure''—along with the opportunity to apply for employment authorization—to undocumented children residing with their parents if both parents—or in the case of a single-parent household, the parent with whom the child resides—had obtained lawful status under the act. Spouses of persons who obtained lawful status could also be granted indefinite voluntary departure and work authorization by demonstrating the existence of certain compelling or humanitarian factors.

Would you be suing President Reagan for doing that, as some of you are friends of the court in the suit against the President, as you are using the Constitution as your argument here today?

In response to continuing concerns that the Family Fairness program was too narrowly defined, President George Herbert Walker Bush went further 3 years later, expanding the program to apply to all spouses and all children of persons who were legalized under IRCA, provided they met certain requirements. The memorandum issued by then-INS Commissioner Gene McNary clarified that voluntary departure and employment authorization would be granted to such persons for a 1-year period and would be subject to extensions without limit.

The Reagan administration—would you be taking the President to court, would you be arguing that he acted unconstitutionally on the floor of the House? People didn't then.

The INS developed a new form—''Declaration, Ineligible Family Member of Legalized Alien''—precisely for the purpose of allowing undocumented persons who did not qualify for legalization under IRCA to affirmatively request relief from the threat of deportation and authorization to work lawfully. According to reports at the time, INS Commissioner McNary contemplated that the program could have affected as many as 1.5 million undocumented immigrants. Explaining the rationale for expanding the earlier program, McNary stated:

> It is vital that we enforce the law against illegal entry. However, we can enforce the law humanely. To split families encourages further violations of the law as they reunite.

In the end, only a fraction of the people eligible for relief under the Family Fairness program obtained such protection, but that is only because the Immigration Act of 1990 was enacted less than 1 year after the program was expanded by President Bush. Section 301 of that bill contained a family unity program that largely codified the executive actions taken by President Reagan and President Bush.

The parallels between the Reagan-Bush Family Fairness program and what is being proposed at the present time are uncanny. There are several lessons that can be drawn from this past precedent.

First, the authority to provide temporary relief from removal to a large percentage of the undocumented population has long existed, and past Presidents have exercised such authority.

Second, such authority existed even when the Executive's authority would seem to be at its weakest—where Congress specifically declined to legislatively provide the relief granted administratively. The President is now being asked to take administrative action in the face of historic intransigence on the part of House Republicans after the Senate overwhelmingly passed a bipartisan comprehensive immigration reform bill buoyed by popular support, overwhelmingly supported in a bipartisan way in the Senate, but nothing happening in the House.

By contrast, the Reagan administration adopted the Family Fairness program less than 1 year after Congress enacted the last comprehensive immigration reform bill that contains specific criteria for legalization and knowingly excluded from protection the very people affected by the administration action.

Just as I said before, even when Congress acted, President Reagan said we can do better. Nobody argued the Constitution at the time. Well, if they did, history does not recall it.

Third, the scope of the relief now being considered by the administration is entirely consistent with the Family Fairness program after it was expanded by President George Herbert Walker Bush. According to demographic work performed by the Pew Research Center, there were an estimated 3.5 million unauthorized immigrants living in the U.S. in 1990. By extending the Family Fairness program to cover 1.5 million unauthorized immigrants at the beginning of that year, President Bush used executive authority to protect approximately 42.9 percent of the undocumented population from removal and offer them work authorization.

I don't remember any uproar in Congress. Many of us were here at that time.

Earlier this year, the Pew Research Center estimated that there were 11.7 million unauthorized immigrants living in the United States as of March 2012. If the administration takes steps to protect 5 million undocumented immigrants from removal, as a recent article suggested, that would extend temporary relief to 42.7 percent—a lower percentage than President Bush protected—of the undocumented population now in the country.

Finally, the most important lesson that can be learned from the Family Fairness program is that bold executive action can sometimes help change the legislative dynamic, helping to break the gridlock and pave the way to legislative reform. The only reason the Reagan-Bush Family Fairness program did not provide indefinite voluntary departure and employment authorization for many years without legislative approval—essentially a grant of deferred action—is that Congress did act and take steps, following the lead of the Presidents, to largely codify the President's program and provide such relief for removal and employment authorization itself.

At the time the Bush administration expanded family fairness, legislation to extend similar protections were stuck in Congress, having passed the Senate in 1989 but having seen no legislative action in the House. Less than 8 months after the administration's action, the House passed its version of the bill. A conference committee was

convened, and IMMACT was quickly enacted into law. The same pattern can be observed in many of the cases described in which the administration granted extended voluntary departure, deferred enforced departure, or deferred action to a broad category of people defined by their nationality or some other compelling characteristic. And Congress subsequently enacted legislation to permit such people to obtain lawful permanent residence.

I hope that will happen. The President has executive orders. Hopefully, Congress will codify that.

The Reagan-Bush Family Fairness program is just one of the many examples of past Presidents deciding to defer removal efforts and offer employment authorization to large classes of people.

In 1960, the Kennedy administration granted extended voluntary departure to many Cubans who otherwise would have been subject to deportation. Over the next 20 years, the INS granted similar protections to nationals of more than a dozen other countries. Such grants have sometimes, but not always, resulted in the enactment of special legislation permitting extended voluntary departure beneficiaries to adjust their status to that of lawful permanent residents.

In 1966, Congress enacted such legislation for Cubans. Again, President Kennedy acted. In 1966, Congress enacted such legislation for Cubans granted extended voluntary departure.

Congress did the same in 1977 for Vietnamese, Laotians, and Cambodians who were permitted to remain in the country on EVD, extended voluntary departure; and again in 1987 for recipients from Poland, Afghanistan, Ethiopia, and Uganda.

I have personal experience on the initiative.

After Tiananmen Square, there were concerns that Chinese nationals residing in the United States, primarily as scholars and students, would face repression if forced to return home. Congress passed a bill to allow these Chinese nationals to remain, which President George Herbert Walker Bush vetoed.

This is my bill.

Then, in 1990, it passed the House and passed the Senate, went to his desk, and he vetoed it. It had strong bipartisan support. We could fight the veto in the House, but in the Senate, at the moment of truth, the Senate upheld the veto.

President Bush promised that he would issue an executive order extending deferred enforced departure, or DED, to an estimated 80,000 Chinese nationals. While the President did not want it to be an act of Congress for fear of what an insult it might be to the Chinese Government as they were crushing people in the streets in Tiananmen Square and arresting people, he did promise to do an executive order, which he did.

Following President Bush's executive order, Congress acted quickly to permit Chinese nationals granted protection from removal and employment authorization to adjust their status to that of lawful permanent residence.

In 1991, President Bush extended that to approximately 2,000 Persian Gulf evacuees of various nationalities who were airlifted from Kuwait the previous year during the Persian Gulf War. The persons evacuated were chosen because they had children who were U.S. citizens or because they provided protection to U.S. citizens during the Iraqi invasion of Kuwait.

In 2000, Congress enacted a private immigration law to permit those who had not already been permanent residents by other means to obtain permanent residence.

□ 1845

In 1992, President George Herbert Walker Bush also extended a DED, deferred enforced departure, to approximately 200,000 Salvadorans who fled civil war and previously had been protected from removal pursuant to a grant of temporary protected status, or TPS. President Bill Clinton later provided DED to Haitians in 1997, and President George Walker Bush extended DED to Liberians in 2007.

Finally, again, this administration has extended deferred action to broad categories of people on two prior occasions. First, in 2009, U.S. Citizenship and Immigration Services created a process in which surviving spouses of deceased U.S. citizens and the qualifying children of such spouses could apply for deferred action.

The process was created because it was the position of the Department of Homeland Security at the time that no immigration relief was available under the law to protect surviving members from removal and that action was needed to address the humanitarian concerns.

The DACA program announced by Secretary of Homeland Security Janet Napolitano on June 15, 2012, presented the second deferred action program created under this administration. As of June 30, 2014, over 580,000 persons had been granted deferred action under the program.

The use of Presidential ''parole power'' is one of the oldest and most-established provisions of Presidential authority in immigration matters. Parole was first used to allow the entry of refugees who would otherwise be excluded by the national origins quota system.

Presidential parole was codified in the original 1952 INA, Immigration and Nationality Act, which authorized the use of discretionary authority to parole aliens into the United States ''for emergent reasons or for reasons deemed strictly in the public interest.''

In 1956, President Dwight David Eisenhower first used his parole authority to allow 900 World War II orphans into the country and later paroled approximately 30,000 Hungarians. This use of parole power marks the first of many mass admissions by future administrations.

Presidents Eisenhower, Kennedy, Johnson, and Nixon collectively allowed approximately 600,000 Cubans to be paroled into the country; and Presidents Ford and Carter paroled approximately 300,000 Indochinese from Vietnam, Cambodia, and Laos.

In response to a concern that the parole power was being used to admit large numbers of persons not covered by international refugee laws, Congress enacted the Refugee Act in 1980, which amended the INA to provide a process for the admission of refugees. The act also limited the administration's ability to parole refugees into the country, absent compelling reasons in the public interest, but left untouched the general parole authority.

Nevertheless, several Presidents subsequently used the parole authority to allow the entry of groups of persons who arguably could have been considered ''refugee populations.''

President George Herbert Walker Bush in 1989 created a program that allowed individuals in Vietnam who were ineligible for refugee status to enter the country as ''public interest parolees,'' if they were able to prepay their travel expenses and provide affidavits of support from sponsors in the United States.

In 1996, President Bill Clinton paroled approximately 7,000 Iraqi Kurds to Guam and allowed them to apply for asylum to the United States. In 2006, President George W. Bush created a program which allowed the United States to parole certain Cuban medical professionals who have been conscripted to study or work in a third country under the direction of the Government of Cuba.

In 1996, Congress once more amended the statutory parole authority to apply only on a case-by-case basis; nevertheless, as the terms are not defined by the statute, they are open to interpretation by the administration.

In fact, the several instances in which parole authority was used by past Presidents demonstrate that promoting family unity can serve humanitarian goals or provide a significant public benefit.

The Lautenberg Parole Program, implemented by President George Herbert Walker Bush in 1988, granted parole to individuals whose refugee claims were denied, but who had family reunification concerns.

In 2007, President George Herbert Walker Bush established the Cuban Family Reunification Parole Program to expedite the reunification of Cuban families by paroling into the United States beneficiaries of approved family-based immigrant petitions, so they might wait together with their family members until a visa became available.

In 2007, President Bush created a program to authorize the parole of certain refugee derivative family members who had aged out and, therefore, could not be eligible for refugee status.

Given the administration's broad statutory parole authority, the lengthy visa backlogs that exist in most immigrant visa categories, and the humanitarian interests and significant public benefits that would attach to the unification of families, the President could make parole available to the spouses, sons, and daughters of American citizens and lawful permanent residents who face a separation of a year or more or, in the case of less than a year, when hardship is in addition to the separation.

This would not permit family members to skip the line, but would allow them to wait in the United States with their family members.

Authority for parole in place already is present in the country. The legal authority for parole in place was originally recognized in 1998. That opinion was endorsed the following year by the Commissioner of the INS, and it was reaffirmed in 2007 by the Bush administration DHS general counsel under President Bush, as I say.

According to these legal opinions, INA grants discretion to parole ''any alien applying for admission to the United States,'' and INA expressly defines an applicant for admission to include ''an alien who is present in the United States who has not been admitted.'' As a result, parole can be granted to persons who are present in the country without having previously been admitted to the country.

The list goes on and on, and I have so much more that I want to tell our colleagues, but what I am saying to you is that there is legal authority for the President to take action under the law. There is Presidential precedent, bipartisan since President Eisenhower, since these laws were passed, to do so.

To all of a sudden say we are having a debate now about the Constitution when we are supposed to be passing a law to protect and defend that Constitution and, instead, we are taking an exception to the interpretation of it—as I said, President Eisenhower, every President, President Eisenhower, President Kennedy, President Nixon, the list goes on and on—all of the Presidents since President Eisenhower and certainly since President Reagan and both President Bushes and President Clinton, all acted in this way.

Many of us were Members of Congress in those Presidencies. If somebody wants to come forward and say that he was a voice in the darkness, but nothing significant ever emerged to challenge the constitutionality of what the Presidents did, so why now, especially now, December?

We are not going to protect and defend by extending this bill with certainty for Homeland Security. Paris, the whole world is in unity, galvanized by wanting to stop terrorism and to do everything in our power to do so, and we in this House are hesitating to do that.

If we want to take up an immigration bill and argue that the President doesn't have the authority to do what he has done, but with an intention to act ourselves, that would be the appropriate place to have this debate, but to hold up the Homeland Security bill, which Chairman ROGERS and Ranking Member LOWEY and the subcommittee chairs—and we are very proud of DAVID PRICE on our side on that, and I am sure that all the Republicans are proud of their Members on their side, because they came up with, under difficult circumstances, a good bill—let us just pass it, why don't we, and then let's get on with passing an immigration bill and debate what authorities the President has, and if we don't like them, then debate the merits of what he did and pass some of that into law.

But to say that he doesn't have the authority to do it and this is about the Constitution really raises some serious questions.

Again, we should be talking about how we are creating good-paying jobs in our country. That is what people want us to do. Let's just pass this bill, get it done, and go on to how we can invest in better infrastructure and bigger paychecks for the American people.

Lifting the economy and the purchasing power of our workers really creates an atmosphere where immigration and other humanitarian initiatives are better received.

I took the time tonight because I just was listening to this debate and how people were saying that the President was acting outside the scope of the Constitution, that he had overreached.

Then I asked my colleagues: What are you thinking, that you would hold up the Homeland Security bill and that you would not question the authority of Republican Presidents—or even the Democratic Presidents when they had done this—but you are questioning the constitutionality of actions taken by President Obama?

The time is not right for this. The time is right for us to pass an immigration bill. The time is right for us to, right now, tonight, pass a clean—tomorrow morning, pass a clean—reject these amendments, reject these amendments and pass a clean Homeland Security bill, so we can get on with that and then have a clear debate about immigration.

I want to thank the staff of the Judiciary Committee for the important work that they have done, Chairwoman ZOE LOFGREN and Ranking Member JOHN CONYERS for the work that they have done educating Members about what the history is on this subject—and it is a recent history. I thank them for their leadership and their service.

I ask our colleagues to reject these amendments, disabuse yourself of any notion—because it isn't a full-fledged idea—but any notion that the President is acting in an unconstitutional way. Let's get on with our work.

When we say, ''Je Suis Charlie,'' we are not just identifying with a magazine office in Paris—that would be important enough—but we are identifying with the entire effort to protect people from terrorism.

That is what the Homeland Security Committee was established to do. That is what this legislation will fund. Let's remove all doubt that we are going to do it as soon as possible.

I urge a ''no'' vote on the amendment.

The Acting CHAIR (Ms. FOXX). Members are reminded to direct their remarks to the Chair.

Mr. CARTER of Texas. Madam Chair, at this time, I yield 3 minutes to the gentleman from Texas, Mr. JOHN CULBERSON, of the CJS Subcommittee of the Appropriations Committee.

Mr. CULBERSON. Madam Chair, under the logic of the minority we have heard tonight, it would be that the President has taken this action because of the inaction of Congress in order to fix a broken immigration system.

Under that logic, President George W. Bush would have been within his rightful authority, in order to fix a broken economy, to refuse to collect the capital gains tax, just to issue an executive order, a memorandum by the director of the IRS: Do not collect the capital gains tax, the capital gains tax is now effectively zero, no matter what the law says, to fix a broken economy.

I would also point out to my colleagues in the minority that the examples that we have heard tonight of previous Presidents taking action are all based on the President's very broad authority under the war powers, under his authority as Commander in Chief, and also his authority to make treaties and receive foreign ambassadors.

In fact, the Supreme Court, Madam Chair, has said that the President is essentially the sole organ of the Federal Government in the field of international relations; so the authority of other Presidents in the past who have taken these actions, they have done so under their authority as Commander in Chief in the area of foreign affairs.

We in the House tonight, the new Republican majority in the House, are listening to the voters. We are responding to the overwhelming rejection of President Obama's policies by the American people.

Two short months ago, when President Obama said his policies were on the ballot, America answered and said ''no'' and elected the largest Republican majority since the 1920s to stop President Obama from dismantling the America we know and love, to stop President Obama from ignoring the law and the Constitution.

We in the House are using our authority to be good stewards of our taxpayers' hard-earned tax dollars. Our system of checks and balances gives us that authority, our responsibility, to prevent our constituents' hard-earned tax dollars from being spent for illegal purposes.

The first amendment we are taking up tonight is one step of many in this bill tonight. We are taking up a whole

series of amendments as steps to keep our word that we are listening to the American voters.

The first amendment is one based on a bill that I am proud to coauthor with Chairman ADERHOLT and other Members of the House that dismantles and defunds the President's illegal executive amnesty memos.

We have further taken action in this bill tonight to have the highest number of border patrol agents we have ever had before, keeping a minimum of 34,000 beds—detention beds—available for the purpose of enforcing the law.

The second critical part of this bill, Madam Chair, is that the Republican House is enforcing the law. This is a law enforcement issue because we understand in Texas, better than any other part of the Nation, you cannot have good schools, safe streets, and a strong economy without law enforcement.

We all know that our economy on the river, on the Rio Grande, is fundamental that the law be enforced to keep out the drug runners and the smugglers and the gunrunners and the criminals. No one has a stronger interest in safe streets and good schools and laws being enforced than those folks that live along the southern border.

□ 1900

President Obama's got this responsibility and he has refused to fulfill his constitutional responsibility as Commander in Chief to execute the laws faithfully. The House of Representatives is doing our job and honoring our word to the American people to preserve, protect, and defend the America we love by enforcing the law.

The Acting CHAIR. The Chair will remind Members to refrain from engaging in personalities toward the President.

Ms. ROYBAL-ALLARD. Madam Chairwoman, how much time is remaining on each side?

The Acting CHAIR. The gentlewoman from California has 38 minutes remaining. The gentleman from Texas has 32½ minutes remaining.

Ms. ROYBAL-ALLARD. Madam Chairwoman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Chair, with this bill, the majority plays a dangerous game with our national security. We all know why they are doing this. They want to tie the President's hands on immigration because they do not agree with him there. But by acting this way, the majority has torn up what should be a fundamental rule of American politics: that we do not play politics with the security of our Nation.

The fact that the majority chooses to gamble with Homeland Security, of all budgets, is troubling, to say the least. At a time when we face a higher terrorist threat, these tactics are potentially deadly.

Let us recall that the Department of Homeland Security was born out of the searing attacks on this Nation on September 11, 2001. We created it to protect our country against further atrocities. Three thousand people died. We have seen what our enemies are capable of. We saw it in the Boston Marathon bombing last year. We saw it again over the past week in a shocking series of terrorist murders in Paris.

Funding for national security programs should be sacrosanct. Republicans and Democrats could so easily have come together to pass a full-year funding bill. Instead, the majority chooses tactics that put the security of American families at risk.

They have allowed three nongermane amendments. The American people know about this nongermaneness. They have added that to this bill. That seeks only to make life harder for immigrant families. I remember in 2007 when Chairman ROGERS, the chair of the Appropriations Committee, said on this floor:

> There is no more important chore that the Congress has . . . than to protect the country as best we can from its enemies and from natural disasters. That is what this bill is all about.

Well, his party should take his advice now.

These games are dangerous. They are disgraceful. They are wrong. I will vote against this bill, and I urge my colleagues to do the same.

Mr. CARTER. Madam Chair, I yield 4 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Madam Chairwoman, I rise today in strong support of H.R. 240, the Department of Homeland Security Appropriations Act, which Judge CARTER, Mr. PRICE, myself, and others helped draft in the Appropriations Committee Subcommittee on Homeland Security. This bill, despite what you may have heard, is a product of bipartisan compromise.

It provides $47.8 billion to fund the agencies of the Department of Homeland Security through fiscal year 2015.

It includes $7 billion for emergency disaster relief to assist those suffering the effects of severe winter snowstorms that have hit the northern United States; wildfires that have ravaged the West; floods; tornadoes; and other natural disasters.

The bill also provides $213 million for OCO, or the Overseas Contingency Operations of the Coast Guard, as they continue to play a vital role in the support of our military abroad.

In our deliberations on this bill, the committee took very seriously the crisis that has unfolded on our southwestern border as we experience the surge of unaccompanied minors, primarily from the Central American countries of Honduras, Guatemala, and El Salvador. It is estimated that nearly 70,000 unaccompanied children entered illegally in 2014 alone. The bill also allows certain FEMA grants to be used to reimburse State and local governments for the excessive costs associated with humanely detaining and processing these unaccompanied minors. In response to the influx of families that have crossed the southwest border, it allocates an additional $362 million for detention capability and capacity, including 3,732 new family detention beds.

This legislation fully funds CBP, or Customs and Border Protection, and its 21,370 agents who provide not only security at our northern and southern borders, but also at our many ports of entry where goods come and go from all over the world.

In light of the recent security incidents at the White House, the bill includes funding to improve security at the White House and Vice President's residence through additional fiscal infrastructure and resources such as tactical canine units.

It also direct resources for the Secret Service to begin preparations for the Presidential candidate protection ahead of the 2016 Presidential election.

We have all seen the recent events in the news that demonstrate the importance of being proactive on security in the cyber realm. Just yesterday, we saw social media accounts that the U.S. Central Command, or CENTCOM, was hacked by ISIS or their sympathizers. Last month, a major cyberattack allegedly perpetrated by North Korea compromised sensitive data belonging to the Sony Corporation.

This legislation provides an increase in funding for the National Protection and Programs Directorate to support infrastructure protection, information security, and cybersecurity. We cannot afford to take a passive approach to protecting critical network communications.

This bill also funds construction of the National Bio and Agro-Defense Facility to ensure the security of our Nation's food supply, something I think all too often we have taken for granted. This facility will strengthen our Nation's capability to conduct research and develop vaccines and other countermeasures to prepare and respond against diseases that could seriously threaten our crops and livestock.

Finally, this fiscally responsible appropriations bill reduces the administration overhead costs of the Department of Homeland Security by $6 million below the fiscal year 2014 enacted level.

Again, I would like to thank Chairman CARTER, Mr. PRICE, and the staff of both sides of the aisle that worked really hard to get this legislation to the point where it is. The underlying bill is a good bill. Notwithstanding any of the amendments that are going to be considered tomorrow, this bill should be supported on its merits, and it has a strong bipartisan vote.

I urge a ''yes'' vote.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. POE of Texas) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 7. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

The Committee resumed its sitting.

Ms. ROYBAL-ALLARD. Madam Chairwoman, I yield myself such time as I may consume.

Madam Chairwoman, I want to make it clear that I support the original bipartisan Homeland Security bill and oppose the majority's radical anti-immigrant amendments. These amendments pollute the bipartisan bill both Republicans and Democrats have carefully crafted to protect the American people.

Our clean Homeland Security bill provides the funds needed to protect our country. It invests in border security and prioritizes the detention and deportation of dangerous criminals.

The clean, bipartisan Homeland Security bill provides funds for new grants to State and local first responders, who are our first line of defense against homegrown terrorism. It invests in the Coast Guard's eighth National Security Cutter and additional Fast Response Cutters to help protect our ports. The bill also provides critical funds to hire new Secret Service agents to make essential security improvements at the White House.

These are just a few examples of why this bill is so important. Unfortunately, instead of bringing the clean, bipartisan bill for a vote, the majority is proposing several poison pill amendments that will jeopardize the bill's ability to become law. It is unconscionable to put our Nation's security at risk simply for the purpose of appeasing those who want to undermine President Obama's reasonable and lawful executive action to fix our broken immigration system in light of the fact that this House has not acted.

Current funding for DHS is set to run out at the end of February. The recent horrors in Paris are the latest reminder of why America needs Congress to pass the negotiated bipartisan Homeland Security bill that can become law and defeat the anti-immigrant poison pill amendments being proposed by the majority.

I urge my colleagues to vote ''no'' on the amendments and to vote ''yes'' on the original bill to protect the homeland, and I reserve the balance of my time.

Mr. CARTER of Texas. Madam Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. FLEISCHMANN), a member of our subcommittee.

Mr. FLEISCHMANN. Madam Chairman, I rise in support of the 2015 Department of Homeland Security Appropriations Act. Our subcommittee has worked diligently on this legislation, and I want to thank Chairman CARTER and the entire staff for countless hours they have put in crafting the bill before us today. This legislation prioritizes our national security and strengthens border security, while addressing numerous issues that have arisen in the past year.

Last year, tens of thousands of unaccompanied alien children entered the United States illegally while the administration sat on its hands. Rather than deal with the crisis, the President further exacerbated the problem and encouraged more people to try to bypass the legal immigration process when he granted executive amnesty to millions of illegal immigrants.

Today, the House has the opportunity to correct these mistakes by passing this legislation. In addition to the responsible and deliberate funding levels laid out in the bill, House Republicans are offering key amendments to completely defund the President's executive actions and restore order to the legal administration process by ensuring that those who came here illegally will not be allowed to bypass those who sought to come here through the right and legal way.

I urge my colleagues to vote for these provisions and the underlying bill.

Ms. ROYBAL-ALLARD. Madam Chairwoman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. I thank the gentlewoman for yielding.

Madam Chairwoman, I rise to thank my colleagues on the Appropriations Committee. I am a ranking member also. I know what type of work it takes to put together a $39.7 billion expenditure to protect all of the entities of domestic homeland security. It is a good bill. It was worked out last year. For all the new Members coming, I am shocked that they have to go through this learning process about how we take a good thing and screw it up.

This bill has bipartisan support. I think if we voted on it tonight, the underlying bill would pass overwhelmingly. I don't even know if there would be a negative vote. But tomorrow morning on this floor amendments are going to be made to this bill. I understand the other side already has them, and I wish the people who are thinking about voting for those amendments and those that are proposing them had listened to the people that we are funding in Homeland Security, because the last thing they would tell you is that America is going to be less secure with those amendments.

There isn't going to be a college campus or university that isn't going to be in revolt when you try to deport the students who are there. Your wives, your families are going to be upset when you try to deport your gardener or somebody taking care of your house. Our faith-based communities are going to be hiding these people from deportation.

You are coming in and creating this ugly government that is going to go around and round up people who have not committed a crime and deport them.

□ 1915

That doesn't make America more secure. In fact, it makes us ugly all over the world. So, I can't, for the life of me—when we go to such hard work to get such a great, balanced bill, to spend $39.7 billion on the Department of Homeland Security, then want to make sure that it doesn't work.

The President has said he is going to veto it. He is going to veto it because you are mad at him for providing leadership.

Thank you, Mr. President, for providing that leadership. The House should have joined with the Senate and adopted a comprehensive immigration bill, but we didn't. We sat on that for 2 years, did absolutely nothing, and now we are attacking you.

Shame, shame on the House. Defeat those amendments.

Mr. CARTER of Texas. Madam Chairman, I now yield 2 minutes to the gentleman from California (Mr. CALVERT), a member of our committee.

Mr. CALVERT. Madam Chairman, I rise today in strong support of the fiscal year 2015 Homeland Security Appropriations Act, as well as the amendments that will be offered to put the brakes on President Obama's executive overreach on illegal immigration.

My constituents are depending on the House and the Senate to send a strong message to the White House that their attempt to grant amnesty through executive action is an affront to the democratic process that has served our Nation well for more than 200 years.

The reason people are fleeing from south to north is that this side of the border, we have the rule of law, not men.

I want to thank Homeland Security Subcommittee Chairman JOHN CARTER, Chairman HAL ROGERS, and the rest of my colleagues on the Appropriations Committee for putting together a responsible bill that provides the funds for our Homeland Security personnel and the need to carry out their mission.

Specifically, the bill provides significant funding for our Border Patrol and Immigration and Customs Enforcement to ensure both agencies have the ability to stem large flows of illegal immigration like we witnessed last summer in Texas.

Another important tool in tackling illegal immigration is the increased use of E-Verify, which remains the only and best way for employers to confirm that the employees that they hire are in this country legally. The underlying bill contains full funding

for the E-Verify funding and will allow employers to continue to use this program in a free and efficient manner.

When it comes to patrolling our land, air, and sea, Homeland Security officials consistently rely on the awareness and insights that are provided by assets operated by the Air and Marine Operations Center, or AMOC. In fact, AMOC, which is located in Riverside County, California, is the Nation's only Federal law enforcement center tasked to coordinate interdiction operations in the Western Hemisphere.

The FY15 bill fully funds the operations of AMOC and ensures that our law enforcement agencies will continue to benefit from their contributions.

Again, I want to thank Judge CARTER for his leadership, and I encourage all of my colleagues to vote for the FY15 Homeland Security Appropriations bill.

Ms. ROYBAL-ALLARD. Madam Chair, I yield 4 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Chair, I rise in strong opposition to the FY 2015 Homeland Security Appropriations Act because House Republicans are littering the bill with provisions that have nothing to do with homeland security but have everything to do with harming families and keeping our immigration system dysfunctional, risking our national security in the process.

I too serve as a ranking member on the Appropriations Committee and craft a bill and work in a bipartisan spirit, and I had an opportunity to work in a bipartisan spirit on this bill as well. So it is truly unfortunate that this bill is being poisoned by amendments that are really going to jeopardize our national security.

I reluctantly stand in opposition because the overall bill is ''must-pass'' legislation, and it includes very important measures to bolster our national security, including additional funding that I fought for and secured to protect children from online predators.

Many of my colleagues are in a similar situation; too many poison pills are set to be slipped in that make this legislation's passage unacceptable.

House Republicans are willfully driving us toward a partial government shutdown that jeopardizes our security at home, all just for the chance to further destabilize our immigration system, make it harder to secure the border, punish young people who have known no other country other than this one, and separate families in the process.

Now, how did we get here?

Because the extreme elements of the GOP became apoplectic when the President announced that he would move ahead with his legal executive actions to fix our broken immigration system. And everyone will recall, of course, that he did so due to this body's repeated unwillingness to pass comprehensive immigration reform legislation.

Now, as we debated the so-called CR/Omnibus legislation last year, House Republicans put their cards on the table with temporary DHS funding. And with this bill being debated today, they are ready to gamble on our Nation's security and America's safety to satisfy their rightwing base.

This is not governing in good faith at the outset of a new Congress, with the opportunity we have to set aside differences and work together for the betterment of the country.

And this isn't just politics as usual from the other side of the aisle. Some of it is alarmingly personal and targeted.

Part of the President's executive action is intended to keep families together and support the educational and employment aspirations of millions of undocumented individuals.

Some of the amendments attached to this bill would, in fact, tear families apart, deporting thousands of so-called DREAMers and even revictimizing women already subjected to domestic violence by targeting them for removal.

The point of these games is to satisfy the anti-immigrant, extremist elements within the Republican party. But to what end?

Where is the sense of reality?

Though he has flip-flopped several times on the issue, even former Governor Jeb Bush, from my home State of Florida, has said as far back as 10 years ago that a policy that ignores that they are here is a policy of denial.

So where is the thoughtful policymaking our constituents sent us to Washington to engage in?

And quite frankly, where is the compassion?

I have held numerous meetings and events in south Florida recently, and to say that we are past due for comprehensive immigration reform is a gross understatement.

I have met so many workers and students who have made meaningful contributions to our community but who live in a constant state of uncertainty about their future, ranging from questions about their schooling and jobs to fearing deportation and separation from their loved ones.

Leoni, a high school valedictorian; Maria, a mother of DREAMers who has formed a support group for people in similar situations; and Cosmin, a father only seeking a permanent work permit to be able to better provide for his young daughter who is a citizen—these are real people with real stories, and our actions and inactions in Washington have real consequences for them.

Madam Chair, it is not too late to engage in bipartisan and comprehensive immigration reform. We can reintroduce and debate the legislation that was passed by a strong bipartisan majority in the Senate in 2013 and supported by diverse business, faith, legal, and community groups across the Nation.

That is the most effective way to legally and morally respond to the needs of immigration reform. It is practical. It is wide-ranging, and it speaks to our values as a Nation.

Or we could even sit down together and come up with a new comprehensive bill. But this is immoral and wrong, and we should reject it so that we can come together and do something that is reflective of the values of this country.

Mr. CARTER of Texas. Madam Chairman, at this time I am pleased to yield 3 minutes to my good friend and colleague from Texas (Mr. POE), a colleague not only of this House but of the judiciary prior to that time.

Mr. POE of Texas. I thank the gentleman for yielding.

Madam Chair, ''America is a Nation of laws, which means, I, as the President, am obligated to enforce the law. I don't have a choice about that. That is part of my job.

''With respect to the notion that I can just suspend deportations through executive order, that is just not the case, because there are laws on the books that Congress has passed.

''There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system that for me to simply, through executive order, ignore those congressional mandates, would not conform with my appropriate role as President.''

Those are the words of the former constitutional law professor, and now President, on March 28, 2011. Those very words condemn executive amnesty.

The United States is ruled by law, not by one person. The United States is not a monarchy. If it were, we would have kept King George III.

The executive amnesty is not only unconstitutional, Madam Chair, it is at cross-purposes to security. The Department of Homeland Security cannot secure the U.S. border, no matter how many programs and how much money we spend on homeland security, as long as the Executive undermines law and security by unilaterally ignoring those very security laws.

We can give all the money we want to the Department of Homeland Security, but that doesn't do any good if we do not make sure the law is enforced.

Madam Chairman, we will use this example that has already been used by my friend, Mr. CULBERSON. We have tax laws in this country. God knows we have too many tax laws in this country.

But if the Executive makes a decision, I am just going to ignore these tax laws for a certain group of people, none of us would like that. The Executive doesn't have that authority to just ignore law for whatever reason, even if it is a good reason, because that does not establish the constitutional power of who the Executive is.

Madam Chair, those of us in Texas have a vested interest in homeland security. The United States border with

Mexico is almost 2,000 miles. Sixty percent of the border is in Texas. Forty-five percent of the entire border is in one Member's district, Mr. WILL HURD.

The Texas border with Mexico is the distance from New Orleans to Washington, D.C. We have got a vested interest in border security and the rule of law, because failure to enforce the rule of law affects people on the border. It affects American citizens. It affects legal immigrants.

Now, there is a lot that has been said about immigration. I am for immigration. We do need some changes in immigration. The United States allows a million people to legally come into the United States. But when laws are enforced, there is order. When law is not enforced, there is chaos.

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

Mr. CARTER of Texas. I yield the gentleman another minute.

Mr. POE of Texas. I thank the gentleman.

When laws are not enforced, there is chaos, especially if the security laws are not enforced.

So Madam Chair, as the President said, I am obligated to enforce the law because, Madam Chairman, the Constitution is not a mere suggestion, whether the other side likes it or not.

And that is just the way it is.

Ms. ROYBAL-ALLARD. Madam Chair, I yield 3 minutes to the gentleman from New York (Mr. SERRANO).

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

Mr. SERRANO. I thank the gentlewoman.

Madam Chair, this is one of those moments where the best thing you can do is kind of scratch your head and say, What the heck are they thinking?

We have a bipartisan bill, a Homeland Security bill that, as was said before by Mr. FARR, if it was put up for a vote, would pass almost unanimously, if not unanimously.

But no, they couldn't help themselves. They had to take one more shot at the President and a bigger shot at immigrants. And so the bill is weighted down with attacks on immigrants. Mostly Latino immigrants, I would say, would be affected, and that is personal to me.

So what this bill now would say if it gets all these amendments on it—and, by the way, I want to say that I am opposed to the bill with the amendments and not opposed to the bill in its clean fashion, and I think that is the way most Members think.

What this bill now says is that, for instance, if you are in the military, serving our country, your spouse can be deported while you are away. That is really sad and insulting.

We are going to have now new bumper stickers on the other side on their cars that will say, ''Support our troops and deport the spouses.'' It will be sad, and it will be horrible what we are doing.

Now, our opportunity here is to defeat these amendments. Our opportunity here is to understand that if we have a gripe with the President using his constitutional power, deal with that. But don't take it out on every immigrant in the Nation.

Incidentally, nothing that the President did is outside the law. We have a Constitution, and what he did is constitutional. It is within his powers as our Chief Executive in this Nation.

This President waited and waited and waited for the majority party to do something about immigration. It refused to do something. You are upset that he took action on immigration. His action was due to your inaction on immigration. That is why we have this situation.

So these 2 days will probably go down in history as two of the saddest days in this House, and I have been here 25 years, starting this January, because we will go after a group of people, and we will say to the DREAMers, you can't dream anymore, and we will say to the spouses, you are in danger of being deported.

We will say to those who serve our country, we don't respect you anymore. And we will say to the whole world, we are not the Nation of immigrants; we are the Nation that doesn't want any more immigrants.

This is sad. This is it not the way to go, and we should really rethink this before we take a final vote.

□ 1930

The Acting CHAIR (Mr. SMITH of Nebraska). Members are reminded to address their remarks to the Chair.

Mr. CARTER of Texas. Mr. Chair, before I proceed, may I ask how much time is left on both sides, please?

The Acting CHAIR. There are 21 minutes remaining for the gentleman from Texas, and there are 25 minutes remaining for the gentlewoman from California.

Mr. CARTER of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BABIN), one of our new Members of the 114th Congress.

Mr. BABIN. Mr. Chairman, the United States is a nation of immigrants. It is also a nation of laws, and our Nation's leaders have a sworn duty to abide by those laws. On countless occasions, President Obama said that he lacked the authority to grant broad amnesty; however, in November, he reversed his course and unilaterally declared amnesty.

I rise in strong opposition to his executive amnesty and in strong support of legislation to defund his unlawful and unconstitutional actions.

Changes in immigration law—or in any law for that matter—rest with the legislative branch of the government, the United States Congress. Granting amnesty through unilateral executive action makes a mockery of our laws, and Congress must rein it in.

I am a cosponsor of H.R. 191, the Repeal Executive Amnesty Act. Key provisions of this bill will be offered as amendments to this appropriations bill. We will deny the administration funding to implement his amnesty.

As a past mayor, a hospital staff member for many years, and a local school board member, I know firsthand how this administration's plan is taxing the budgets of our local governments, including our schools, our hospitals, and our jails. This massive unfunded mandate must be repealed.

Amnesty also undermines our national security by perpetuating open borders, making Americans less safe. Finally, it leaves behind millions of American citizens who are unemployed at this time, making it even harder for them to find good-paying jobs.

To make the United States stronger, we must rein in this President. We must repeal unilateral amnesty, and we must return to the rule of law. I call on my colleagues to support H.R. 240 and the Aderholt amendment and to pass the underlying legislation.

Ms. ROYBAL-ALLARD. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentlewoman for yielding.

Mr. Chairman, I rise in support of a clean Homeland Security Appropriations bill.

We are just a week into the new Congress, and the Republicans are already back to their old games, but this time, they are playing politics with the security and safety of the Nation.

We get it. They are frustrated with the President's executive order which attempts to reunite families and bring a rational, priority-based approach to our immigration system. Given the Constitution, the laws, and the legal precedents, the President's actions are clearly well within his executive powers.

If they don't like it, they can pass an immigration bill, which would clearly supercede the actions of the President, but they wouldn't even try. That is what this is all about. It is about making false statements about the President, demonizing immigrants and their families, and trying to score political points back home. That is a disgrace, but it gets even worse.

Not only are the Republicans stalling on immigration reform and leaving millions of families in limbo, but they are holding up funding for the entire Homeland Security Department. They are threatening the safety of Americans at our airports. They are making our borders less secure and are potentially leaving us more vulnerable to attack. This is particularly shocking, given the tragic events in Paris last week.

Holding the security of the American people hostage to the demands of the anti-immigration fringe of their party is totally irresponsible. This is not the time for political games. We live in a dangerous world, and the security of the Nation is serious business. Reject this political stunt.

Pass a clean Homeland Security bill that we all agree on. Then, if you want to, pass an immigration bill that would supersede what the President has done; but don't give us all of this nonsense about blackmailing the country by threatening our safety and saying, ''Unless we get the immigration provisions we want,'' which we know the President won't sign, ''there will be no Homeland Security bill, potentially no Homeland Security Department funding, and no guards at our borders.'' That is absurd.

Mr. CARTER of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. HURD), another Member of the 114th Congress, a man who probably has more of the southern border of the United States than any other Member of Congress.

Mr. HURD of Texas. Mr. Chairman, I have taken an oath of office to uphold our Constitution twice: the first time as an undercover officer in the CIA and, just last week, I took that oath again as I was sworn in as a Member of this body.

This bill is about upholding our Constitution and protecting it from executive overreach, but we can't forget that immigration and legal immigrants are an asset to our Nation, not a liability.

Everyone knows that our immigration system is broken and that executive action that incentivizes illegal immigration just makes it worse. We need a long-term solution that protects American workers and fosters economic growth.

Our Nation has, for many decades, benefited from the ''brain drain'' from other countries, and we need to make sure that continues. I also want our Nation to benefit from a ''hardworking drain,'' too. If you are going to be a productive member of our society, let's keep you here or get you here, but we must do it legally.

There is a long-term solution to our immigration problems. I am ready to work with my colleagues on both sides of the aisle and with the President to find it.

Ms. ROYBAL-ALLARD. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentlewoman.

Mr. Chairman, I believe it is important for us to focus on what we are discussing here today: Paris, 17 dead; Canada; Australia; Boko Haram, 2,000 dead, a 10-year-old suicide bomber; and, of course, 9/11.

This is the Homeland Security Appropriations. I have had the privilege of serving on the authorizing committee since its creation, and every day we go to that committee, we know that the commitment is to secure the American people.

This is not a forum to battle one's agreements or disagreements with the Constitution and with the President's executive authority or to battle your disagreements with the idea of deporting felons over families—that debate can be had—but, tonight, we are wrongly jeopardizing the national security of the American people.

We do it on the basis, our Republican friends, of failing to even read the Constitution, for it is clear, as it is stated in the Constitution under article II, section 3, that the President can have the authority, ''shall take care that the laws be faithfully executed.''

In essence, he has the right to make sure that we are treating persons fairly and that prosecutorial discretion is exercised in a fair manner.

Nothing that is in the executive actions of the President violates any law; but what it does do, as we are debating today with the poison pill amendments, is to take the inhumanity of some viewpoints and to throw it against people who have come to this country by no fault of their own, who have come to this country to do us not harm but good, who have come to this country to work hard and to help build this great Nation.

I am saddened by the fact that, because of this debate, the Coast Guard will suffer, that the Secret Service will suffer, that the airport and aviation security will suffer. Why? Because we will not have a bill.

I believe that this challenge for all of us is to raise the question of whether our Republican friends have come here to govern. The only thing I see is that they are using this Homeland Security bill for extreme positions that they want to foster over security.

Why would they want to defund DACA? Why would they want to capture the basic infrastructure of the funding of Homeland Security? It has worked over the years, the fees that have supported the Border Patrol agents, Customs and Border Protection, Transportation and Security; yet they want to capture these dollars and cripple Homeland Security. They want to make sure we don't have enough Secret Service agents as we move forward into the election year.

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

Ms. ROYBAL-ALLARD. I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. Thank you.

Mr. Chairman, the Homeland Security Department has been entrusted by the United States Congress and the American people to give guidance to the security and the protection of their families. It is not families who, by chance, are considered undocumented; it is all families.

What the President did in his executive action is to define for America who is here in this country; not only that, he gave an economic engine by providing for fines and fees in order to get in regular order.

By the way, Mr. Chairman, these individuals are not getting in front of those who have been standing in line through the legal immigration process. They have a separate process that simply gives them status, not immigration status. He is not bestowing upon them immigration status.

As I close, I ask: Is there any heart and warmth to those who are debating these questions? First, do we understand family, and do we understand we are a nation of immigrants?

What has been established is an infrastructure of law to help them be established in regular order. What we are doing is undermining the national security of this Nation to cast against those who are innocent. I ask my colleagues to defeat these amendments and to vote for a clean Homeland Security bill. Let's support the national security of Americans.

Mr. Chair, while it is not perfect, I would support H.R. 240, the Fiscal Year 2015 Homeland Security Appropriations Act, as originally introduced because it provides adequate funding of the Department of Homeland Security, including support for important federal cybersecurity initiatives, disaster relief and recovery programs, and essential law enforcement activities that are critical for ensuring the Department can help keep our Nation safe from harm.

But I cannot support the bill on final passage if it contains any of the ''poison pill'' amendments made in order by the Rules Committee.

Those amendments are simply the latest attempt by House Republicans to prohibit the executive branch from exempting or deferring from deportation any immigrants considered to be unlawfully present in the United States under U.S. immigration law, and to prohibit the administration from treating those immigrants as if they were lawfully present or had lawful immigration status.

I oppose all of the amendments made in order by the Rules Committee because their inclusion will spell certain doom for the bill and needlessly put the security of the homeland at risk at a time when things are so perilous in the world.

The recent terrorist attacks in Paris and by Boko Haram in Nigeria given heightened urgency to the words of Appropriations Committee Chairman ROGERS that we need to get a clean Homeland Security spending bill ''to the president's desk so we can get a signature funding Homeland Security at a very tedious time in the world.''

Sending this bill to the president with the Republican poison pill amendments will result in a presidential veto rather the signature needed for the bill to become law.

In addition, were the bill to become law with the poison pill amendments intact, it would inflict tremendous damage to the nation's economy and the economy of my home state of Texas.

According to an analysis conducted by the Council of Economic Advisors, the executive actions taken by the President to mitigate the damage caused by our broken immigration system would grow the U.S. economy by $90 billion to $210 billion over the next ten years.

And they would grow the GDP of my home state of Texas by $8.2 billion to $19.2 billion over that same period and increase Texas state revenues by $770 million to $1.8 billion.

I cannot and will not support a bill that would do such harm to our efforts to protect the homeland and expand the economy so that it creates jobs for all who seek employment at wages that will enable workers to provide for their families and their retirement, buy

and keep their homes, and send their children to college.

I urge my colleagues to reject all of the amendments made in order by the Rules Committee and pass the bill as originally introduced by Chairman ROGERS.

There are many good things in that bill that are worthy of support, including the following:

1. $39.7 billion in regular discretionary appropriations for Department of Homeland Security (DHS) in fiscal year 2015;

2. $12.6 billion for Customs and Border Protection (CBP); DHS would be required to accelerate the hiring of CBP officers;

3. $5.96 billion for Immigration and Customs Enforcement (ICE) plus an additional $345 million from the agency's fee funded accounts, bringing the total to $6.3 billion;

4. $553.6 million in funding to manage the influx of unaccompanied alien children, or ''UAC,'' entering the U.S.; the funding would be used to interdict migrants, care for and transport approximately 58,000 undocumented children to the custody of Health and Human Services (HHS), and facilitate the movement of undocumented families through removal proceedings after crossing the U.S. border;

5. $1.9 billion for both domestic and international investigations, including increases to combat human trafficking, child exploitation, cyber-crime, and drug smuggling, and to expand visa vetting capabilities;

6. $4.8 billion for the Transportation Security Administration (TSA);

7. $10 billion for the U.S. Coast Guard;

8. $753.2 million for cybersecurity operations in the National Programs and Protection Directorate to fund and sustain improvements to the Federal Network Security and Network Security Deployment programs;

9. $1.7 billion for the U.S. Secret Service—an increase of $80.5 million above the fiscal year 2014 enacted level—to begin preparation and training for candidate protection for the 2016 presidential election and to address critical failures in communications and training at the White House Complex;

10. $7 billion for disaster relief—fully funding FEMA's stated requirement; and

11. $1.1 billion for Science and Technology, $32.1 million above the President's request.

The White House has announced that the President will sign H.R. 240 as originally introduced but he will veto the bill if it contains any of the irresponsible and reckless amendments made in order by the Rules Committee.

I urge all my colleagues to join me in voting against all of the amendments and sending a clean Homeland Security funding bill that will receive the presidential signature needed to become and law provide the resources needed to keep our homeland safe.

Mr. CARTER of Texas. Mr. Chairman, I yield 2 minutes to my distinguished colleague from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Chairman, this is Placer County Sheriff's Deputy Michael Davis, Jr. You may have heard of him. He was gunned down on October 24 of last year in one of the most shocking murder rampages in the history of that county. He was murdered on the 26th anniversary of the day that he lost his father, a Riverside County sheriff's deputy, in the line of duty.

The suspect, who also killed a Sacramento sheriff's deputy and wounded an innocent bystander, should never have been here. He was a convicted felon who had entered our country illegally from Mexico. He had been twice deported for his crimes, only to reenter time and again over our unsecured border.

I met with Michael Davis' grieving family this weekend, including his remarkable mother, Debbie, and his sole surviving brother, Jason, who also serves as a Placer County sheriff's deputy. The message they asked me to convey today is that this is not about immigration—in fact, Jason spends his free time working with at-risk Latino children, many from immigrant families—rather, this is about the rule of law, including respect for our immigration laws for which this family has sacrificed so much.

We pride ourselves on being a nation of laws and not of men. That means the President is sworn to enforce the laws, not to make them. He doesn't get to change or to repeal laws by decree or decide who must obey the law and who gets to live above it; yet that is precisely what he has done.

In so doing, he has placed the public safety and the Nation's security at great risk. This measure begins to walk back these unconstitutional orders, secure our borders, repair our Nation's sovereignty, and recover the rule of law.

Michael Davis died for these principles. The least we can do is to vote to restore them.

Ms. ROYBAL-ALLARD. Mr. Chairman, I yield 4 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, some claim the President's actions are unconstitutional. That is not true.

I submit for the RECORD a letter signed by 135 law professors and confirmed by four former chief counsels for Immigration about why his action was lawful.

25 NOVEMBER 2014.

We write as scholars and teachers of immigration law who have reviewed the executive actions announced by the President on November 20, 2014. It is our considered view that the expansion of the Deferred Action for Childhood Arrivals (DACA) and establishment of the Deferred Action for Parental Accountability (DAPA) programs are within the legal authority of the executive branch of the government of the United States. To explain, we cite federal statutes, regulations, and historical precedents. We do not express any views on the policy aspects of these two executive actions.

This letter updates a letter transmitted by 136 law professors to the White House on September 3, 2014, on the role of executive action in immigration law. We focus on the legal basis for granting certain noncitizens in the United States ''deferred action'' status as a temporary reprieve from deportation. One of these programs, Deferred Action for Childhood Arrivals (DACA), was established by executive action in June 2012. On November 20, the President announced the expansion of eligibility criteria for DACA and the creation of a new program, Deferred Action for Parental Accountability (DAPA).

PROSECUTORIAL DISCRETION IN IMMIGRATION LAW ENFORCEMENT

Both November 20 executive actions relating to deferred action are exercises of prosecutorial discretion. Prosecutorial discretion refers to the authority of the Department of Homeland Security to decide how the immigration laws should be applied. Prosecutorial discretion is a long-accepted legal practice in practically every law enforcement context, unavoidable whenever the appropriated resources do not permit 100 percent enforcement. In immigration enforcement, prosecutorial discretion covers both agency decisions to refrain from acting on enforcement, like cancelling or not serving or filing a charging document or Notice to Appear with the immigration court, as well as decisions to provide a discretionary remedy like granting a stay of removal, parole, or deferred action.

Prosecutorial discretion provides a temporary reprieve from deportation. Some forms of prosecutorial discretion, like deferred action, confer ''lawful presence'' and the ability to apply for work authorization. However, the benefits of the deferred action programs announced on November 20 are not unlimited. The DACA and DAPA programs, like any other exercise of prosecutorial discretion do not provide an independent means to obtain permanent residence in the United States, nor do they allow a noncitizen to acquire eligibility to apply for naturalization as a U.S. citizen. As the President has emphasized, only Congress can prescribe the qualifications for permanent resident status or citizenship.

STATUTORY AUTHORITY AND LONG-STANDING AGENCY PRACTICE

Focusing first on statutes enacted by Congress, 103(a) of the Immigration and Nationality Act (''INA'' or the ''Act''), clearly empowers the Department of Homeland Security (DHS) to make choices about immigration enforcement. That section provides: ''The Secretary of Homeland Security shall be charged with the administration and enforcement of this Act and all other laws relating to the immigration and naturalization of aliens. . . .'' INA §242(g) recognizes the executive branch's legal authority to exercise prosecutorial discretion, specifically by barring judicial review of three particular types of prosecutorial discretion decisions: to commence removal proceedings, to adjudicate cases, and to execute removal orders. In other sections of the Act, Congress has explicitly recognized deferred action by name, as a tool that the executive branch may use, in the exercise of its prosecutorial discretion, to protect certain victims of abuse, crime or trafficking. Another statutory provision, INA §274A(h)(3), recognizes executive branch authority to authorize employment for noncitizens who do not otherwise receive it automatically by virtue of their particular immigration status. This provision (and the formal regulations noted below) confer the work authorization eligibility that is part of both the DACA and DAPA programs.

Based on this statutory foundation, the application of prosecutorial discretion to individuals or groups has been part of the immigration system for many years. Longstanding provisions of the formal regulations promulgated under the Act (which have the force of law) reflect the prominence of prosecutorial discretion in immigration law. Deferred action is expressly defined in one regulation as ''an act of administrative convenience to the government which gives some cases lower priority'' and goes on to authorize work permits for those who receive deferred action. Agency memoranda further reaffirm the role of prosecutorial discretion in immigration law. In 1976, President Ford's

Immigration and Naturalization Service (INS) General Counsel Sam Bernsen stated in a legal opinion, ''The reasons for the exercise of prosecutorial discretion are both practical and humanitarian. There simply are not enough resources to enforce all of the rules and regulations presently on the books.'' In 2000, a memorandum on prosecutorial discretion in immigration matters issued by INS Commissioner Doris Meissner provided that ''[s]ervice officers are not only authorized by law but expected to exercise discretion in a judicious manner at all stages of the enforcement process,'' and spelled out the factors that should guide those decisions. In 2011, Immigration and Customs Enforcement in the Department of Homeland Security published guidance known as the ''Morton Memo,'' outlining more than one dozen factors, including humanitarian factors, for employees to consider in deciding whether prosecutorial discretion should be exercised. These factors —now updated by the November 20 executive actions—include tender or elderly age, long-time lawful permanent residence, and serious health conditions.

JUDICIAL RECOGNITION OF EXECUTIVE BRANCH PROSECUTORIAL DISCRETION IN IMMIGRATION CASES

Federal courts have also explicitly recognized prosecutorial discretion in general and deferred action in particulary. Notably, the U.S. Supreme Court noted in its Arizona v. United States decision in 2012: ''A principal feature of the removal system is the broad discretion exercised by immigration officials. . . . Federal officials, as an initial matter, must decide whether it makes sense to pursue removal at all. . . .'' In its 1999 decision in Reno v. American-Arab Anti-Discrimination Committee, the Supreme Court explicitly recognized deferred action by name. This affirmation of the role of discretion is consistent with congressional appropriations for immigration enforcement, which are at an annual level that would allow for the arrest, detention, and deportation of fewer than 4 percent of the noncitizens in the United States who lack lawfill immigration status.

Based on statutory authority, U.S. immigration agencies have a long history of exercising prosecutorial discretion for a range of reasons that include economic or humanitarian considerations, especially—albeit not only—when the noncitizens involved have strong family ties or long-term residence in the United States. Prosecutorial discretion, including deferred action, has been made available on both a case-by-case basis and a group basis, as are true under DACA and DAPA. But even when a program like deferred action has been aimed at a particular group of people, individuals must apply, and the agency must exercise its discretion based on the facts of each individual case. Both DACA and DAPA explicitly incorporate that requirement.

HISTORICAL PRECEDENTS FOR DEFERRED ACTION AND SIMILAR PROGRAMS FOR INDIVIDUALS AND GROUPS

As examples of the exercise of prosecutorial discretion, numerous administrations have issued directives providing deferred action or functionally similar forms of prosecutorial discretion to groups of noncitizens, often to large groups. The administrations of Presidents Ronald Reagan and George H.W. Bush deferred the deportations of a then-predicted (though ultimately much lower) 1.5 million noncitizen spouses and children of immigrants who qualified for legalization under the Immigration Reform and Control Act (IRCA) of 1986, authorizing work permits for the spouses. Presidents Reagan and Bush took these actions, even though Congress had decided to exclude them from IRCA. Among the many other examples of significant deferred action or similar programs are two during the George W. Bush administration: a deferred action program in 2005 for foreign academic students affected by Hurricane Katrina, and ''Deferred Enforcement Departure'' for certain Liberians in 2007. Several decades earlier, the Reagan administration issued a form of prosecutorial discretion called ''Extended Voluntary Departure'' in 1981 to thousands of Polish nationals. The legal sources and historical examples of immigration prosecutorial discretion described above are by no means exhaustive, but they underscore the legal authority for an administration to apply prosecutorial discretion to both individuals and groups.

Some have suggested that the size of the group who may ''benefit'' from an act of prosecutorial discretion is relevant to its legality. We are unaware of any legal authority for such an assumption. Notably, the Reagan-Bush programs of the late 1980s and early 1990s were based on an initial estimated percentage of the unauthorized population (about 40 percent) that is comparable to the initial estimated percentage for the November 20 executive actions. The President could conceivably decide to cap the number of people who can receive prosecutorial discretion or make the conditions restrictive enough to keep the numbers small, but this would be a policy choice, not a legal issue. For all of these reasons, the President is not ''re-writing'' the immigration laws, as some of his critics have suggested. He is doing precisely the opposite—exercising a discretion conferred by the immigration laws and settled general principles of enforcement discretion.

THE CONSTITUTION AND IMMIGRATION ENFORCEMENT DISCRETION

Critics have also suggested that the deferred action programs announced on November 20 violate the President's constitutional duty to ''take Care that the Laws be faithfully executed.'' A serious legal question would therefore arise if the executive branch were to halt all immigration enforcement, or even if the Administration were to refuse to substantially spend the resources appropriated by Congress. In either of those scenarios, the justification based on resource limitations would not apply. But the Obama administration has fully utilized all the enforcement resources Congress has appropriated. It has enforced the immigration law at record levels through apprehensions, investigations, and detentions that have resulted in over two million removals. At the same time that the President announced the November 20 executive actions that we discuss here, he also announced revised enforcement priorities to focus on removing the most serious criminal offenders and further shoring up the southern border. Nothing in the President's actions will prevent him from continuing to remove as many violators as the resources Congress has given him permit.

Moreover, when prosecutorial discretion is exercised, particularly when the numbers are large, there is no legal barrier to formalizing that policy decision through sound procedures that include a formal application and dissemination of the relevant criteria to the officers charged with implementing the program and to the public. As DACA has shown, those kinds of procedures assure that important policy decisions are made at the leadership level, help officers to implement policy decisions fairly and consistently, and offer the public the transparency that government priority decisions require in a democracy.

Hiroshi Motomura & Susan Westerberg Prager, University of California, Los Angeles, School of Law; Shoba Sivaprasad Wadhia, Pennsylvania State University Dickinson School of Law; Stephen H. Legomsky, Washington University School of Law; David Abraham, University of Miami School of Law; Raquel Aldana, University of the Pacific, McGeorge School of Law; Farrin R. Anello, Seton Hall University School of Law; Deborah Anker, Harvard Law School; Sabrineh Ardalan, Harvard Law School; David C. Baluarte, Washington and Lee University School of Law; Melynda Barnhart, New York Law School; Jon Bauer, University of Connecticut School of Law; Lenni B. Benson, New York Law School; Jacqueline Bhabha, Harvard Law School; Linda Bosniak, Rutgers University School of Law-Camden; Richard A. Boswell, U.C. Hastings College of the Law; Jason A. Cade, University of Georgia Law School; Janet Calvo, CUNY School of Law, New York; Kristina M. Campbell, University of the District of Columbia David A. Clarke School of Law; Stacy Caplow, Brooklyn Law School; Benjamin Casper, University of Minnesota Law School; Linus Chan, University of Minnesota; Howard F. Chang, University of Pennsylvania Law School; Michael J. Churgin, University of Texas at Austin; Marisa Cianciarulo, Chapman University Dale E. Fowler School of Law; Evelyn Cruz, Arizona State University; Ingrid Eagly, UCLA School of Law; Philip Eichorn, Cleveland State—Cleveland Marshall School of Law; Bram T. Elias, University of Iowa College of Law; Stella Burch Elias, University of Iowa College of Law; Jill E. Family, Widener University School of Law; Niels Frenzen, University of Southern California; Maryellen Fullerton, Brooklyn Law School; César Cuauhtímoc García Hernández, University of Denver Sturm College of Law; Lauren Gilbert, St. Thomas University School of Law; Denise L. Gilman, University of Texas School of Law; John F. Gossart, Jr., University of Maryland School of Law; P. Gulasekaram, Santa Clara University; Anju Gupta, Rutgers School of Law—Newark; Susan R. Gzesh, University of Chicago; Jonathan Hafetz, Seton Hall University; Dina Francesca Haynes, New England Law, Boston; Susan Hazeldean, Cornell Law School; Ernesto Hernández-López, Chapman University; Laura A. Hernandez, Baylor Law School; Michael Heyman, John Marshall Law School; Barbara Hines, University of Texas School of Law; Laila L. Hlass, Boston University School of Law; Geoffrey Hoffman, University of Houston Law Center; Mary Holper, Boston College Law School; Alan Hyde, Rutgers University School of Law—Newark; Kate Jastram, University of California, Berkeley, School of Law; Kit Johnson, University of Oklahoma College of Law; Anil Kalhan, Drexel University Kline School of Law; Daniel Kanstroom, Boston College Law School; Elizabeth Keyes, University of Baltimore School of Law; Kathleen Kim, Loyola Law School Los Angeles; David C. Koelsch, University of Detroit Mercy School of Law; Jennifer Lee Koh, Western State College of Law; Kevin Lapp, Loyola Law School, Los Angeles; Christopher Lasch, University of Denver Sturm College of Law; Jennifer J. Lee, Temple University Beasley School of Law; Stephen Lee, University of California, Irvine; Christine Lin, University of California, Hastings College of the Law; Beth Lyon, Villanova University School of Law; Stephen Manning, Lewis & Clark College; Lynn Marcus, University of Arizona James E. Rogers College of Law; Miriam H. Marton, University of Tulsa College of Law; Elizabeth McCormick, University of Tulsa College of Law; M. Isabel Medina, Loyola University New Orleans College of Law; Stephen Meili, University of Minnesota Law School; Vanessa Merton, Pace University School of Law; Andrew Moore, University of Detroit Mercy School of Law; Jennifer Moore, University of New Mexico School of Law; Daniel

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* all institutional affiliations are for identification purposes only

CONCLUSION

Our conclusion is that the expansion of the DACA program and the establishment of Deferred Action for Parental Accountability are legal exercises of prosecutorial discretion. Both executive actions are well within the legal authority of the executive branch of the government of the United States.

NOVEMBER 29, 2014.

HON. PATRICK LEAHY,
HON. CHUCK GRASSLEY,
HON. BOB GOODLATTE,
HON. JOHN CONYERS, JR.

We are writing as former General Counsels of the Immigration and Naturalization Service or former Chief Counsels of U.S. Citizenship and Immigration Services. As you know, the President on November 20 announced a package of measures designed to deploy his limited immigration enforcement resources in the most effective way. These measures included an expansion of Deferred Action for Childhood Arrivals (DACA) and the creation of Deferred Action for Parental Accountability (DAPA). We take no positions on the policy judgments that those actions reflect, but we have all studied the relevant legal parameters and wish to express our collective view that the President's actions are well within his legal authority.

Some 135 law professors who currently teach or write in the area of immigration law signed a November 25, 2014 letter to the same effect. Rather than repeat the points made in that letter, we simply attach it here and go on record as stating that we agree wholeheartedly with its legal analysis and its conclusions.

Respectfully,

STEPHEN LEGOMSKY,
The John S. Lehmann University Professor, Washington University School of Law, Former Chief Counsel, U.S. Citizenship and Immigration Services.

ROXANA BACON,
Former Chief Counsel, U.S. Citizenship and Immigration Services.

PAUL W. VIRTUE,
Partner, Mayer Brown LLP, Former General Counsel, Immigration and Naturalization Service.

BO COOPER,
Partner, Fragomen, Del Rey, Bernsen & Loew, Former General Counsel, Immigration and Naturalization Service.

Ms. LOFGREN. I note also that a lawsuit is currently pending to challenge the constitutionality.

Why don't Republicans just wait and see what the judicial branch has to say, what they decide?

The amendments being offered are poison pills and should be defeated. The first amendment is meant to block all but one of the President's actions on immigration. This includes the temporary protection from deportation for parents of U.S. citizens and the expansion of temporary relief for people brought to the country as kids.

This would break apart families, hurt more communities, deport the parents of U.S. citizens, and send thousands of American children into foster care.

□ 1945

But the amendment does more damage. In the interest of time, I will touch on just a few examples. It prevents improving the provisional waiver of the 3-year and 10-year unlawful presence bars created by Congress in 1996 to prevent U.S. citizens from experiencing ''extreme hardship.'' Ironically, the changes the administration intends would actually make the waiver align more closely to what Congress enacted.

It would stop actions to help capitalize on the innovation of job-creating entrepreneurs and increase job opportunities. It would block initiatives designed to promote the integration of immigrants and to promote citizenship. The only action not blocked is a pay raise for ICE agents.

The second amendment would block further implementation of the 2012 DACA memo and any additional efforts to save DREAM Act kids from deportation. In the past, there was confusion about what amendments did. But this one is very clear. It is a straight up-or-down vote on whether to deport hundreds of thousands of young people who came forward, passed background checks, received DACA, and followed the rule. It would deport the DREAMers.

The third amendment looks reasonable at first, as it requires that those convicted of sex offenses and domestic violence be the highest priority for enforcement. But the point is, the President's actions already make those criminals a priority for deportation, and they are prohibited from getting any deportation relief.

The amendment is not only unnecessary, but it also endangers victims of domestic violence. How? It overturns the DHS policy of inquiry into whether a person convicted of misdemeanor domestic violence was actually the victim, not the perpetrators of the crime. This amendment is opposed by the National Task Force to End Sexual and Domestic Violence, the U.S. Conference of Catholic Bishops, the American Immigration Lawyers Association, and law enforcement.

I will now place into the RECORD a letter from 14 sheriffs and police chiefs asking that we oppose the DeSantis amendment.

JANUARY 13, 2015.

Re H.R. 240, The Department of Homeland Security Appropriations Act, 2015.

DEAR REPRESENTATIVE: We, the undersigned law enforcement officers, write to express our opposition to various proposals under consideration in the House of Representatives that seek to override aspects of the Obama Administration's immigration policies.

While acknowledging that there is good-faith disagreement over certain aspects of the administration's immigration policies, several of the proposals under consideration by the House of Representatives would represent a step backward, lead to uncertainty in our immigration enforcement system, and make it harder for state and local law enforcement to police our communities.

The 114th Congress has a tremendous opportunity to fix our broken immigration system, advancing reforms that will help the economy and secure our borders. While we are encouraged by proposals that would secure our borders and reform outdated visa programs, we are concerned by reports of

various proposals in the House that do not appear to have bipartisan support and could unnecessarily threaten a partial governmental shutdown affecting the Department of Homeland Security (DHS). As law enforcement officers, we regularly work with DHS and its component agencies and fear that an unfunded DHS will sow confusion and uncertainty.

We are also concerned about proposed substantive changes that would undercut existing protections for victims of domestic violence, undermine law enforcement's ability to focus on catching and deporting dangerous criminals, compel state and local law enforcement to hold low-level offenders without probable cause, and threaten long-established and necessary federal programs and funding that have long aided state and local law enforcement. We oppose proposals that (1) make law-abiding immigrants feel less safe in our communities, (2) focus federal law enforcement away from catching serious criminals and security threats, (3) increase the state and local role in immigration enforcement, and (4) threaten needed federal resources and funding used by state and local law enforcement.

1. WHEN IMMIGRANTS FEEL SAFE IN THEIR COMMUNITIES, WE ARE ALL SAFER

When immigrants feel safe in their communities, including immigrant victims of domestic violence, we are all safer. We oppose amendments that remove key protections from domestic violence victims and undermine the executive branch's ability to prioritize criminals over otherwise law abiding immigrants.

One proposal under consideration by the House would scrap DHS's entire existing enforcement framework, because it does not treat ''any alien convicted of any offense involving domestic, violence, sexual abuse, child molestation, or child exploitation as within the categories of aliens subject to the Department of Homeland Security's highest civil immigration enforcement priorities.''

While the amendment is intuitively appealing and directed toward protecting domestic violence victims, it actually has the opposite effect in many cases. By guaranteeing ''highest'' priority treatment of all domestic violence cases, the amendment raises the stakes for any report of domestic violence—a single report of domestic violence could lead to removal proceedings and deportation.

Immigrant victims are particularly vulnerable to being arrested and prosecuted for domestic violence, even when they are not the primary perpetrator of violence in the relationship, due to language and cultural barriers. Once in custody and/or facing trial, and desperate to be released and reunited with their children, these same factors—combined with poor legal counsel, may lead to deportation of wrongly accused victims who may have pled to or been unfairly convicted of domestic violence charges. Currently, federal authorities have flexibility in separating victims from perpetrators in dual arrest situations. The proposed amendment would remove this flexibly, leading to the deportation of victims of domestic violence.

2. LAW ENFORCEMENT SHOULD REFOCUS ITS PRIORITIES TOWARD CATCHING SERIOUS CRIMINALS AND SECURITY THREATS

Federal immigration agencies, including Immigration and Customs Enforcement (ICE), do not have the capacity or resources to remove all undocumented immigrants. Existing federal policies prioritize the removal of immigrants with criminal records over those who pose no threat to the community. We believe that law enforcement agencies should spend their limited time and resources focusing on pursuing truly dangerous criminals, not otherwise law-abiding members of the community.

Various amendments would seek to override these longstanding priorities. We oppose such amendments.

3. IMMIGRATION ENFORCEMENT IS A FEDERAL RESPONSIBILITY

We believe that immigration enforcement on the state and local levels diverts limited resources away from public safety and undermines trust within immigrant communities. State and local law enforcement agencies face tight budgets and often do not have the capacity or resources to duplicate the federal government's work in enforcing federal immigration laws. Rather than apprehending and removing immigrants who have no criminal background or affiliation and are merely seeking to work or reunite with family, it is more important for state and local law enforcement to focus limited resources and funding on true threats to public safety and security.

Various amendments would seek to foist additional enforcement responsibilities onto state and local law enforcement, including amendments that would reinstitute and codify the Secure Communities program. Some proposals also would impose a federal mandate on state and local law enforcement agencies to hold suspects even in the absence of probable cause, an action that raises serious constitutional and legal questions and would risk creating legal liability for state and local law enforcement agencies. We oppose such amendments.

4. STATE AND LOCAL LAW ENFORCEMENT NEED ADEQUATE RESOURCES

To the extent that state and local law enforcement play a role in immigration enforcement, the federal government must provide adequate funding in line with these responsibilities.

Some proposals under consideration by the House would place needed federal funding to state and local law enforcement at risk. These proposals, including proposed amendments that would condition significant federal funding on holding suspects in the absence of probable cause, raise serious concerns. We oppose such amendments.

Additionally, as referenced above, we call on Congress to fund DHS, including valuable DHS programs that provide needed funding to state and local law enforcement. We support legislation to fully fund this crucial agency for the entire 2015 fiscal year.

CONCLUSION

As law enforcement officers, we believe that the 114th Congress has a tremendous opportunity to fix our broken immigration system, advance reforms that will help the economy and secure our borders. Any executive actions taken by the executive branch are temporary and limited—by themselves they will not fix a broken system, nor will their repeal fix a broken system.

We continue to recognize that what our broken system truly needs is a permanent legislative solution. It is our hope that DHS funding legislation passes promptly and without any of the shortcomings we flagged above. Passing such legislation opens the door for this Congress to work constructively towards necessary immigration reform legislation.

Sincerely,

Chief Richard Biehl, Dayton Police Department, Dayton, Ohio;
Sheriff Clarence Dupnik, Pima County Sheriff's Office, Pima County, Arizona;
Sheriff Tony Estrada, Santa Cruz County Sheriff's Office, Santa Cruz County, Arizona;
Chief Randy Gaber, Madison Police Department, Madison, Wisconsin;
Chief Ronald Haddad, Dearborn Police Department, Dearborn, Michigan;
Chief James Hawkins, Garden City Police Department, Garden City, Kansas;
Chief Mike Koval, City of Madison Police Department, Madison, Wisconsin;
Chief Jose Lopez, Durham Police Department, Durham, North Carolina;
Sheriff Leon Lott, Richland County Sheriff's, Department Richland County, South Carolina;
Chief Thomas Manger, Montgomery County Police Department, Montgomery County, Maryland;
Sheriff William McCarthy, Polk County Sheriff's Office, Polk County, Iowa;
Lt. Andy Norris, Tuscaloosa County Sheriff's Office, Tuscaloosa County, Alabama;
Chief Mike Tupper, Marshalltown Police Department, Marshalltown, Iowa;
Sheriff Lupe Valdez, Dallas County Sheriff's Office, Dallas County, Texas.

Ms. LOFGREN. The final amendment also creates problems. It says that USCIS should adjudicate petitions of individuals in lawful status before adjudicating petitions of individuals in unlawful status. But that is too broad. There are many petitions filed by people in unlawful status that we would not want to delay: green cards for the wives and husbands of American citizens; requests for U visas and T visas from crime victims or sex-trafficking victims; immigrant visa petitions filed by domestic violence victims. These are all people who would be harmed by the amendment.

I would note that the fourth amendment is based on the falsehood that the President's immigration actions created an incentive for employers to hire deferred action recipients instead of American workers. This is simply not true.

Now, we need to have a serious conversation about immigration policy in the House, but threatening to shut down the Department of Homeland Security is not the way to do that. These amendments are foolish and a step backwards, and not funding DHS is dumb and dangerous.

Mr. CARTER of Texas. Mr. Chairman, at this time, I will yield 2 minutes to the gentleman from the State of Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. I thank the chairman.

Mr. Chair, this important legislation fulfills our promise to the American people to responsibly fund our Homeland Security Department while also stopping President Obama's unconstitutional actions. This is the clear will of the American people, which was expressed this past November.

Sadly, the President is ignoring the results of that election, with administration officials saying he will veto any bill we pass out of Congress that would end his illegal amnesty order and hold him accountable.

Consider that threat: a President would shut down the Department of Homeland Security, whose mission is to protect the American people, just to continue implementing a policy that he admitted on more than 20 occasions

he did not have the legal authority to do.

I seriously hope he will not.

Continuing to defend his unauthorized and unconstitutional order by vetoing this bill would be more than reckless. It would confirm beyond any reasonable doubt that President Obama believes he is above the law.

I hope the Senate will join this House and not abdicate on the shared responsibility we have to preserve Congress' prerogatives to defend the Constitution and to stop the abuse of power happening under this President.

Let's get this amended bill to the President's desk immediately and see whether he is capable of putting the will of the American people and the Constitution ahead of his own self-serving agenda.

The Acting CHAIR. The Chair will remind Members to refrain from engaging in personalities toward the President.

Ms. ROYBAL-ALLARD. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. I thank the gentlewoman for yielding.

Mr. Chairman, House Republican leadership has chosen to play political games with the security and safety of our Nation by including extreme partisan poison pill amendments to this Homeland Security funding bill. Rather than putting country before party, House Republican leaders have chosen to advance an extreme agenda instead of doing what needs to be done to protect Americans.

This bill is a farce that puts scoring political points above safeguarding our communities. This is precisely the type of political gimmick people in the Coachella Valley and across the country are sick of.

The terrorist attacks in Paris last week demonstrate how critical it is that the men and women of our law enforcement agencies have the funding necessary to do their jobs and keep us safe.

That is why I urge House Republican leadership to allow a vote on a clean, bipartisan Homeland Security bill that ensures law enforcement, the Coast Guard, and the Secret Service have the resources they need to protect our communities.

It is time to end the political bickering and work toward sensible, pragmatic solutions to keep our homeland secure.

Mr. CARTER of Texas. At this time, I yield 2 minutes to the gentleman from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. I thank the gentleman from Texas, Chairman CARTER, for his tremendous leadership, this important legislation, and for yielding me this time.

Mr. Chairman, tonight I am reminded of Thomas Jefferson, who once said: ''Experience hath shown, that even under the best forms of government, those entrusted with power have, in time, and by slow operations, perverted it.''

Mr. Chairman, we have heard repeatedly from our leader, our President, that he has said he is not king, he is not emperor, and that his powers, as President, are restricted. But his actions speak louder than words. Republicans are committed to holding the President accountable for his overreaching executive actions.

We have achieved remarkable success in this country because we are a Nation governed by the rule of law, not by the decrees of monarchs.

As recent events around the world have tragically reminded us, there are those who are still committed to destroying our way of life.

The Homeland Security Appropriations bill we are debating tonight supports the needs of the brave men and women who protect us each day and meets the requirements to keep us safe.

The amendments accompanying this legislation ensure we continue to be a Nation governed by laws and prevents any funds from being used to implement the President's unconstitutional decrees of amnesty while it prevents further implementation of DACA, which led to the crisis at the border last summer.

I urge all of my colleagues to join me in supporting this legislation to protect our great Nation and supporting the amendments to protect the rule of law.

Ms. ROYBAL-ALLARD. I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, at this time, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Chairman, I rise in support of H.R. 240, the Department of Homeland Security Appropriations Act, and the amendments that go with it.

Now let's get to the facts. My colleagues on the other side of the aisle conveniently leave these facts out.

First of all, this has nothing to do with shutting down Homeland Security. Second of all, the total budget for Homeland Security is $39.7 billion. That is $1.3 billion over the President's request. That is $400 million over last year.

Our amendments prevent the President from using any moneys—no matter from where—on amnesty.

There is no reason to shut down Homeland Security. If Homeland Security is shut down, it is due to the Democrats and President Barack Obama because he has more money for Homeland Security than he asked for.

I encourage my colleagues to join me in voting for H.R. 240 and the amendments.

President Obama released amnesty plans in November that include changes to border security, status of persons currently living in the United States unlawfully, and future legal immigration policy changes—all of which are directly under the purview of the legislative branch, not the executive branch.

In addition this President's executive order included several other changes that directly result in amnesty.

To be clear, democracy in this country was built on the foundation of a three branch federal government.

Our founding fathers saw the importance of checks and balances to prevent any branch from becoming all-powerful and exceeding its constitutional authority.

Furthermore, our Constitution specifically grants all lawmaking authority to Congress, and instead gives the executive branch the role of executing the laws passed.

The President's overreach in granting amnesty has left Congress with no choice but to exercise the power of the purse today to restore the Federal Government to one of balance, within the confines of the Constitution.

Last week I introduced the Defund Amnesty Act to ensure this type of change, and I applaud the leadership for bringing legislation to the floor to boldly put an end to the President's executive order on amnesty.

Ms. ROYBAL-ALLARD. Mr. Chairman, I will continue to reserve the balance of my time.

Mr. CARTER of Texas. At this time, I yield 1 minute to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. I thank the gentleman for yielding.

Mr. Chair, I would like to be very clear: this debate is not about immigration. This debate is about something much more, much more important than that. This is a generational conflict over something that is very clear. It is not about Presidential prerogative or Presidential arrogance.

As a military officer for 14 years, I had the honor of serving my country. Prior to doing that, I took a sacred oath of office, which is very similar to the oath that all of us took last week, to defend the Constitution of the United States. That is what this legislation is about. That is why this piece of legislation is so important.

This legislation seeks to restore the balance of powers. It seeks to conform that vision that our Founding Fathers had, that miracle that was created in Philadelphia that summer. It seeks to conform and to preserve the principles that so many people have died for.

The President is not a king. Congress is tasked to create the law. That is what this legislation is about. That is why it is so important that we support it.

Ms. ROYBAL-ALLARD. I reserve the balance of my time.

Mr. CARTER of Texas. At this time, Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. I thank the chairman for yielding.

Mr. Chair, today I rise in support of H.R. 240, providing appropriations for the Department of Homeland Security for the remainder of this fiscal year. This legislation provides the funding necessary to ensure that all of the Department's critical missions have the resources necessary to be dutifully executed.

But I also rise in support of the amendments to this legislation. And when considering the amendments that were made in order, I am reminded of

the feelings of pride and patriotism that I witness when I attend naturalization ceremonies in my home district. When new citizens raise their right hand and recite the Oath of Allegiance, the aura of achievement and opportunity is palpable. These immigrants-turned-citizens have come to the country the right way. They have followed the rules, and they have earned that feeling of achievement.

But it is America that benefits. These immigrants embody and have displayed the values we hold most dear: hard work, integrity, perseverance, and a commitment to be a contributing member of the American society.

I strongly support these amendments because we are expressing the sense of Congress in these amendments that we respect naturalized citizens; we honor their hard work and dedication to the legal immigration and naturalization process. We should hold these new citizens up as models for how to immigrate to this country the right way. We should not punish them by using their very processing fees that they paid to accommodate illegal immigrants hiding from the rule of law. And that is why the President's unilateral executive action is so destructive.

So I proudly join my colleagues not only in voting to defund the President's unconstitutional executive action but also to call upon his administration and the U.S. Citizenship and Immigration Services to stop putting the interests of unlawful immigrants ahead of legal immigrants. Let's reward those who come to this country the right way, not those who have broken the law.

In conclusion, Mr. Chair, I again thank the Appropriations Committee and the chairman for this important work vindicating legal immigration.

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Ms. ROYBAL-ALLARD. Mr. Chairman, the security of the United States and the American people must be our top priority. I urge the majority to defeat the poison pill amendments that will prevent this bill from becoming law and to support a clean Homeland Security bill that will provide the resources that are needed to provide our great Nation with the protections that they need.

I yield back the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I believe we have no further speakers, so at this time, I am prepared to close.

I would just like to clarify a few things. Nobody is going to lose a paycheck, no agency is going to go broke, as we have this constitutional discussion and this constitutional debate that has taken place today and will probably take place tomorrow, when the amendments will actually be before this august body for a determination of whether they will be included or not included in this bill.

There has been some confusion, I think, that some may think these things are already here, but we will follow the regular process tomorrow on the amendments that have been made in order.

No one is trying to put the security of the United States at risk in this bill, and we will have a normal debate, as we do here. What better body to address constitutional issues than the Congress of the United States?

With that, I yield back the balance of my time.

Mr. CONYERS. Mr. Chair, today the Majority has chosen to hold the Department of Homeland Security hostage with their extreme anti-immigrant policies. Rather than pass a bipartisan bill that would fund the agency tasked with securing our border and protecting our citizens from terrorism and violence—the Majority will consider poison pill amendments to appease an extreme faction of their party.

Playing politics with our national security is not responsible governance.

First, the Republican party is playing politics with the lives, safety and security of the American people. In the wake of the recent Paris tragedy, it is all too apparent that we need smart enforcement policies that protect the American people and root out any terror threats. The Department of Homeland Security plays a central role in our fight against terror, both in the United States and around the world and we should fully fund their efforts as soon as possible. We should not be debating ''poison pill'' amendments that have no chance of becoming law and will only further delay the funding of DHS.

Second, the Republican party is showing the American people that they only immigration policy they believe in is ''mass deportation.'' They have attached several policy riders to this appropriations bill that would further separate families, including the families of military service members and U.S. citizens.

Third, the amendments that we will later consider will prevent DHS from implementing smart enforcement policies, including ones that prioritize deporting felons before families. These smart policies allow DHS to focus valuable resources on individuals with criminal convictions and not immigrants with U.S. citizen and legal permanent resident family members.

I urge my colleagues on the other side of the aisle to stop playing politics with our national security and start governing.

Mr. CONAWAY. Mr. Chair, this legislation funds the Department of Homeland Security for the remainder of the current fiscal year at $39.7 billion, an increase of $400 million compared to the FY2014 enacted level.

Mr. Chair, I rise today in strong support of H.R. 240, the Homeland Security Appropriations Act.

This legislation is critically important to keeping our nation safe:

It provides vital funding for the Department of Homeland Security for the remainder of the current fiscal year

It also prioritizes frontline security efforts, while reducing unnecessary spending on overhead costs

While there are many important programs that will receive funding through this legislation, I'd like to address just a few critically important areas:

Last November, President Obama through executive fiat granted amnesty to as many as five million illegal immigrants. His decision to circumvent the proper legislative process was not the right way to handle this important issue. The President himself even admitted that he did not have the legal authority to issue an executive notice of this nature. We made a promise to our constituents that one of the first things we would do this Congress would be to prevent the President's unconstitutional executive action from becoming our nation's de facto immigration policy. This legislation does just that.

Next, this bill increases funding for Customs and Border Protection in order to make our border more secure. This increase will support a greater number of Border Patrol agents and officers, and provides them with the technologies they need to ensure around-the-clock surveillance of air, land and sea approaches to our nation.

And finally, this legislation includes important provisions that will allow the Coast Guard to continue operations without the cuts proposed by the President that would have greatly harmed the Coast Guard's operational abilities.

This bill prioritizes spending in a way that will better protect our country.

It is imperative that we pass this legislation to prevent the President's unconstitutional actions and to support the men and women who protect our borders.

Mr. LEVIN. Mr. Chair, we need to be clear about what is happening here today. The Republican Majority in the House is putting our national security at risk by threatening to shut down the Department of Homeland in order to advance their mean-spirited, anti-immigrant agenda.

House Republicans don't like President Obama. We get it. The Majority also disagrees with the actions the President has taken on immigration.

Look, if you disagree with the President on immigration, let's hear your plan to fix our nation's broken immigration system. Bring your bill to the Floor and let's debate it. But we shouldn't let down our guard on national security by playing games with the bill that funds border security, immigrations and customs enforcement, FEMA, and the Coast Guard.

We have a bipartisan Homeland Security funding bill that could easily pass the House and Senate. We could pass that bill today and the President would sign it into law. Instead, the Republican Majority is preparing to load up the bill with a number of divisive, poison pill amendments that the President will never agree to. Unless House Republicans change course, funding for the entire Department of Homeland Security will cut off on February 27.

So the message to my Republican colleagues is clear. Stop playing politics with our national security and send the President a clean Homeland Security funding bill.

Mr. THOMPSON of Mississippi. Mr. Chair, I thank the Gentlewoman from New York, Ms. LOWEY, for yielding me time.

Mr. Chair, I rise to voice my opposition to the anti-immigration amendments that will be considered later this afternoon.

These poison-pill amendments were not drafted with an eye toward making our nation safer, but rather scoring political points against the President.

As Ranking Member of the Committee on Homeland Security, I am disturbed that some of my colleagues are willing to play partisan politics with national security.

Over the past month, we have seen major cyber-attacks at American companies and radicalized terrorists wreak havoc on the streets of Sydney and Paris.

Yet the amendments the Majority insists on attaching to DHS' funding bill have nothing to do with cybersecurity.

And they have nothing to do with keeping Americans safe from lone-wolf terrorists or other radicalized individuals.

Rather, the amendments are being considered to satisfy the far-right fringe contingency of the Republican Party who have amassed disproportionate influence over the past few years.

The Amendments we are considering today could force DHS to use its limited resources to remove law-abiding children brought to the country through no fault of their own before deporting those who pose a threat to our safety or security.

Similarly, the Blackburn Amendment would end the Deferred Action for Childhood Arrivals program, setting in motion the deportation of those who have already come forward, paid the relevant fees and submitted to background checks, from America—the only home most of them have ever known.

In light of global terrorist events that occurred in recent months, the notion that we would remove individuals—who are known to, and have been vetted by, DHS—before focusing on those who may do us harm runs counter to common-sense and contradicts our risk-based approach to homeland security.

I urge my colleagues to reject the anti-immigration amendments that will be considered later this afternoon.

Instead, we should be voting on a clean DHS funding bill.

Mr. CARTER of Texas. Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BARR) having assumed the chair, Mr. SMITH of Nebraska, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, had come to no resolution thereon.

PROMOTING JOB CREATION AND REDUCING SMALL BUSINESS BURDENS ACT

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 27, I call up the bill (H.R. 37) to make technical corrections to the Dodd-Frank Wall Street Reform and Consumer Protection Act, to enhance the ability of small and emerging growth companies to access capital through public and private markets, to reduce regulatory burdens, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 37

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

SECTION 1. SHORT TITLE.

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

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
TITLE I—BUSINESS RISK MITIGATION AND PRICE STABILIZATION ACT
Sec. 101. Margin requirements.
Sec. 102. Implementation.
TITLE II—TREATMENT OF AFFILIATE TRANSACTIONS
Sec. 201. Treatment of affiliate transactions.
TITLE III—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION ACT
Sec. 301. Registration threshold for savings and loan holding companies.
TITLE IV—SMALL BUSINESS MERGERS, ACQUISITIONS, SALES, AND BROKERAGE SIMPLIFICATION ACT
Sec. 401. Registration exemption for merger and acquisition brokers.
Sec. 402. Effective date.
TITLE V—SWAP DATA REPOSITORY AND CLEARINGHOUSE INDEMNIFICATION CORRECTIONS
Sec. 501. Repeal of indemnification requirements.
TITLE VI—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES ACT
Sec. 601. Filing requirement for public filing prior to public offering.
Sec. 602. Grace period for change of status of emerging growth companies.
Sec. 603. Simplified disclosure requirements for emerging growth companies.
TITLE VII—SMALL COMPANY DISCLOSURE SIMPLIFICATION ACT
Sec. 701. Exemption from XBRL requirements for emerging growth companies and other smaller companies.
Sec. 702. Analysis by the SEC.
Sec. 703. Report to Congress.
Sec. 704. Definitions.
TITLE VIII—RESTORING PROVEN FINANCING FOR AMERICAN EMPLOYERS ACT
Sec. 801. Rules of construction relating to collateralized loan obligations.
TITLE IX—SBIC ADVISERS RELIEF ACT
Sec. 901. Advisers of SBICs and venture capital funds.
Sec. 902. Advisers of SBICs and private funds.
Sec. 903. Relationship to State law.
TITLE X—DISCLOSURE MODERNIZATION AND SIMPLIFICATION ACT
Sec. 1001. Summary page for form 10–K.
Sec. 1002. Improvement of regulation S–K.
Sec. 1003. Study on modernization and simplification of regulation S–K.
TITLE XI—ENCOURAGING EMPLOYEE OWNERSHIP ACT
Sec. 1101. Increased threshold for disclosures relating to compensatory benefit plans.

TITLE I—BUSINESS RISK MITIGATION AND PRICE STABILIZATION ACT

SEC. 101. MARGIN REQUIREMENTS.

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

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

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

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

SEC. 102. IMPLEMENTATION.

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

(1) without regard to—

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

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

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

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

TITLE II—TREATMENT OF AFFILIATE TRANSACTIONS

SEC. 201. TREATMENT OF AFFILIATE TRANSACTIONS.

(a) IN GENERAL.—

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

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

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

''(A) IN GENERAL.—An affiliate of a person that qualifies for an exception under paragraph (1) (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate enters into the security-based swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, provided that if the hedge

or mitigation such commercial risk is addressed by entering into a security-based swap with a security-based swap dealer or major security-based swap participant, an appropriate credit support measure or other mechanism must be utilized.''.

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

TITLE III—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION ACT

SEC. 301. REGISTRATION THRESHOLD FOR SAVINGS AND LOAN HOLDING COMPANIES.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 12(g)—

(A) in paragraph (1)(B), by inserting after ''is a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(B) in paragraph (4), by inserting after ''case of a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(2) in section 15(d), by striking ''case of bank'' and inserting the following: ''case of a bank, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''.

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

SEC. 401. REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.

Section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)) is amended by adding at the end the following:

''(13) REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an M&A broker shall be exempt from registration under this section.

''(B) EXCLUDED ACTIVITIES.—An M&A broker is not exempt from registration under this paragraph if such broker does any of the following:

''(i) Directly or indirectly, in connection with the transfer of ownership of an eligible privately held company, receives, holds, transmits, or has custody of the funds or securities to be exchanged by the parties to the transaction.

''(ii) Engages on behalf of an issuer in a public offering of any class of securities that is registered, or is required to be registered, with the Commission under section 12 or with respect to which the issuer files, or is required to file, periodic information, documents, and reports under subsection (d).

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit any other authority of the Commission to exempt any person, or any class of persons, from any provision of this title, or from any provision of any rule or regulation thereunder.

''(D) DEFINITIONS.—In this paragraph:

''(i) CONTROL.—The term 'control' means the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. There is a presumption of control for any person who—

''(I) is a director, general partner, member or manager of a limited liability company, or officer exercising executive responsibility (or has similar status or functions);

''(II) has the right to vote 20 percent or more of a class of voting securities or the power to sell or direct the sale of 20 percent or more of a class of voting securities; or

''(III) in the case of a partnership or limited liability company, has the right to receive upon dissolution, or has contributed, 20 percent or more of the capital.

''(ii) ELIGIBLE PRIVATELY HELD COMPANY.—The term 'eligible privately held company' means a company that meets both of the following conditions:

''(I) The company does not have any class of securities registered, or required to be registered, with the Commission under section 12 or with respect to which the company files, or is required to file, periodic information, documents, and reports under subsection (d).

''(II) In the fiscal year ending immediately before the fiscal year in which the services of the M&A broker are initially engaged with respect to the securities transaction, the company meets either or both of the following conditions (determined in accordance with the historical financial accounting records of the company):

''(aa) The earnings of the company before interest, taxes, depreciation, and amortization are less than $25,000,000.

''(bb) The gross revenues of the company are less than $250,000,000.

''(iii) M&A BROKER.—The term 'M&A broker' means a broker, and any person associated with a broker, engaged in the business of effecting securities transactions solely in connection with the transfer of ownership of an eligible privately held company, regardless of whether the broker acts on behalf of a seller or buyer, through the purchase, sale, exchange, issuance, repurchase, or redemption of, or a business combination involving, securities or assets of the eligible privately held company, if the broker reasonably believes that—

''(I) upon consummation of the transaction, any person acquiring securities or assets of the eligible privately held company, acting alone or in concert, will control and, directly or indirectly, will be active in the management of the eligible privately held company or the business conducted with the assets of the eligible privately held company; and

''(II) if any person is offered securities in exchange for securities or assets of the eligible privately held company, such person will, prior to becoming legally bound to consummate the transaction, receive or have reasonable access to the most recent year-end balance sheet, income statement, statement of changes in financial position, and statement of owner's equity of the issuer of the securities offered in exchange, and, if the financial statements of the issuer are audited, the related report of the independent auditor, a balance sheet dated not more than 120 days before the date of the offer, and information pertaining to the management, business, results of operations for the period covered by the foregoing financial statements, and material loss contingencies of the issuer.

''(E) INFLATION ADJUSTMENT.—

''(i) IN GENERAL.—On the date that is 5 years after the date of the enactment of this paragraph, and every 5 years thereafter, each dollar amount in subparagraph (D)(ii)(II) shall be adjusted by—

''(I) dividing the annual value of the Employment Cost Index For Wages and Salaries, Private Industry Workers (or any successor index), as published by the Bureau of Labor Statistics, for the calendar year preceding the calendar year in which the adjustment is being made by the annual value of such index (or successor) for the calendar year ending December 31, 2014; and

''(II) multiplying such dollar amount by the quotient obtained under subclause (I).

''(ii) ROUNDING.—Each dollar amount determined under clause (i) shall be rounded to the nearest multiple of $100,000.''.

SEC. 402. EFFECTIVE DATE.

This Act and any amendment made by this Act shall take effect on the date that is 90 days after the date of the enactment of this Act.

TITLE V—SWAP DATA REPOSITORY AND CLEARINGHOUSE INDEMNIFICATION CORRECTIONS

SEC. 501. REPEAL OF INDEMNIFICATION REQUIREMENTS.

(a) DERIVATIVES CLEARING ORGANIZATIONS.—Section 5b(k)(5) of the Commodity Exchange Act (7 U.S.C. 7a–1(k)(5)) is amended to read as follows:

''(5) CONFIDENTIALITY AGREEMENT.—Before the Commission may share information with any entity described in paragraph (4), the Commission shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(b) SWAP DATA REPOSITORIES.—Section 21(d) of the Commodity Exchange Act (7 U.S.C. 24a(d)) is amended to read as follows:

''(d) CONFIDENTIALITY AGREEMENT.—Before the swap data repository may share information with any entity described in subsection (c)(7), the swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(c) SECURITY-BASED SWAP DATA REPOSITORIES.—Section 13(n)(5)(H) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(n)(5)(H)) is amended to read as follows:

''(H) CONFIDENTIALITY AGREEMENT.—Before the security-based swap data repository may share information with any entity described in subparagraph (G), the security-based swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided.''.

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect as if enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203) on July 21, 2010.

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

SEC. 601. FILING REQUIREMENT FOR PUBLIC FILING PRIOR TO PUBLIC OFFERING.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is amended by striking ''21 days'' and inserting ''15 days''.

SEC. 602. GRACE PERIOD FOR CHANGE OF STATUS OF EMERGING GROWTH COMPANIES.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is further amended by adding at the end the following: ''An issuer that was an emerging growth company at the time it submitted a confidential registration statement or, in lieu thereof, a publicly filed registration statement for review under this subsection but ceases to be an emerging growth company thereafter shall continue to be treated as an emerging market growth company for the purposes of this subsection through the earlier of the date on which the issuer consummates its initial

public offering pursuant to such registrations statement or the end of the 1-year period beginning on the date the company ceases to be an emerging growth company.''.

SEC. 603. SIMPLIFIED DISCLOSURE REQUIREMENTS FOR EMERGING GROWTH COMPANIES.

Section 102 of the Jumpstart Our Business Startups Act (Public Law 112–106) is amended by adding at the end the following:

''(d) SIMPLIFIED DISCLOSURE REQUIREMENTS.—With respect to an emerging growth company (as such term is defined under section 2 of the Securities Act of 1933):

''(1) REQUIREMENT TO INCLUDE NOTICE ON FORM S–1.—Not later than 30 days after the date of enactment of this subsection, the Securities and Exchange Commission shall revise its general instructions on Form S–1 to indicate that a registration statement filed (or submitted for confidential review) by an issuer prior to an initial public offering may omit financial information for historical periods otherwise required by regulation S–X (17 C.F.R. 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.

''(2) RELIANCE BY ISSUERS.—Effective 30 days after the date of enactment of this subsection, an issuer filing a registration statement (or submitting the statement for confidential review) on Form S–1 may omit financial information for historical periods otherwise required by regulation S–X (17 C.F.R. 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.''.

TITLE VII—SMALL COMPANY DISCLOSURE SIMPLIFICATION ACT

SEC. 701. EXEMPTION FROM XBRL REQUIREMENTS FOR EMERGING GROWTH COMPANIES AND OTHER SMALLER COMPANIES.

(a) EXEMPTION FOR EMERGING GROWTH COMPANIES.—Emerging growth companies are exempted from the requirements to use Extensible Business Reporting Language (XBRL) for financial statements and other periodic reporting required to be filed with the Commission under the securities laws. Such companies may elect to use XBRL for such reporting.

(b) EXEMPTION FOR OTHER SMALLER COMPANIES.—Issuers with total annual gross revenues of less than $250,000,000 are exempt from the requirements to use XBRL for financial statements and other periodic reporting required to be filed with the Commission under the securities laws. Such issuers may elect to use XBRL for such reporting. An exemption under this subsection shall continue in effect until—

(1) the date that is five years after the date of enactment of this Act; or

(2) the date that is two years after a determination by the Commission, by order after conducting the analysis required by section 702, that the benefits of such requirements to such issuers outweigh the costs, but no earlier than three years after enactment of this Act.

(c) MODIFICATIONS TO REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the Commission shall revise its regulations under parts 229, 230, 232, 239, 240, and 249 of title 17, Code of Federal Regulations, to reflect the exemptions set forth in subsections (a) and (b).

SEC. 702. ANALYSIS BY THE SEC.

The Commission shall conduct an analysis of the costs and benefits to issuers described in section 701(b) of the requirements to use XBRL for financial statements and other periodic reporting required to be filed with the Commission under the securities laws. Such analysis shall include an assessment of—

(1) how such costs and benefits may differ from the costs and benefits identified by the Commission in the order relating to interactive data to improve financial reporting (dated January 30, 2009; 74 Fed. Reg. 6776) because of the size of such issuers;

(2) the effects on efficiency, competition, capital formation, and financing and on analyst coverage of such issuers (including any such effects resulting from use of XBRL by investors);

(3) the costs to such issuers of—

(A) submitting data to the Commission in XBRL;

(B) posting data on the website of the issuer in XBRL;

(C) software necessary to prepare, submit, or post data in XBRL; and

(D) any additional consulting services or filing agent services;

(4) the benefits to the Commission in terms of improved ability to monitor securities markets, assess the potential outcomes of regulatory alternatives, and enhance investor participation in corporate governance and promote capital formation; and

(5) the effectiveness of standards in the United States for interactive filing data relative to the standards of international counterparts.

SEC. 703. REPORT TO CONGRESS.

Not later than one year after the date of enactment of this Act, the Commission shall provide the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report regarding—

(1) the progress in implementing XBRL reporting within the Commission;

(2) the use of XBRL data by Commission officials;

(3) the use of XBRL data by investors;

(4) the results of the analysis required by section 702; and

(5) any additional information the Commission considers relevant for increasing transparency, decreasing costs, and increasing efficiency of regulatory filings with the Commission.

SEC. 704. DEFINITIONS.

As used in this title, the terms ''Commission'', ''emerging growth company'', ''issuer'', and ''securities laws'' have the meanings given such terms in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

TITLE VIII—RESTORING PROVEN FINANCING FOR AMERICAN EMPLOYERS ACT

SEC. 801. RULES OF CONSTRUCTION RELATING TO COLLATERALIZED LOAN OBLIGATIONS.

Section 13(c)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1851(c)(2)) is amended—

(1) by striking ''A banking entity or nonbank financial company supervised by the Board'' and inserting the following:

''(A) GENERAL CONFORMANCE PERIOD.—A banking entity or nonbank financial company supervised by the Board''; and

(2) by adding at the end the following:

''(B) CONFORMANCE PERIOD FOR CERTAIN COLLATERALIZED LOAN OBLIGATIONS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a banking entity or nonbank financial company supervised by the Board shall bring its activities related to or investments in a debt security of a collateralized loan obligation issued before January 31, 2014, into compliance with the requirements of subsection (a)(1)(B) and any applicable rules relating to subsection (a)(1)(B) not later than July 21, 2019.

''(ii) COLLATERALIZED LOAN OBLIGATION.—For purposes of this subparagraph, the term 'collateralized loan obligation' means any issuing entity of an asset-backed security, as defined in section 3(a)(77) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(77)), that is comprised primarily of commercial loans.''.

TITLE IX—SBIC ADVISERS RELIEF ACT

SEC. 901. ADVISERS OF SBICS AND VENTURE CAPITAL FUNDS.

Section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l)) is amended—

(1) by striking ''No investment adviser'' and inserting the following:

''(1) IN GENERAL.—No investment adviser''; and

(2) by adding at the end the following:

''(2) ADVISERS OF SBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940).''.

SEC. 902. ADVISERS OF SBICS AND PRIVATE FUNDS.

Section 203(m) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(m)) is amended by adding at the end the following:

''(3) ADVISERS OF SBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940) shall be excluded from the limit set forth in paragraph (1).''.

SEC. 903. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a(b)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(7) of such section, or is a supervised person of such person.''.

TITLE X—DISCLOSURE MODERNIZATION AND SIMPLIFICATION ACT

SEC. 1001. SUMMARY PAGE FOR FORM 10–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue regulations to permit issuers to submit a summary page on form 10–K (17 C.F.R. 249.310), but only if each item on such summary page includes a cross-reference (by electronic link or otherwise) to the material contained in form 10–K to which such item relates.

SEC. 1002. IMPROVEMENT OF REGULATION S–K.

Not later than the end of the 180-day period beginning on the date of the enactment of

this Act, the Securities and Exchange Commission shall take all such actions to revise regulation S–K (17 C.F.R. 229.10 et seq.)—

(1) to further scale or eliminate requirements of regulation S–K, in order to reduce the burden on emerging growth companies, accelerated filers, smaller reporting companies, and other smaller issuers, while still providing all material information to investors;

(2) to eliminate provisions of regulation S–K, required for all issuers, that are duplicative, overlapping, outdated, or unnecessary; and

(3) for which the Commission determines that no further study under section 1003 is necessary to determine the efficacy of such revisions to regulation S–K.

SEC. 1003. STUDY ON MODERNIZATION AND SIMPLIFICATION OF REGULATION S–K.

(a) STUDY.—The Securities and Exchange Commission shall carry out a study of the requirements contained in regulation S–K (17 C.F.R. 229.10 et seq.). Such study shall—

(1) determine how best to modernize and simplify such requirements in a manner that reduces the costs and burdens on issuers while still providing all material information;

(2) emphasize a company by company approach that allows relevant and material information to be disseminated to investors without boilerplate language or static requirements while preserving completeness and comparability of information across registrants; and

(3) evaluate methods of information delivery and presentation and explore methods for discouraging repetition and the disclosure of immaterial information.

(b) CONSULTATION.—In conducting the study required under subsection (a), the Commission shall consult with the Investor Advisory Committee and the Advisory Committee on Small and Emerging Companies.

(c) REPORT.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Commission shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) specific and detailed recommendations on modernizing and simplifying the requirements in regulation S–K in a manner that reduces the costs and burdens on companies while still providing all material information; and

(3) specific and detailed recommendations on ways to improve the readability and navigability of disclosure documents and to discourage repetition and the disclosure of immaterial information.

(d) RULEMAKING.—Not later than the end of the 360-day period beginning on the date that the report is issued to the Congress under subsection (c), the Commission shall issue a proposed rule to implement the recommendations of the report issued under subsection (c).

(e) RULE OF CONSTRUCTION.—Revisions made to regulation S–K by the Commission under section 1002 shall not be construed as satisfying the rulemaking requirements under this section.

TITLE XI—ENCOURAGING EMPLOYEE OWNERSHIP ACT

SEC. 1101. INCREASED THRESHOLD FOR DISCLOSURES RELATING TO COMPENSATORY BENEFIT PLANS.

Not later than 60 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise section 230.701(e) of title 17, Code of Federal Regulations, so as to increase from $5,000,000 to $10,000,000 the aggregate sales price or amount of securities sold during any consecutive 12-month period in excess of which the issuer is required under such section to deliver an additional disclosure to investors. The Commission shall index for inflation such aggregate sales price or amount every 5 years to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, rounding to the nearest $1,000,000.

The SPEAKER pro tempore (Mr. SMITH of Nebraska). Pursuant to House Resolution 27, the gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 37, currently under consideration.

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

There was no objection.

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

Mr. Speaker, for the sake of the American people, for the sake of all of those who are underemployed, who are unemployed still today in this economy, let us hope that the third time is the charm.

The bill that is before us today, substantially authored by the gentleman from Pennsylvania (Mr. FITZPATRICK), the Promoting Job Creation and Reducing Small Business Burdens Act, was on the floor in a substantially identical version in the 113th Congress.

This bill, to ease the burdens on small businesses, on job creators to help foster capital creation, so that people can be put back to work, so that people can have good careers, so that people can pay their mortgages and pay their health care premiums, substantially in the same form passed in the last Congress 320–102; regrettably then, the United States Senate, under Democrat control, took up no portion of the bill.

It was last week that a slightly different version of the bill was brought to this House floor under what we know as our suspension calendar, which is reserved for bills that typically enjoy broad bipartisan support; regrettably, it proved to be about a dozen votes short because a number of my friends from the other side of the aisle apparently decided that they were for the bill before they were against the bill. They changed their minds in approximately 7 days.

Now, Mr. Speaker, this is a very simple bill. There were 11 different modest provisions, all of which enjoyed broad bipartisan support, again which were modest, modest attempts to ensure that small businesses could still survive in an otherwise onerous Washington regulatory climate.

Mr. Speaker, we had a bill that, even combined—and it is quite common for us to roll up bills for the sake of efficiency, bills that are quite similar in nature—was 30 pages long. Not 300, not 3,000—it wasn't the 2,000 pages of ObamaCare, not the 2,000 pages of Dodd-Frank—it was merely 30 pages.

Now, what is included in this bill? Well, included in this bill is H.R. 634, which passed this body 411–12. It includes H.R. 5471, which passed the House by voice vote, not a dissenting vote that I recall. It includes H.R. 801 that passed the House 417–4. It includes H.R. 2274, the bill that passed the House 422–0.

I could go on and on, but of the bills that are rolled up to ensure greater capital formation and regulatory relief for our smaller business enterprises, all of these passed either the committee or the House with overwhelming bipartisan support, and now—now—the minority is coming to this floor and somehow crying foul. Again, many were for it before they were against it.

I don't know how we can look our constituents in the eyes and know that, even today, they continue to suffer in this economy and not do something to help them.

What this is really all about, Mr. Speaker, is there is a division. There is a division within the Democrat Party. According to press reports, some Democrats have reportedly told their fellow Democrats that if they dare to vote for a bill that makes a clarification or modification to Dodd-Frank, they aren't real Democrats.

It is interesting that yesterday, President Obama signed into law a modification of Dodd-Frank. I know the President is not a Republican, but according to some Democrats, apparently by signing a modification to Dodd-Frank, he is not apparently a Democrat, either, so I am not really sure what he is.

It is fascinating that a former chairman, Barney Frank, of the House Financial Services Committee, one of my predecessors, in previous testimony before our committee, indicated a number of changes to Dodd-Frank that he thought would be proper, so according to some Democrats, apparently Barney Frank is no longer a Democrat, either.

What this is really getting at, Mr. Speaker, is of the 11 bills that are rolled up into this 30-page document, some of them either clarify or modify provisions of Dodd-Frank, and for some Members of the Democratic Party, apparently, Dodd-Frank has now been elevated beyond ideology to religion, and there can be no changes in a 2,000-page bill that we know is fraught with unintended consequences.

Yet there are some on the other side of the aisle that say, ''no changes, no changes,'' yet President Obama signed a change into law. Former Chairman Frank has indicated a number of changes he would consider.

It is time to get beyond the religion. It is time to get beyond the ideology. It is time to get America back to work. It is time to start growing this economy

from Main Street up, not Washington down, because that is not working, Mr. Speaker.

It is time to do what everybody claims they want to do, and that is work on a bipartisan basis. All of these bills passed with overwhelming bipartisan majorities, and now, because of this almost religious zeal for the Dodd-Frank brand, again, some of my Democratic colleagues have decided that they were for it before they were against it.

It is time to put America back to work. It is time to enact H.R. 37, Promoting Job Creation and Reducing Small Business Burdens Act. Let's make sure the third time is the charm.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if at first you don't succeed, try, try again. Usually, we tell that saying to children to encourage them to achieve greater things, but it seems that when it comes to Congress, it is what Wall Street keeps telling House Republicans.

Mr. Speaker, Republicans thought they could sneak this bill by last week through a fast-track process on the House floor, a process with limited debate and no opportunity for amendments. They thought they could ram through this gift to a handful of the biggest Wall Street banks on just the 2nd day of this new Congress right after we had reconvened.

Well, the American people were watching, and the Democrats here in the House told them ''no.'' The Republican bill failed. Now, here they are; they are at it again. Now, H.R. 37 is back on the floor again, without the opportunity to amend it and with limited debate.

□ 2015

The only difference is that Republicans have reduced how many votes are needed to guarantee passage. That's right. Rather than fix the bill to win broad support, Republicans just changed the rule to make sure the tainted bill passes.

And what does this bill do? Well, for one, it takes a part of Wall Street reform's Volcker rule and delays it for yet another 2 years. Remember that the Volcker rule is the part of Dodd-Frank that stops government-supported banks from gambling with bank depositors' money. And this extra 2-year delay comes on top of a 3-year delay that our regulators carefully crafted to ease the megabanks' transition.

This particular part of the law that Republicans want to see delayed applies to what are known as collateralized loan obligations, or CLOs. CLOs are bundles of leveraged loans, loans often issued by private equity firms to facilitate corporate buyouts that can harm American jobs. The loans are sliced and diced into packages and sold off to investors, including banks that hold customers' deposits. The packages often also contain credit default swaps or other derivatives that can make the position even riskier.

Somehow, Wall Street bankers—the supposedly smartest people in the room—can't seem to comply with a law passed in 2010 by—that's right—2017. Seven long years isn't enough. The Republicans and the banks want nearly a decade.

In addition to that, the Republican bill wouldn't just let the banks hold on to these CLOs. The bill would let the banks accumulate new CLOs also. That's right. The banks could actively trade in and out of these investments, unlike the rules carefully crafted by the Federal Reserve.

We saw the Republican playbook at the end of last year with the so-called swaps push-out rule. They hope they can jam these bills through Congress by attaching them to must-pass legislation. And most of all, they hope these issues are way too complicated or too technical for the American people to understand or care about. But the American people really do understand. They remember how our economy was nearly brought to its knees in 2008, and they recognize that we can't let Wall Street slowly chip away at reforms designed to prevent that kind of large-scale financial crisis from happening again.

And President Obama gets it, too. That is why the White House said he would veto this legislation if it got to his desk. And so one cannot help but wonder why are we here on the floor after 8 o'clock in the evening with an attempt to push through something that was jammed into a package of bills? Many of those bills had been heard either in committee or on the floor, but one portion of this bill had not. And so is this simply an attempt to ram down one segment that they fear real debate on, ram it down the throats of the Members of this Legislature and the citizens of this country, hiding it in this package, hoping that we won't get it?

What is worse is that this legislation has been brought to the floor without regard for any regular order. The nine new members on the Financial Services Committee will not get a chance to hear testimony on it at all. And in just the 2nd week of their term, 52 new Members of the House are expected to vote on it, having complicated deregulation shoved down their throats. Democrats offered 13 amendments, one of them bipartisan, but none of these amendments will be considered or debated. Why? Because my colleagues on the other side are not interested in legislation but, rather, in political theater.

We cannot let this casual disregard for the legislative process stand. We want to see reforms sensibly implemented. We want to work with regulators to get the rules right, and we want our largest banks to stop gambling and go back to facilitating growth in the real economy. But that is difficult to do when my Republican counterparts continue pushing legislation that masquerades as technical fixes but really makes substantive changes to the Dodd-Frank reform law. And then they package completely reckless legislation with other provisions that are either necessary or sensible.

Democrats know better, President Obama knows better, and the American people know better. So I would urge my colleagues to vote ''no'' on this bill.

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

Mr. HENSARLING. Mr. Speaker, I yield myself 20 seconds to say that this highly controversial bill that the ranking member alludes to passed on the House floor by voice vote, and this particular financing helps companies like Dunkin' Donuts, American Airlines, Burger King, and Goodyear Tire put people to work in America—hardly Wall Street. The head of the Independent Community Bankers has said it is necessary to protect community banks, and that is why we are here today.

Mr. Speaker, I am now happy to yield 3 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT) on behalf of the Agriculture Committee, which shares jurisdiction on this bill.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise in support of H.R. 37, the Promoting Job Creation and Reducing Small Business Burdens Act. As chairman of the Agriculture Subcommittee on Commodity Exchanges, Energy and Credit, I specifically want to highlight and voice my support for the past work of the Agriculture Committee on the three titles of this bill that we worked on.

First of all, title I of this bill, the Business Risk Mitigation and Price Stabilization Act, will provide much-needed relief to American farmers, businesses, and job creators who rely on derivatives to manage the risk inherent in the daily operation of their farms and businesses. It will do so by reinforcing congressional intent that those market participants who have been exempted from clearing their trades are also exempted from corresponding margin requirements.

These exemptions make sure that end users do not have to divert working capital to margin requirements, thus keeping those dollars at work in the economy. I am pleased that this provision was included in this package, as well as in the TRIA authorization that was recently approved by both the House and the Senate.

Also under the Ag Committee's jurisdiction is title II of H.R. 37, pertaining to the treatment of interaffiliate transactions. This well-reasoned provision was passed by the Congress multiple times in the 113th Congress and also will prevent the tie-up of working capital. It will do so by ensuring that transactions between affiliates within

a single corporate group are not regulated as swaps.

If such transactions are subject to the same regulations as swaps, companies could be subject to double margin requirements. Since interaffiliate swaps pose no systemic risk to the economy or the marketplace, such redundant regulation would provide no additional risk reduction while substantially raising costs that would ultimately be passed on to the consumers. Title II of H.R. 37 will prevent that misguided regulatory scheme and allow American businesses to continue utilizing their established and efficient centralized trading models.

Finally, the corrections made by title V of H.R. 37 will ensure that regulators and market participants have access to a global set of swap market data.

Dodd-Frank currently requires indemnification agreements from foreign regulators requesting information from U.S. swap data repositories or derivatives clearing organizations. These agreements state that the foreign regulator will abide by certain confidentiality requirements and indemnify the U.S. Commission for any expenses arising from litigation relating to the request for information.

Unfortunately, the concept of indemnification does not exist in many foreign jurisdictions. As such, some foreign regulators cannot agree to these indemnification requirements. This may hinder our ability to make a workable data-sharing arrangement with those regulators and ultimately fragment the marketplace by encouraging them to establish their own data repositories. H.R. 37 narrowly addresses this potential data-sharing problem by simply removing the indemnification requirements from current law. Existing provisions requiring certain confidentiality obligations will remain in place.

Mr. Speaker, I would like to thank Mr. FITZPATRICK for working to include these provisions in today's bill. I strongly encourage my colleagues to support this legislative package aimed at reducing regulatory burdens and promoting economic growth.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I want to thank the gentlewoman for yielding and for her great work on this issue.

Mr. Speaker, I rise in strong opposition to H.R. 37, the so-called Promoting Job Creation and Reducing Small Business Burdens Act.

I served on the Financial Services Committee during the 2008 financial crisis, and I had an opportunity to witness the harmful impact that lack of regulation had on hardworking families around our Nation at a total cost of more than $22 trillion, according to the Government Accountability Office. My constituents—and many of yours—lost their homes, their jobs, and their retirement savings during that period. Many pension funds today continue to suffer and are on the brink of collapse because of the reckless policies that were observed during that time by many of our major banks.

While I voted against the bailout of the Wall Street banks who were rewarded with bonuses as a result of the bailout, I did have the honor of helping to assist in reforming our financial system through the enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act. I regret the bill under consideration today rolls back many of those reforms that my colleagues and I fought so hard to adopt.

I would note that after being defeated last week under a suspension process that offered no opportunity for amendments, this bill now has inexplicably been brought to the House floor under a closed rule that again does not include any of the 14 amendments that were filed with the Rules Committee. At a minimum, a bill that does so much harm to our financial system necessitates the normal committee process and additional time for debate.

H.R. 37 contains 11 separate bills, a few of them which I support, others I strongly oppose. Portions of H.R. 37 have entirely new provisions that the members of the committee and of this Congress have not had the opportunity to thoroughly analyze.

By the way, if you desire a good review of this legislation, in this past Sunday's New York Times there is an article written by Gretchen Morgenson that I think is extremely well-written and goes into great detail beyond the time that I am allocated here tonight.

Title II of this bill would allow banks with commercial business to trade derivatives privately rather than on clearinghouses. This would increase risk and reduce transparency for these transactions. My amendment, which was not accepted, would have improved the provisions by prohibiting systematically important financial institutions, whose collapse would pose a serious risk to our financial system, from claiming the exemption under this title.

Title VIII of this bill includes new language that has not been considered by the Financial Services Committee under regular order. If passed, title VIII would give banks an additional 2 years to comply with the provisions of the Volcker rule that mandates that banks divest collateralized loan obligations—packages of risky debt.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. I yield the gentleman an additional 2 minutes.

Mr. LYNCH. I thank the gentlewoman.

This 2-year extension is in addition to the extension we already provided by the regulation last year. That further delay adds unnecessary risk to our financial system. And that is why I sponsored another amendment to remove this additional 2-year delay, so banks will be required to comply with this provision of the Volcker rule no later than July 21, 2017.

Again, title XI of this bill modifies the SEC rule 701 by allowing private companies to compensate their employees up to $10 million in company securities without having to provide those employees with certain basic financial disclosures about the company stock.

I strongly support employees receiving equity benefits from their firms in which they work, but those benefits should be tangible and real. We all remember Enron and WorldCom where employees were pressured to buy stock as part of their compensation, and at the end of the day, that stock was completely worthless.

Why can't we enable employees to receive some equity in the company in which they work and ensure that those workers get accurate financial disclosure as part of that deal? This is why I offered three amendments to reform title XI in order to make certain workers get accurate information about the equities shares that they are receiving from the companies they work for. Unfortunately, the Rules Committee chose to deny all the amendments to this bill.

In closing, this harmful bill uses the veneer of job creation to provide special treatment for well-connected corporations and financial institutions while doing very little for the workers that it professes to help.

Mr. Speaker, I urge my colleagues to vote ''no'' on this bill, and, again, I thank the gentlewoman for yielding.

[From NYTimes.com, Jan. 10, 2015]

KICKING DODD-FRANK IN THE TEETH

(By Gretchen Morgenson)

The 114th Congress has been at work for less than a week, but a goal for many of its members is already evident: a further rollback of regulations put in place to keep markets and Main Street safe from reckless Wall Street practices.

The attack began with a bill that narrowly failed in a fast-track vote on Wednesday in the House of Representatives. It is scheduled to come up again in the House this week.

The bill, introduced by Representative Michael Fitzpatrick, a Pennsylvania Republican who is a member of the House Financial Services Committee, has three troublesome elements. First, it would let large banks hold on to certain risky securities until 2019, two years longer than currently allowed. It would also prevent the Securities and Exchange Commission from regulating private equity firms that conduct some securities transactions. And, finally, the bill would make derivatives trading less transparent, allowing unseen risks to build up in the system.

Of course, you wouldn't know any of this from the name of the bill: the Promoting Job Creation and Reducing Small Business Burdens Act. Or from the mild claim that the bill was intended only ''to make technical corrections'' to the Dodd-Frank legislation of 2010.

Here's the game plan for lawmakers eager to relax the nation's already accommodating

financial regulations: First, seize on complex and esoteric financial activities that few understand. Then, make supposedly minor tweaks to their governing regulations that actually wind up gutting them.

''We're going to see repeated attempts to go in with seemingly technical changes that intimidate regulators and keep them from putting teeth in regulations,'' predicted Marcus Stanley, policy director at Americans for Financial Reform, a nonpartisan, nonprofit coalition of more than 200 consumer and civic groups across the country. ''If we return to the precrisis business as usual, where it's routine for people to accommodate Wall Street on these technical changes, they're just going to unravel the postcrisis regulation piece by piece. Then, we'll be right back where we started.''

The bill was put forward on the second day of the new Congress, in an expedited process, which didn't allow for debate among members. This process is supposed to be reserved for noncontroversial bills and requires support from a two-thirds majority to prevail. It fell just short of achieving that level, with a vote of 276 to 146, overwhelmingly backed by Republicans and opposed by most Democrats.

A central element of the bill chipped away at part of the Volcker Rule, the regulation intended to reduce speculative trading activities among federally insured banks. The bill would give the institutions holding collateralized loan obligations—bundles of debt—two additional years to sell those stakes.

The sales were required under the Volcker Rule, which bars banks from ownership in or relationships with hedge funds or private equity firms, many of which issue and oversee these instruments. Like the mortgage pools that wreaked such havoc with United States banks in the most recent crisis, C.L.O.s can pose high risks for banks.

The creation of such securities has been torrid recently; $124.1 billion was issued last year, compared with $82.61 billion in 2013, according to S&P Capital IQ. Among the banks with the largest C.L.O. exposures are JPMorgan Chase and Wells Fargo; according to SNL Financial, a research firm, JPMorgan Chase held $30 billion and Wells Fargo $22.5 billion in the third quarter of 2014, the most recent figures available. The next-largest stake—$4.7 billion—was held by the State Street Corporation.

Given the size of these positions, it's not surprising the institutions want more time to jettison them. But the new legislation represents Wall Street's second reprieve on these instruments. After banks objected to the sale of their holdings last spring, the Federal Reserve gave them two years beyond the initial 2015 deadline to get rid of them.

Now they want another two years.

Although the top three banks had unrealized gains in their C.L.O. holdings in the third quarter, SNL said some banks were facing losses. And that was before the collapse in the price of oil, which has undoubtedly pummeled some of these securities.

A second deregulatory aspect in the Fitzpatrick bill relates to the lucrative private equity industry, which remains loosely regulated. The bill would exempt some private equity firms from registering as brokerage firms with the S.E.C. Under securities law, such registration is required of firms that receive fees for investment banking activities, like providing merger advice or selling debt securities.

Private equity firms are typically registered only as investment advisers, so submitting to broker-dealer regulation would result in more frequent examinations and more rules.

These firms don't like that. But their investors could benefit from closer regulatory scrutiny of costly conflicts of interest in these operations. For example, a private equity firm providing merger advice to a company its investors own in a fund portfolio—not an arm's-length transaction—could easily charge more for those services than an unaffiliated firm would.

Finally, the bill's changes in derivatives would reduce transparency and increase risks in this arena by allowing Wall Street firms with commercial businesses like oil and gas or other commodities operations—to trade derivatives privately and not on clearinghouses.

Trading on clearinghouses generates accurate price data that help both banks and regulators value these instruments. Because these clearinghouses perform risk management, problematic positions are easier to spot.

If this change goes through, it will be the second recent victory on derivatives for big banks. Last month, Congress reversed a part of the Dodd-Frank law barring derivatives from being traded in federally insured units of banks. Taxpayers may be on the hook for bailouts, therefore, if losses occur in the banks' derivatives books.

The Dodd-Frank law, as written back in 2010, was by no means a comprehensive fix for a risky banking system. And it is more vulnerable to attack, in part, because of its complexity and design. Dodd-Frank delegated so much rule-making to regulators that it essentially invited the institutions they oversee to fight them every inch of the way.

And when Congress backs the industry in these battles, it's no contest.

Still, it is remarkable to watch the same financial institutions that almost wrecked our nation's economy work to heighten risks in the system.

''The truth about Dodd-Frank is it's pretty moderate and pretty compromised already,'' Mr. Stanley of Americans for Financial Reform said. ''Any further compromise and it tends to collapse into nothingness.''

Which is exactly what Wall Street seems to be hoping for.

□ 2030

Mr. HENSARLING. Mr. Speaker, I yield myself 10 seconds.

I continue to be fascinated by my Democratic colleagues whose rhetoric is against Wall Street, yet they vote in Dodd-Frank to codify a taxpayer bailout fund for Wall Street into that legislation. They designate firms too big to fail so their rhetoric is aimed at Wall Street but they hurt Main Street, who we are trying to help now.

I yield 5 minutes to the gentleman from Kentucky (Mr. BARR), who is the author of the title that helps so many of our small businesses grow.

Mr. BARR. Mr. Speaker, I thank the chairman for his leadership on this important package, and I thank the gentleman from Pennsylvania (Mr. FITZPATRICK) for his leadership, and I rise in strong support of his legislation, H.R. 37, the Promoting Job Creation and Reducing Small Business Burdens Act.

Indeed, this bill is about jobs and it is about economic growth. And it is about jobs on Main Street. Make no mistake about it: essentially the same legislative package passed the House last fall by a bipartisan vote of 320–102. If I may, I want to talk a little bit about title VIII of this legislation, which passed the House last April by voice vote, and it contains language from a bill I introduced in the last Congress, H.R. 4167, the Restoring Proven Financing for American Employers Act.

I worked closely with my colleague across the aisle, Congresswoman MALONEY of New York, to craft sound, commonsense, bipartisan language to clarify the Volcker rule while maintaining its original legislative intent regarding the treatment of collateralized loan obligations.

Now let's just talk a little bit about the Volcker rule and what it does. As currently structured, this rule will substantially disrupt the market for CLOs, a vital source of capital for mid-sized and emerging growth American companies that cannot cost-effectively access the corporate bond market. There are two negative impacts of this rule.

First of all, it will have a serious negative impact on banks, many small- and medium-sized community banks, and it is estimated that banks will have to divest or restructure up to $70 billion of CLO notes under this rule if unchanged.

Second, it will compromise credit availability for American companies that are beneficiaries of this innovative source of credit.

Today, CLOs hold approximately $350 billion of senior secured commercial and industrial loans to some of the most dynamic, job-producing companies in America. One of these companies, Tempur Sealy International, the world's largest manufacturer of mattresses, foundations, pillows, and other bedding products, is headquartered in my district.

So it seems to me that the medicine being prescribed by the Volcker rule, forcing banks to sell billions of dollars of CLO paper in a fire-sale scenario, and the loss of credit availability for a wide range of Main Street businesses, growing companies, job-producing employers would be a far more damaging result to jobs and the economy than the perceived disease, banks ever suffering losses from holding AAA CLO paper, which is fundamentally different and distinguishable from the mortgage-backed securities that led to the run-up to the financial crisis.

It is important to note what this bill does and what this title does, and what it does not do. It doesn't do away with the Volcker rule. If you listened to my colleagues on the other side of the aisle, you would think that we are totally doing away with the Volcker rule. That is not what this does. What it does is it grandfathers legacy CLOs and prevents a fire sale of these CLOs.

So without the adoption of this grandfather provision, the Volcker rule would effectively operate to make illegal certain investments that were perfectly legal and safe when they were made. In other words, the Volcker rule as currently written applies retroactively to CLOs, attaching legal consequences to investment decisions

made by private parties who did not anticipate these consequences at the time the decision was made. Such retroactivity will profoundly and negatively disrupt the plans and settled expectations of CLO investors, and this will create turmoil in the commercial credit market and force banks to sell billions of existing CLO debt. As a result, the cost of financing will increase and access to credit will dry up, and this will reduce liquidity in America's capital markets.

Let me make a point here. Much has been said about Wall Street versus Main Street. This is about Main Street jobs. The U.S. Chamber of Commerce, the Independent Community Bankers Association, and the American Bankers Association all talk about how this will help. Our bill, our fix, will help community banks grow capital and support local economic development and job creation on Main Street.

The Bipartisan Policy Center says that forcing a select group of banks to sell these assets over a short time is not the optimal solution. Such an action would create an environment of institutions forced to sell, and buyers who can purchase CLOs at extraordinarily cheap prices, and this would create unnecessary losses at banks and produce windfall profits for those who can demand to buy them at below market rates.

The CLO provision represents a small and commonsense solution, not a rollback of Dodd-Frank by any means. It keeps the Volcker rule completely intact and simply provides phased-in compliance to banks of all sizes that made sound investment decisions, allowing for a finite universe of well-performing legacy CLOs to be sold or paid off.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HENSARLING. I yield an additional 1 minute to the gentleman.

Mr. BARR. Mr. Speaker, I thank the chairman.

It will keep the Volcker rule completely intact, and simply provide phased-in compliance to banks of all sizes that made sound investment decisions, allowing the finite universe of well-performing legacy CLOs to be sold or paid off over an added 2 years rather than forcing these legacy CLOs into a fire sale.

The proprietary trading ban is retained entirely for all new CLO issuances.

So in conclusion, there has been a lot of talk about deregulation. As for the canard that deregulation was to blame for the financial crisis, that story line has been thoroughly debunked. The crisis was caused by the government's own housing policies, which fostered the creation of 25 million subprime and other low-quality mortgages, almost 50 percent of all the mortgages in the United States that defaulted at unprecedented rates.

In contrast, CLOs were not the root cause of the crisis. CLOs performed very well during the crisis. Regulators have many tools to ensure bank CLOs do not pose financial risks. CLO AAA or AA notes, in fact, have never defaulted. I urge my colleagues to support this commonsense Main Street jobs bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

There are so many inaccuracies in some of the testimony that I am hearing from the opposite side of the aisle that I don't know where to start to try to clear up some of the points that they are attempting to make.

First of all, let me start with this business about how community banks are going to be hurt. This is simply an attempt to hide behind community banks and scare the Members of this body into believing that if they don't support this bill, that somehow their community banks are going to suffer.

The FDIC said that 95 percent of CLOs owned by banks are owned by those with more than $50 billion in assets, with the preponderance owned by Citi, JPMorgan Chase, and Wells Fargo.

Specifically, JPMorgan Chase has $33.5 billion worth of CLOs; Wells Fargo has $24.1 billion worth of CLOs; and Citi has $4.7 billion worth of CLOs.

So what are we talking about when we use this kind of messaging to claim that somehow we are going to hurt these small banks? That is absolutely not true. And I want to tell you, the community banks have not been in the background putting out tremendous sums of money on this lobbying effort. According to The New York Times:

> The current efforts to undermine Dodd-Frank have been textbook lobbying. In the first three quarters of last year, the securities and investment industry spent nearly $74 million on lobbying on 704 registered lobbyists.

So get this picture. We keep seeing attempts by any means necessary from the opposite side of the aisle to push controversial legislation into packaged bills, some of those bills having been supported either in committee or on the floor. It is not enough that they lost when they put this on the suspension calendar. They have come back with a rule that does not allow for any debate, and they are determined to win this by majority vote, even in the face of a veto. Who are they trying to protect?

If it is true that 95 percent of the CLOs owned by banks are owned by those with more than $50 billion in assets, and I told you who has a preponderance, then that is who is being protected. It is the biggest banks in America—Citi, JPMorgan Chase, and Wells Fargo. That is who is being protected. This money I am talking about, $74 million on lobbying 704 lobbyists, these are the big banks spending the money lobbying on this legislation.

And so this business about protecting Main Street, about protecting the small businesses, simply attempts to misguide and mislead, knowing that most folks really don't understand the CLO market, that this legislation, along with many other pieces of legislation, are complicated. Dodd-Frank is an attempt to reform what had gone terribly wrong in this country. We have seen attempt after attempt, probably more than 100 attempts in the Financial Services Committee, to try and undermine Dodd-Frank, to get rid of Dodd-Frank, to break it up piece by piece, and again by any means necessary.

And so if you can answer why all these attempts, why all of this money is being spent, why we're protecting just these three big banks in America, then you can see that this is not about Main Street, this is not about small businesses. This is now about relationships between too many Members of this House and of this Congress with the biggest banks in America, who are determined to destroy Dodd-Frank. And they have tried all of these tactics and they have tried somehow to make people believe that we don't care about this fire sale that we are going to cause the big banks.

Well, let me just say this. No, I don't worry about causing a fire sale of the big banks. I am not here to protect the big banks. I am truly here to protect Main Street and small business entrepreneurs and business people in this country.

Mr. Speaker, I would like to talk further about title VIII and how it does not benefit small businesses. CLOs comprised only of actual loans are exempt from the Volcker rule entirely. We are only talking about CLOs that contain other instruments like credit default swaps, interest rate swaps, commercial paper-backed securities, et cetera.

The Volcker rule will have a minimum impact on the CLO market. Nothing in the rule says that other buyers of CLOs need to stop their purchases. Nonbanks like hedge funds or insurance companies can continue to purchase or trade CLOs. The restriction only affects banks, big banks, which have tremendous access to taxpayer subsidies through the FDIC and the Federal Reserve borrowing window.

Various Wall Street research analysts have said that the market ''shrugged off'' the Volcker rule and that the industry can do just fine moving forward. In fact, 2014 saw record issuances for new, Volcker-compliant CLOs.

Banks will have 5 years, including 3 years worth of extensions, to comply with this provision. The Republicans now want to give them 7 years. Our position is this: enough is enough. Eventually the Volcker rule has to become operational or else Dodd-Frank becomes meaningless.

□ 2045

These CLOs are typically leverage loans. It should buy private equity firms to facilitate corporate buyouts of

large companies. This is more about facilitating private equity than helping Main Street businesses.

For example, leverage buyouts are when a private equity firm pays for a controlling interest in a company by taking out a loan against that company, saddling the company with debt. The aim is to reduce costs, often by firing workers and slashing employee pay and benefits in order to quickly resell the leaner company for a profit. So this isn't about job creation; this is about job destruction.

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

Mr. HENSARLING. Mr. Speaker, at this time, I am very happy to yield 4 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), who is the sponsor of this job-creating legislation.

Mr. FITZPATRICK. Mr. Speaker, I thank the chairman.

It is really hard to believe that a package of bills that comes to the floor which individually passed the House 422–0, another bill passes by voice vote, another bill passes 414–3, have become so controversial—become so controversial why? Because they are about to become law and they should become law. These are smart, technical reforms to an overly burdensome law, Dodd-Frank, that are bipartisan.

All of these bills have Democrat and Republican cosponsors, all of them have gained Democrat and Republican support in the committee and on the floor of the House, and these bills should pass.

I want to thank Chairman HENSARLING for his longstanding leadership in reining in out-of-control Washington regulators that are hurting small business and Main Street lenders.

Mr. Speaker, smart regulations allow the private sector to innovate and create jobs while protecting taxpayers and consumers; however, one-size-fits-all regulations hurt the economy by treating small- and medium-sized companies as if they are large multinational corporations.

No Main Street small business, manufacturer, farmer, or rancher caused the financial crisis; yet they are subject to thousands of new pages of regulations that were supposedly designed for big Wall Street firms. Mr. Speaker, that is not fair.

That is why I have introduced this bill. It is a bipartisan package of commonsense jobs bills that provides regulatory relief to help grow the economy from Main Street up, not from Washington down.

This bill is made up of individual measures that previously passed either the House or the Financial Services Committee with overwhelming bipartisan support during the 113th Congress. It is a recognition of the fact that regulations, no matter how well-intentioned, can be made more targeted and can be made more effective.

More than 400 new regulations imposed on our Nation's small- and medium-sized companies impedes their ability to access the capital needed to grow, innovate, and create jobs. These regulations may have been targeting Wall Street, but their burden falls heavily on Main Street.

That is what this bill seeks to fix. These legislative prescriptions represent serious bipartisan commitments to make our regulatory system more responsive to the needs of the workers and the local businesses that we all represent.

The American people want Republicans and Democrats to work together to strengthen our economy and help the private sector create jobs like only it can. Good-paying jobs and greater opportunities are the foundations of real economic growth, growth that is strong and growth that is sustainable, growth that lifts people up from poverty.

That kind of growth can't come from Washington, and it won't happen unless small business owners, entrepreneurs, and workers have the freedom and the opportunity to use their God-given talents and creativity to earn their success.

Mr. Speaker, there is a lot of talk in this town about bipartisanship and finding middle ground here in our Nation's Capitol; yet, at this very moment, groups on both the far left and the far right stand in the way of even incremental progress by pulling Members of both parties to the extremes.

I know that if things are going to get done in this body, it will be from strong bipartisan support from principled, yet pragmatic, lawmakers willing to put politics to the side and work together for the common good. As someone who seeks out that course, I would like to recognize those Members willing to look past the demagoguery and misinformation in order to support this bill.

I have high hopes that this Congress can restore the faith of our constituents in the legislative process and the role of Congress in strengthening our Main Street economy, and we can start with this bill.

I urge my colleagues to join me in voting ''yes'' on the bill and, in doing so, putting aside bill posturing in favor of bipartisan reforms to get people back to work.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Despite what my colleagues on the opposite side of the aisle have said, this package of bills does not simply constitute a technical set of changes to Dodd-Frank or to our securities laws. In fact, these changes are substantive and the package is widely opposed.

My friends on the opposite side of the aisle keep talking about they are protecting Main Street, but let me recite for you what Main Street is saying about this bill. Let me read for you some highlights of the opposition letters we have received in addition to opposition from President Obama, Secretary Lew, and former Federal Reserve Chair Paul Volcker himself.

Main Street is represented by, number one, Americans for Financial Reform. Americans for Financial Reform says that H.R. 37 ''includes numerous changes that could have significant negative impacts on regulators' ability to police the financial markets, so that they function safely and transparently.''

They go on to oppose title VII of this bill, citing a Wall Street Journal article outlining how regulators are increasingly warning banks about the looser underwriting standard for leverage loans.

Further, representing Main Street, the AFL–CIO says of H.R. 37, that they oppose the bill because it ''would loosen key Dodd-Frank protections wisely put in place after the 2008 financial collapse.''

The Leadership Conference on Civil and Human Rights notes about H.R. 37: ''One lesson of the financial crisis is that deregulation in areas that appear technical and arcane can have significant impacts on the financial system and, thus, on the well-being of ordinary families, particularly in the communities we represent.''

Finally, Public Citizen noted about H.R. 37 that we should not provide more CLO relief because ''the largest banks dominate ownership,'' as I demonstrated a moment ago, ''of CLOs.''

Mr. Speaker, I think we should heed the warning of Main Street, the warning of these groups who truly represent Main Street.

With that, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I am very happy now to yield 1 minute to the gentleman from North Carolina (Mr. PITTENGER), a member of the committee.

Mr. PITTENGER. Mr. Speaker, I thank the leadership and Mr. FITZPATRICK.

Today, I rise in support of H.R. 37, the Promoting Job Creation and Reducing Small Business Burdens Act. We are here, once again, debating simple measures aimed at growing the economy and relieving some of the unnecessary burdens imposed by the Dodd-Frank legislation.

Even Tim Geithner, the former Secretary of the Treasury, stated that the Volcker rule and implications of it being regulated were not material in the demise and harm due to major institutions, rather as a result of extended credit.

This legislation included in this bill is bipartisan, which is why so many of my colleagues already voted in support of it in the 113th Congress and again last week.

This is a jobs bill. The relief we can give to small business today directly impacts their ability to create jobs. For instance, although small companies are at the forefront of technological innovation and job creation, they often face significant obstacles in obtaining capital in the financial markets.

These obstacles are often due to the largest burden that securities regulations, which are typically written for large public companies, place on small companies when they seek to go public.

We need competitive markets that encourage innovation, and we need to a develop regulatory environment that acknowledges the differences between small, private, and start-up companies and well-established public companies.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

There has been a lot of talk about bipartisan support or lack of. There have been a lot of talks about how the Republicans have been able to get Democratic votes and that, somehow, we should be happy, we should be satisfied, and that they really don't understand why it is that we are opposing not only the bill, but the tactics that have been used in several attempts to pass legislation with controversial bills tucked into the big package.

Let me give you a summary of amendments that Republicans refuse to consider as we have attempted to work with them.

Mr. ELLISON and Mr. ISSA offered a bipartisan amendment to strike title VII of the bill, so that all public companies will have to report their financial statements in a computer-readable format. Mr. SHERMAN and Ms. KUSTER both offered amendments striking the CLO title.

In a similar vein, because Republicans refuse to hold debate on the CLO title, Mr. KILDEE and Mr. CAPUANO offered an amendment to require the regulators to first determine that such a delay was, indeed, in the public interest.

Mr. LYNCH also proposed to revise the delay from 2019 to a date we previously considered and approved in the House, 2017. This revised date is one that we had thoroughly considered in the House. We never considered in the House an extension for 2 more years to 2019.

In an effort to prevent the spread of systemic threats, Mr. LYNCH proposed that an affiliate of a financial institution, whose failure could pose a systemic risk to our economy, should be required to clear its derivatives.

Mr. LYNCH raised a concern that companies, like GE Capital, might be able to take large bets in one part of their company, but receive relief from rules intended to mitigate those risks in another. Mr. LYNCH also offered three amendments on title XI, all intended to ensure that employees understand their compensation.

Elsewhere in the bill, Mr. CAPUANO offered an amendment to title X, requiring companies to disclose political campaign contributions. In the same title, Mr. ELLISON required the SEC to finalize its Dodd-Frank rules related to executive compensation data within 60 days.

Mr. GRIJALVA proposed an amendment to restore the swaps push-out provision that Republicans eliminated by attaching it to the CR/Omnibus last month. Mr. ELLISON and Mr. GRIJALVA also proposed a substitute amendment to focus this Congress on something that would help our economy, ending budget sequestration.

Finally, I propose that we find a way to pay for part of the budget of the cash-strapped SEC by imposing a user fee on investment advisers. This is a commonsense proposal that has been supported by investment advisers, investment advocates, former Republican Chairman Spencer Bachus, SEC Chair White, and the State securities regulators.

Despite the fact that the SEC can only examine an adviser on average once a decade, our committee didn't even consider this issue last Congress.

That is an effort, Mr. Speaker and Members, to show that we have attempted to work with the opposite side of the aisle. We have attempted to offer commonsense amendments that have been absolutely rejected without any consideration being given to them.

We find ourselves here on the floor at 9 this evening, attempting to debate a bill that is going nowhere, that has been issued by the President, a veto message. We are here debating again about whether or not we are putting our taxpayers and Main Street and our small businesses at risk, going back to some of the same tactics, some of the same ways that were used by the banks that brought us to the point of a recession, almost a depression.

Somehow in this short period of time, we have forgotten what happened in 2008, we have forgotten about how many businesses were destroyed, small businesses were destroyed, we have forgotten how many elderly folks lost money in their 401(k)'s, we have forgotten how many homes were foreclosed on, we have forgotten about how we brought this country to the brink of a disaster.

□ 2100

And so let me just say that Dodd-Frank is an attempt for reform. And it is not even a tough reform. As a matter of fact, many of us consider it rather mild. But we have on this side of the aisle been fighting day in and day out in our committee to try and just see the implementation of Dodd-Frank rather than the destruction of an attempt to reform an industry that caused great harm to this society.

And so with that, Mr. Speaker, I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I now yield 2½ minutes to the gentleman from Wisconsin (Mr. DUFFY), the chairman of our Oversight and Investigations Subcommittee.

Mr. DUFFY. Mr. Speaker, I listened to the ranking member talk about this bill tonight and you would think the sky is falling if this CLO portion of our package is passed. The problem with that argument is that 53 of the Democrats on the Financial Services Committee, with Republicans, voted to pass this package last year. Only three Democrats dissented—only three. Then it passed this House floor by a voice vote.

If this bill was so disastrous for the American economy, I would ask my good friend across the aisle: At 9 o'clock on a Tuesday night where Members of Congress have nothing going on, where are the Democrats? Where is the outrage with this package?

There is only one. There is only one, because many Democrats in the last Congress voted for this bill because they agreed with it. It didn't get anywhere because it fell into HARRY REID's trash bin.

The Volcker rule directed under Dodd-Frank was supposed to stop big banks from using insured customer funds to engage in risky investments. CLOs had a default rate of less than one-half of 1 percent. These are safe. This wasn't the cause of the financial crisis. The cause was Fannie and Freddie securitizing loans that had no documentation, no verification of income, and subprime mortgages. In Dodd-Frank, the root cause of the financial crisis wasn't addressed because Fannie and Freddie weren't even brought up.

When we talk about Dodd-Frank, the ranking member is so concerned about Dodd-Frank being chipped away, but the CLO issue wasn't even in Dodd-Frank. Section 619 of Dodd-Frank states:

> Nothing in this section shall be construed to limit or restrict the ability of a banking entity or nonbank financial company supervised by the Federal Reserve Board to sell or securitize loans in a manner otherwise permitted by law.

CLOs were excluded in Dodd-Frank, which the ranking member voted for. But not only that, in the first proposal of the Volcker rule, CLOs weren't even included.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman an additional 10 seconds.

Mr. DUFFY. They were not included. It was only in the final rule that we realized that CLOs were so dangerous.

This is a political ploy. Join the American people, join common sense, and join some of your fellow Democrats. Let's support this reform package.

Mr. HENSARLING. Mr. Speaker, I am now happy to yield 2½ minutes to the gentleman from Michigan (Mr. HUIZENGA), chairman of the Monetary Policy Trade Subcommittee.

Mr. HUIZENGA of Michigan. Mr. Speaker, I, too, share my friend from Wisconsin's frustration at this. This is sort of like saying we are going to have a cookie that is getting baked here on the House floor and our friends across the aisle approve of the eggs, they approve of the butter, they approve of the sugar, and they approve of the chocolate clips, but they don't want the final

product. I am confused as to why we cannot put all these ingredients together and get this done finally. The American people are begging us to get this work done. That is why I rise today, Mr. Speaker: to support H.R. 37.

Part of that bill has my bill from the last Congress, H.R. 2274. Excessive and unnecessary regulations have been hurting our economy, increasing costs to consumers and investors, reducing wage growth, and restricting access to private sector capital that our Nation's job creators need in order to grow the economy and create jobs.

This unanimously passed bipartisan legislation is a compilation of commonsense regulatory relief bills that have been carefully crafted to help grow the economy for Main Street and not from Washington, D.C. My bill actually is part of that.

Eleven of these bills have previously been passed by this very body or at the Financial Services Committee with overwhelming bipartisan support. In fact, my bill idea came not from anybody on Wall Street, not from anybody in Washington, D.C., but from a mergers and acquisitions lawyer back in my district in Grand Rapids, Michigan, who said: We've been struggling with this problem and we need some help because we cannot get the SEC to move on this.

So that is why I put together the Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act, and this has been kindly rolled into this larger package.

It has been estimated that approximately $10 trillion of privately owned, small family-owned-type businesses will be sold or, worse yet, closed in the coming years as baby boomers retire. I don't think any of us would think that that is a good thing. Mergers and acquisitions brokers play a critical role in facilitating the transfer of these smaller privately held companies. Who benefits? Small communities and the workers that they employ and that live in those areas. This bipartisan provision would create a simplified system for brokers performing services in connection with the transfer of ownership of these smaller privately held companies.

In today's highly charged political environment, however, it is hard because it would be nice to show the American people that we have positive, effective initiatives that should be passed.

Mr. HENSARLING. Mr. Speaker, I am now very happy to yield 1½ minutes to the gentleman from the ''Live Free or Die'' State of New Hampshire (Mr. GUINTA), a member of the committee.

Mr. GUINTA. Thank you, Mr. Chairman, for yielding.

Mr. Speaker, I am happy to rise today in support of, and as a cosponsor of, H.R. 37.

Mr. Speaker, back in April 2012, President Obama signed into law the JOBS Act, a bipartisan piece of legislation which makes it easier for small companies, small businesses, to access capital markets by easing the burden of certain securities regulations.

Despite its sweeping scope, the Dodd-Frank Act does little to spur the type of capital formation that is essential for any real and lasting economic recovery to take hold in our Nation. Without access to capital, business slows, and without regulatory certainty, capital disappears.

A small company should not be subject to the same regulatory demands and requirements that a Fortune 500 company is required to meet. That is why H.R. 37 follows on the success of the bipartisan JOBS Act and continues the Financial Services Committee's extensive examination of finding bipartisan solutions.

This package includes 10 pieces of legislation that my friend from California, the ranking member, supported and endorsed and voted for in the past. We need to make it easier for small companies to access public and private markets so that they can grow, hire, and provide greater economic opportunities for our citizens.

Contrary to this rhetoric we hear this evening, H.R. 37 is not a massive repeal of Dodd-Frank. It is a bill that recognizes Dodd-Frank is not perfect. It is a bill that recognizes market disruptions are not a smart result.

Mr. HENSARLING. Mr. Speaker, I am now happy to yield 1½ minutes to the gentleman from Arizona (Mr. SCHWEIKERT), a member of the committee.

Mr. SCHWEIKERT. Mr. Speaker, I will try to speak fast. I have missed all of you in my couple years' absence.

Have you ever had a moment where you are heading towards the microphone and you are starting to wonder if some of the debate you have been just listening to is a little bit tongue-in-cheek?

Can we do a quick explanation of CLOs, these collateralized loans? It is commercial paper. That is what the vast majority of it is. It has been around for a very long time.

Now, here is the absurdity that is coming in. If I have commercial paper that is made up of marginal loans, 2 years from now the bank continues to get to own that. But if that paper, that collateralized managed debt actually has a covenant in it that, if something goes wrong, I get to reach in and grab some of the equity of the company, all of a sudden they can't hold that. So the more secure CLOs you don't get to own in 2 years; the more marginal you do get to keep on the banks' books.

This is, first, absurd. But it is perfectly rational to say: Look, why don't we take this part that expires in 2 years and push it out 2 more years so there can be an orderly unwinding of a fairly absurd rule? But the rule is the rule.

So a lot of this debate around the CLOs, I am sorry, it is great hyperbole, but it has almost nothing to do with what the actual product does. And understand, over the last 20 years, CLOs that were AA or higher, not a single instrument went bad.

Mr. HENSARLING. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has three-quarters of a minute remaining.

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

Mr. Speaker, what we have really witnessed here is a debate between the left and the far left, and the far left doesn't want the left to work on a bipartisan basis. That is sad. I think that is what the American people want us to do. The American people, by and large, don't want to occupy Wall Street. They just want to quit bailing it out, and bailing it out is exactly what the Dodd-Frank Act does. It is time to grow this economy from Main Street up, not Washington down, and that is what the big debate is.

Almost every bill here, Mr. Speaker, is a modest bill to help small businesses, to help capital formation to put America back to work. They passed on an overwhelmingly bipartisan basis.

Let's show the American people that we can do it. Don't let the far left torpedo America's hopes and dreams. I encourage all the House Members to support this legislation.

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

Mr. CONAWAY. Mr. Speaker, I rise again today in support of H.R. 37, the Promoting Job Creation and Reducing Small Business Burdens Act. I am especially proud of, and would like to highlight, the work of the Agriculture Committee on the titles of this bill under its jurisdiction—the Business Risk Mitigation and Price Stabilization Act, a provision on the Treatment of Affiliate Transactions, and a provision regarding Swap Data Repository and Clearinghouse Indemnification Corrections.

MARGIN REQUIREMENTS

I am pleased that the Business Risk Mitigation and Price Stabilization Act was included as Title I of this bill, and even more so, that this provision was already approved by both chambers as a part of TRIA reauthorization. This Title puts in statute important protections for American businesses. To grow our economy, businesses should use their scarce capital to buy new equipment, hire more workers, build new facilities, and invest in the future. They cannot do that if they are required to hold money in margin accounts to fulfill a misguided regulation.

INTER-AFFILIATE TRANSACTIONS

Title II of H.R. 37, regarding the Treatment of Inter-Affiliate Transactions, was passed by the House multiple times in the 113th Congress and will also provide additional certainty to American business. It will do so by preventing the redundant regulation of harmless inter-affiliate transactions that would unnecessarily tie up the working capital of companies with no added protections for the market, or benefits to consumers.

Today, businesses across the nation rely on the ability to centralize their hedging activities. This consolidation of a hedging portfolio across a corporate group allows businesses to reduce costs, simplify their financial dealings, and to reduce their counterparty credit risk.

Title II of H.R. 37 will allow American businesses to continue utilizing this efficient, time-tested business model.

INDEMNIFICATION REQUIREMENTS

Finally, Title V of H.R. 37 makes much needed corrections to the swap data repository and clearinghouse indemnification requirements in Dodd-Frank.

Currently, Dodd-Frank requires a foreign regulator requesting information from a U.S. swap data repository or derivatives clearing organization to provide a written agreement stating that it will abide by certain confidentiality requirements, and will indemnify the U.S. Commissions for any expenses arising from litigation relating to the request for information.

However, while the concept of indemnification is well-established within U.S. tort law, it does not exist in many foreign jurisdictions, making it impossible for some foreign regulators to agree to these indemnification requirements. This threatens to make data sharing arrangements with foreign regulators unworkable.

H.R. 37 mitigates the problem by simply removing the indemnification provisions in Dodd-Frank. However, the required written agreement mandating certain confidentiality obligations is left in place. So rather than stripping down Dodd-Frank, as we are so often accused, this change will actually serve to enhance market transparency and risk mitigation, by ensuring that that regulators and market participants have access to a global set of swap market data.

As Chairman of the House Committee on Agriculture, and as a cosponsor of each of these bills in the 113th Congress, I appreciate Mr. FITZPATRICK's work to bring these provisions together in a package that reduces regulatory burdens and promotes economic growth. I strongly urge my colleagues to support the legislation.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, January 13, 2014.

MR. SPEAKER: I am pleased to see three bills that the House Committee on Agriculture passed in the 113th Congress included as Titles I, II, and V of H.R. 37, ''Promoting Job Creation and Reducing Small Business Burdens Act.''

H.R. 634, H.R. 5471, and H.R. 742, which were also included as Subtitles A, B, and C of Title III of H.R. 4413, ''Customer Protection and End-User Relief Act,'' from the 113th Congress provide an important protections to end-users from costly margining requirements and needless regulatory burdens; as well as correct an unworkable provision in Dodd-Frank which required foreign regulators to break their local laws in order to access the market data they needed to enforce their laws.

In support of these titles, I would like to request that the pertinent portions of the Committee on Agriculture report to accompany H.R. 4413 in the 113th Congress be included in the appropriate place in the Congressional Record.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

TITLE 3—END-USER RELIEF

SUBTITLE A—END-USER EXEMPTION FROM MARGIN REQUIREMENTS

Section 311—End-user margin requirements

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

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

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

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

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

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

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

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

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

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

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

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

On May 21, 2013, at a hearing entitled ''The Future of the CFTC: Market Perspectives,''

Mr. Stephen O'Connor, Chairman, ISDA, provided the following testimony with respect to provisions included in Section 311:

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

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

SUBTITLE B—INTER-AFFILIATE SWAPS

Sec. 321—Treatment of affiliate transactions

''Inter-affiliate'' swaps are contracts executed between entities under common corporate ownership. Section 321 would amend the Commodity Exchange Act to provide an exemption for inter-affiliate swaps from the clearing and execution requirements of the Dodd-Frank Act so long as the swap transaction hedges or mitigates the commercial risk of an entity that is not a financial entity. The section also requires that an ''appropriate credit support measure or other mechanism'' be utilized between the entity seeking to hedge against commercial risk if it transacts with a swap dealer or major swap participant, but this credit support measure requirement is effective prospectively from the date H.R. 4413 is enacted into law.

Importantly, with respect to Section 321's use of the phrase ''credit support measure or other mechanism,'' the Committee unequivocally does not intend for the CFTC to interpret this statutory language as a mandate to require initial or variation margin for swap transactions. The Committee intends for the CFTC to recognize that credit support measures and other mechanisms have been in use between counterparties and affiliates engaged in swap transactions for many years in different formats, and therefore, there is no need to engage in a rulemaking to define such broad terminology.

Section 321 originated from the need to provide relief for a parent company that has multiple affiliates within a single corporate group. Individually, these affiliates may seek to offset their business risks through swaps. However, rather than having each affiliate separately go to the market to engage in a swap with a dealer counterparty, many companies will employ a business model in which only a single or limited number of entities, such as a treasury hedging center, face swap dealers. These designated external facing entities will then allocate the transaction and its risk mitigating benefits to the affiliate seeking to mitigate its underlying risk.

Companies that use this business model argue that it reduces the overall credit risk a corporate group poses to the market because they can net their positions across affiliates, reducing the number of external facing transactions overall. In addition, it permits a company to enhance its efficiency by centralizing its risk management expertise in a single or limited number of affiliates.

Should these inter-affiliate transactions be treated as all other swaps, they could be subject to clearing, execution and margin requirements. Companies that use inter-affiliate swaps are concerned that this could substantially increase their costs, without any real reduction in risk in light of the fact that these swaps are purely for internal use. For example, these swaps could be ''double-margined''—when the centralized entity faces an external swap dealer, and then again when the same transaction is allocated internally to the affiliate that sought to hedge the risk.

The uncertainty that exists regarding the treatment of inter-affiliate swaps spans multiple rulemakings that have been proposed or that will be proposed pursuant to the Dodd-Frank Act. Section 321 provides certainty and clarity as to what inter-affiliate transactions are and how they are not to be regulated as swaps when the parties to the transaction are under common control.

On March, 14, 2013, at a hearing entitled ''Examining Legislative Improvements to Title VII of the Dodd-Frank Act,'' the following testimony was provided with respect to efforts to address the problem with inter-affiliate swaps:

[I]nter-affiliate swaps provide important benefits to corporate groups by enabling centralized management of market, liquidity, capital and other risks inherent in their businesses and allowing these groups to realize hedging efficiencies. Since the swaps are between affiliates, rather than with external counterparties, they pose no systemic risk and therefore there are no significant gains to be achieved by requiring them to be cleared or subjecting them to margin posting requirements. In addition, these swaps are not market transactions and, as a result, requiring market participants to report them or trade them on an exchange or swap execution facility provides no transparency benefits to the market—if anything, it would introduce useless noise that would make Dodd-Frank's transparency rules less helpful.—Hon. Kenneth E. Bentsen, Acting President and CEO, SIFMA

This legislation would ensure that inter-affiliate derivatives trades, which take place between affiliated entities within a corporate group, do not face the same demanding regulatory requirements as market-facing swaps. The legislation would also ensure that end-users are not penalized for using central hedging centers to manage their commercial risk. There are two serious problems facing end-users that need addressing. First, under the CFTC's proposed inter-affiliate swap rule, financial end-users would have to clear purely internal trades between affiliates unless they posted variation margin between the affiliates or met specific requirements for an exception [i]f these end-users have to post variation margin, there is little point to exempting inter-affiliate trades from clearing requirements, as the costs could be similar. And let's not forget the larger point—internal end-user trades do not create systemic risk and, hence, should not be regulated the same as those trades that do. Second, many end-users—approximately one-quarter of those we surveyed—execute swaps through an affiliate. This of course makes sense, as many companies find it more efficient to manage their risk centrally, to have one affiliate trading in the open market, instead of dozens or hundreds of affiliates making trades in an uncoordinated fashion. Using this type of hedging unit centralizes expertise, allows companies to reduce the number of trades with the street and improves pricing. These advantages led me to centralize the treasury function at Westinghouse while I was there. However, the regulators' interpretation of the Dodd-Frank Act confronts nonfinancial end-users with a choice: either dismantle their central hedging centers and find a new way to manage risk, or clear all of their trades. Stated another way, this problem threatens to deny the end-user clearing exception to those end-users who have chosen to hedge their risk in an efficient, highly-effective and risk-reducing way. It is difficult to believe that this is the result Congress hoped to achieve.—Ms. Marie N. Hollein, C.T.P., President and CEO, Financial Executives International, on behalf of the Coalition for Derivatives End-Users.

SUBTITLE C—INDEMNIFICATION REQUIREMENTS RELATED TO SWAP DATA REPOSITORIES

Section 331—Indemnification requirements

Section 331 strikes the indemnification requirements found in Sections 725 and 728 of the Dodd-Frank Act related to swap data gathered by swap data repositories (SDRs) and derivatives clearing organizations (DCOs). The section does maintain, however, that before an SDR, DCO, or the CFTC shares information with domestic or international regulators, they have to receive a written agreement stating that the regulator will abide by certain confidentiality agreements.

Swap data repositories serve as electronic warehouses for data and information regarding swap transactions. Historically, SDRs have regularly shared information with foreign regulators as a means to cooperate, exchange views and share information related to OTC derivatives CCPs and trade repositories. Prior to Dodd-Frank, international guidelines required regulators to maintain the confidentiality of information obtained from SDRs, which facilitated global information sharing that is critical to international regulators' ability to monitor for systemic risk.

Under Sections 725 and 728 of the Dodd-Frank Act, when a foreign regulator requests information from a U.S. registered SDR or DCO, the SDR or DCO is required to receive a written agreement from the foreign regulator stating that it will abide by certain confidentiality requirements and will ''indemnify'' the Commissions for any expenses arising from litigation relating to the request for information. In short, the concept of ''indemnification''—requiring a party to contractually agree to pay for another party's possible litigation expenses—is only well established in U.S. tort law, and does not exist in practice or in legal concept in foreign jurisdictions.

These indemnification provisions—which were not included in the financial reform bill passed by the House of Representatives in December 2009—threaten to make data sharing arrangements with foreign regulators unworkable. Foreign regulators will most likely refuse to indemnify U.S. regulators for

litigation expenses in exchange for access to data. As a result, foreign regulators may establish their own data repositories and clearing organizations to ensure they have access to data they need to perform their supervisory duties. This would lead to the creation of multiple databases, needlessly duplicative data collection efforts, and the possibility of inconsistent or incomplete data being collected and maintained across multiple jurisdictions.

In testimony before the House Committee on Financial Services in March of 2012, the then-Director of International Affairs for the SEC, Mr. Ethiopis Tafara endorsed a legislative solution to the problem, stating that:

The SEC recommends that Congress consider removing the indemnification requirement added by the Dodd-Frank Act . . . the indemnification requirement interferes with access to essential information, including information about the cross-border OTC derivatives markets. In removing the indemnification requirement, Congress would assist the SEC, as well as other U.S. regulators, in securing the access it needs to data held in global trade repositories. Removing the indemnification requirement would address a significant issue of contention with our foreign counterparts . . .

At the same hearing, the then-General Counsel for the CFTC, Mr. Dan Berkovitz, acknowledged that they too have received growing concerns from foreign regulators, but that they intend to issue interpretive guidance, stating that ''access to swap data reported to a trade repository that is registered with the CFTC will not be subject to the indemnification provisions of the Commodity Exchange Act if such trade repository is regulated pursuant to foreign law and the applicable requested data is reported to the trade repository pursuant to foreign law.''

To provide clarity to the marketplace and remove any legal barriers to swap data being easily shared with various domestic and foreign regulatory agencies, this section would remove the indemnification requirements found in Sections 725 and 728 of the Dodd-Frank Act related to swap data gathered by SDRs and DCOs.

On March, 14, 2013, at a hearing entitled ''Examining Legislative Improvements to Title VII of the Dodd-Frank Act,'' Mr. Larry Thompson, Managing Director and General Counsel, the Depository Trust and Clearing Corporation, provided the following testimony with respect to provisions of H.R. 742, which were included in Section 331:

The Swap Data Repository and Clearinghouse Indemnification Correction Act of 2013 would make U.S. law consistent with existing international standards by removing the indemnification provisions from sections 728 and 763 of Dodd-Frank. DTCC strongly supports this legislation, which we believe represents the only viable solution to the unintended consequences of indemnification. H.R. 742 is necessary because the statutory language in Dodd-Frank leaves little room for regulators to act without U.S. Congressional intervention. This point was reinforced in the CFTC/SEC January 2012 Joint Report on International Swap Regulation, which noted that the Commissions ''are working to develop solutions that provide access to foreign regulators in a manner consistent with the DFA and to ensure access to foreign-based information.'' It indicates legislation is needed, saying that ''Congress may determine that a legislative amendment to the indemnification provision is appropriate.'' H.R. 742 would send a clear message to the international community that the United States is strongly committed to global data sharing and determined to avoid fragmenting the current global data set for over-the-counter (OTC) derivatives. By amending and passing this legislation to ensure that technical corrections to indemnification are addressed, Congress will help create the proper environment for the development of a global trade repository system to support systemic risk management and oversight.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 27, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 37 is postponed.

HOUR OF MEETING ON TOMORROW

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

APPOINTMENT OF MEMBERS TO SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4(a) of House Resolution 5, 114th Congress, and the order of the House of January 6, 2015, of the following Members to the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi:

Mr. WESTMORELAND, Georgia
Mr. JORDAN, Ohio
Mr. ROSKAM, Illinois
Mr. POMPEO, Kansas
Mrs. ROBY, Alabama
Mrs. BROOKS, Indiana

ADJOURNMENT

Mr. SCHWEIKERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 14 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 14, 2015, at 9 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and fourth quarters of 2014, pursuant to Public Law 95–384, are as follows:

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JAMES BRANDELL, EXPENDED BETWEEN OCT. 5 AND OCT. 8, 2014

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
James Brandell	10/5	10/7	Belgium		871.29		1,644.70				2,515.99
	10/7	10/8	England		494.48		280.74				775.22
Committee total					1,365.77		1,925.44				3,291.21

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMES BRANDELL, Dec. 11, 2014.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE NETHERLANDS, EXPENDED BETWEEN NOV. 21 AND NOV. 25, 2014

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Michael R. Turner	11/21	11/29	Netherlands		1,340.00		1,634.00				2,974.00
Hon. Lois Frankel	11/21	11/25	Netherlands		1,340.00		7,215.00				8,555.00
Hon. John Shimkus	11/21	11/25	Netherlands		1,340.00		8,625.00				9,965.00
Hon. Thomas Marino	11/21	11/25	Netherlands		1,340.00		1,634.00				2,974.00
Hon. Brett Guthrie	11/21	11/25	Netherlands		1,340.00		1,912.00				3,252.00
Hon. Gerald Connolly	11/21	11/25	Netherlands		1,340.00		1,634.00				2,974.00
Hon. James Sensenbrenner	11/21	11/24	Netherlands		1,005.00		11,312.00				12,317.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE NETHERLANDS, EXPENDED BETWEEN NOV. 21 AND NOV. 25, 2014—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Paul Cook	11/21	11/25	Netherlands		1,340.00		11,704.00				13,044.00
Hon. Loretta Sanchez	11/21	11/24	Netherlands		1,005.00		12,192.00				13,197.00
Jeff Dressler	11/21	11/25	Netherlands		1,340.00		1,634.00				2,974.00
Janice Robinson	11/21	11/25	Netherlands		1,340.00		1,634.00				2,974.00
Ed Rice	11/21	11/25	Netherlands		1,340.00		1,634.00				2,974.00
Committee total					15,410.00		62,764.00				78,174.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MICHAEL R. TURNER, Dec. 15, 2014.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2014

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. SAM GRAVES, Chairman, Jan. 7, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2014

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, Jan. 5, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2014

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, Jan. 5, 2015.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

36. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Electronic Fund Transfers (Regulation E) [Docket No.: CFPB-2014-0008] (RIN: 3170-AA45) received January 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

37. A letter from the Assistant General Counsel for Law and Policy, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Consumer Leasing (Regulation M) [Docket No.: R-1495] (RIN: 7100-ZA-09) received January 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

38. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products: Test Procedures for Direct Heating Equipment and Pool Heaters [Docket No.: EERE-2013-BT-TP-0004] (RIN: 1904-AC94) received January 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

39. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Alternative Efficiency Determination Methods and Compliance for Commercial HVAC, Refrigeration, and Water Heating Equipment [Docket No.: EERE-2011-BT-TP-0024] (RIN: 1904-AC46) received January 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

40. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alaska: Nonattainment New Source Review [EPA-R10-OAR-2014-0753; FRL-9921-40-Region-10] received January 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

41. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Iowa [EPA-R07-OAR-2014-0163; FRL-9921-19-Region 7] received January 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

42. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Washington; Infrastructure Requirements for the 2008 Ozone and 2010 Nitrogen Dioxide National Ambient Air Quality Standards [EPA-R10-OAR-2014-0745; FRL-9921-29-Region 10] received January 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

43. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District [EPA-R09-OAR-2014-0696; FRL-9921-38-Region 9] received January 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

44. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Revisions to Auxiliary Installations, Replacement Facilities, and Siting and Maintenance Regulations [Docket No.: RM12-11-002; Order

No. 790-A] received January 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

45. A letter from the Acting Director, Bureau of Economic Analysis, Department of Commerce, transmitting the Department's final rule — Direct Investment Surveys: BE-13, Survey of New Foreign Direct Investment in the United States; Announcing OMB Approval of Information Collection [Docket No.: 111201710-4976-01] (RIN: 0691-AA82) received January 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

46. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-565, ''Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014''; to the Committee on Oversight and Government Reform.

47. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-425, ''Small and Certified Business Enterprise Development and Assistance Waiver Certification Temporary Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

48. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-437, ''Voter Registration Access and Modernization Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

49. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-443, ''Medical Marijuana Expansion Temporary Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

50. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-420, ''Post-Arrest Process Clarification Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

51. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-451, ''Rent Control Hardship Petition Limitation Temporary Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

52. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-442, ''Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

53. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-452, ''Georgia Avenue Great Streets Neighborhood Retail Priority Area Temporary Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

54. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-441, ''Business Improvement Districts Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

55. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-439, ''Critical Infrastructure Freedom of Information Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

56. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-453, ''Tenant Opportunity to Purchase Temporary Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

57. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-438, ''Workers' Compensation Statute of Limitations Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

58. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-416, ''Prohibition of the Harm of Police Animals Act of 2014''; to the Committee on Oversight and Government Reform.

59. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-423, ''Sustainable Solid Waste Management Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

60. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-426, ''Wage Theft Prevention Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

61. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-424, ''Fiscal Year 2015 Budget Support Act of 2014''; to the Committee on Oversight and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TURNER (for himself, Mr. RYAN of Ohio, Mr. BRIDENSTINE, Mr. KELLY of Pennsylvania, Mr. DUNCAN of South Carolina, Mr. SCHOCK, Mr. PEARCE, Mr. LATTA, Mr. STIVERS, Mrs. BLACKBURN, Mr. FARENTHOLD, Mr. FRANKS of Arizona, Mr. LANCE, Mr. MCCLINTOCK, Mr. CONAWAY, Mr. SENSENBRENNER, Mr. DENT, Mr. BISHOP of Utah, Mr. MCCAUL, Mr. LAMBORN, Mr. LUCAS, Mr. GIBBS, Mr. CHABOT, Mr. MARINO, Mr. SCHWEIKERT, Ms. JENKINS of Kansas, Mr. ZINKE, Mr. WESTERMAN, Mr. PALAZZO, Mr. KLINE, Mr. BARLETTA, Mr. TIPTON, Mr. JOHNSON of Ohio, Mr. MULLIN, Mr. PITTENGER, and Mr. SALMON):

H.R. 287. A bill to enhance the energy security of United States allies, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BROWNLEY of California (for herself, Mrs. NAPOLITANO, and Mr. MEEKS):

H.R. 288. A bill to amend title 38, United States Code, to provide for coverage under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel for certain special disabilities rehabilitation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RENACCI (for himself and Mr. PASCRELL):

H.R. 289. A bill to amend title XVIII of the Social Security Act to provide the option to receive Medicare Summary Notices electronically, to increase the flexibility and transparency of contracts with medicare administrative contractors, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENACCI (for himself, Mr. JOYCE, Mr. NUGENT, Mr. ROTHFUS, Mr. GIBBS, Mr. KELLY of Pennsylvania, Mr. TURNER, Mr. RIBBLE, Mr. BUCSHON, Mr. CARNEY, Mr. DELANEY, Ms. FUDGE, Mr. KILMER, Mr. WEBSTER of Florida, and Mr. HECK of Nevada):

H.R. 290. A bill to amend title XVIII of the Social Security Act to eliminate the 3-day prior hospitalization requirement for Medicare coverage of skilled nursing facility services in qualified skilled nursing facilities, and for other purposes; to the Committee on Ways and Means.

By Mrs. NAPOLITANO (for herself, Mrs. CAPPS, Ms. JUDY CHU of California, Mr. CONYERS, Mr. DOGGETT, Ms. ESHOO, Mr. GARAMENDI, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS, Mr. HINOJOSA, Mr. HONDA, Mr. HUFFMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. KIRKPATRICK, Ms. NORTON, Ms. LEE, Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, Mr. PETERS, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. SHERMAN, Ms. SLAUGHTER, Mrs. TORRES, and Mr. VARGAS):

H.R. 291. A bill to establish a WaterSense program, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, Energy and Commerce, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself, Mr. VAN HOLLEN, Mrs. CAROLYN B. MALONEY of New York, Mr. KING of New York, and Mr. BILIRAKIS):

H.R. 292. A bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases; to the Committee on Energy and Commerce.

By Mr. BURGESS (for himself and Mr. DEFAZIO):

H.R. 293. A bill to amend title XI of the Social Security Act to exempt from manufacturer transparency reporting certain transfers used for educational purposes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida:

H.R. 294. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts and agreements for the transfer of veterans to non-Department medical foster homes for certain veterans who are unable to live independently; to the Committee on Veterans' Affairs.

By Mr. CLYBURN (for himself, Mr. BUTTERFIELD, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. ELLISON, Mr. FATTAH, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. HASTINGS, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Ms. PLASKETT, Mr. RANGEL, Mr. RICHMOND, Mr. RUSH, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. MAXINE

WATERS of California, Mrs. WATSON COLEMAN, and Ms. WILSON of Florida):

H.R. 295. A bill to reauthorize the Historically Black Colleges and Universities Historic Preservation program; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 296. A bill to provide justice for the victims of trafficking; to the Committee on the Judiciary.

By Mr. DOGGETT (for himself, Mr. BLUMENAUER, Ms. DELAURO, Ms. EDWARDS, Mr. ELLISON, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HIGGINS, Mr. JOHNSON of Georgia, Mr. LANGEVIN, Mr. LARSON of Connecticut, Mr. LYNCH, Mr. MCDERMOTT, Mr. NADLER, Mr. RUSH, Ms. SLAUGHTER, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. WELCH, Mr. HUFFMAN, Mr. POCAN, Ms. NORTON, Mr. YARMUTH, Mr. DEUTCH, Mrs. NAPOLITANO, and Mr. CICILLINE):

H.R. 297. A bill to end offshore tax abuses, to preserve our national defense and protect American families and businesses from devastating cuts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself and Ms. SPEIER):

H.R. 298. A bill to amend chapter V of the Federal Food, Drug, and Cosmetic Act to permit the sale of, and access to, ''research use only'' products; to the Committee on Energy and Commerce.

By Mr. STIVERS (for himself, Mrs. BEATTY, Mr. TIBERI, and Mr. CARSON of Indiana):

H.R. 299. A bill to amend the Federal Home Loan Bank Act to authorize privately insured credit unions to become members of a Federal home loan bank, and for other purposes; to the Committee on Financial Services.

By Mr. POE of Texas (for himself, Mr. SMITH of Texas, and Mrs. BLACK):

H.R. 300. A bill to provide for operational control of the international border of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Armed Services, Rules, Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARENTHOLD (for himself, Mr. HINOJOSA, Mr. VELA, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 301. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 with respect to the identification of high priority corridors on the National Highway System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CONNOLLY:

H.R. 302. A bill to prohibit Members of Congress from receiving any automatic pay adjustments through the end of the One Hundred Fourteenth Congress; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr. GOODLATTE, Mr. JOLLY, Mr. SMITH of New Jersey, Mr. YOUNG of Alaska, Mr. KLINE, and Mr. BOST):

H.R. 303. A bill to amend title 10, United States Code, to permit additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or combat-related special compensation; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY (for himself, Mr. HOYER, Mr. CUMMINGS, Mr. CLYBURN, Mr. SERRANO, Mr. VAN HOLLEN, Mr. BEYER, Mr. LYNCH, Mr. CARTWRIGHT, Ms. BORDALLO, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. BEN RAY LUJÁN of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Mr. NADLER, Ms. NORTON, Mr. O'ROURKE, Mr. POCAN, Mr. VARGAS, Mr. HASTINGS, Mr. THOMPSON of Mississippi, Mr. GRAYSON, Mr. TAKANO, Mr. DELANEY, Mr. SARBANES, Mr. RUPPERSBERGER, Ms. EDWARDS, Mr. CONYERS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWN of Florida, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. MCGOVERN, and Mr. ELLISON):

H.R. 304. A bill to increase the rates of pay under the statutory pay systems and for prevailing rate employees by 3.8 percent, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CICILLINE (for himself, Mr. GRIJALVA, Mr. CONYERS, Mr. WELCH, and Mr. ELLISON):

H.R. 305. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property; to the Committee on Ways and Means.

By Mr. COHEN:

H.R. 306. A bill to require the Attorney General to issue rules pertaining to the collection and compilation of data on the use of deadly force by law enforcement officers; to the Committee on the Judiciary.

By Mr. DEUTCH (for himself, Mr. QUIGLEY, and Mr. CONNOLLY):

H.R. 307. A bill to establish a gun buyback grant program; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona (for himself, Mrs. KIRKPATRICK, Mr. GOSAR, Mr. SCHWEIKERT, and Mr. SALMON):

H.R. 308. A bill to prohibit gaming activities on certain Indian lands in Arizona until the expiration of certain gaming compacts; to the Committee on Natural Resources.

By Mr. HUFFMAN:

H.R. 309. A bill to amend the Internal Revenue Code of 1986 to provide for repealing the gas tax and establishing a carbon tax on highway fuels, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LONG (for himself and Mr. FARENTHOLD):

H.R. 310. A bill to require a Federal agency to include language in certain educational and advertising materials indicating that such materials are produced and disseminated at taxpayer expense; to the Committee on Oversight and Government Reform.

By Mr. LONG:

H.R. 311. A bill to amend title X of the Public Health Service Act with respect to adoption and other pregnancy options counseling; to the Committee on Energy and Commerce.

By Mr. LYNCH (for himself and Mr. CONNOLLY):

H.R. 312. A bill to amend the Defense Base Act (42 U.S.C. 1651 et seq.) to require death benefits to be paid to a deceased employee's designated beneficiary or next of kin in the case of death resulting from a war-risk hazard or act of terrorism occurring on or after September 11, 2001; to the Committee on Education and the Workforce.

By Mr. LYNCH (for himself, Mr. CUMMINGS, Mr. FARENTHOLD, Mr. JONES, Mr. CONNOLLY, Ms. NORTON, and Mr. BUTTERFIELD):

H.R. 313. A bill 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; to the Committee on Oversight and Government Reform.

By Ms. MENG (for herself, Mr. SCHIFF, Mr. CUMMINGS, Mr. BISHOP of Georgia, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. GRIJALVA, Mr. YARMUTH, Mr. GENE GREEN of Texas, and Mr. PETERSON):

H.R. 314. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totaling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes; to the Committee on Ways and Means.

By Ms. MENG (for herself, Mr. HONDA, Mr. LOWENTHAL, Mr. BRADY of Pennsylvania, Mr. RANGEL, Ms. BORDALLO, Mr. TAKANO, and Mr. PETERS):

H.R. 315. A bill to require the Secretary of Defense to establish a process to determine whether individuals claiming certain service in the Philippines during World War II are eligible for certain benefits despite not being on the Missouri List, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NOLAN (for himself, Mr. KLINE, Mr. WALZ, Mr. PETERSON, Ms. MCCOLLUM, Mr. PAULSEN, Mr. ELLISON, and Mr. EMMER):

H.R. 316. A bill to designate the facility of the United States Postal Service located at 14 3rd Avenue, NW, in Chisholm, Minnesota, as the ''James L. Oberstar Memorial Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. NORTON (for herself, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BORDALLO, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELANEY, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Mr. FARR, Mr. FATTAH, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. HASTINGS, Mr. HIMES, Ms. JACKSON LEE,

Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mrs. KIRKPATRICK, Mrs. LAWRENCE, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEVIN, Mr. LEWIS, Mr. TED LIEU of California, Mr. LIPINSKI, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. MCDERMOTT, Mr. MCNERNEY, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Mr. O'ROURKE, Mr. PASCRELL, Mr. PAYNE, Mr. PIERLUISI, Ms. PLASKETT, Mr. POCAN, Mr. POLIS, Mr. RANGEL, Mr. RICHMOND, Mr. RUSH, Mr. SABLAN, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Ms. SLAUGHTER, Ms. SPEIER, Ms. SEWELL of Alabama, Mr. TAKAI, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. HUFFMAN, Mr. YARMUTH, and Mrs. NAPOLITANO):

H.R. 317. A bill to provide for the admission of the State of New Columbia into the Union; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY:

H.R. 318. A bill to amend title 18, United States Code, to extend the post-employment restrictions on lobbying by Members of Congress and officers and employees of the legislative branch; to the Committee on the Judiciary.

By Mr. POSEY:

H.R. 319. A bill to provide that a former Member of Congress or former Congressional employee who receives compensation as a lobbyist shall not be eligible for retirement benefits or certain other Federal benefits; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself and Mr. SWALWELL of California):

H.R. 320. A bill to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself and Mr. JOLLY):

H.R. 321. A bill to allow for a contract for operation of Melville Hall at the United States Merchant Marine Academy, after receipt of a gift from the United States Merchant Marine Academy Alumni Association and Foundation, Inc., for renovation of such hall and for other purposes; to the Committee on Armed Services.

By Mrs. WAGNER (for herself, Mrs. HARTZLER, Mr. CLAY, Mr. SMITH of Missouri, Mr. LUETKEMEYER, Mr. LONG, Mr. CLEAVER, and Mr. GRAVES of Missouri):

H.R. 322. A bill 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''; to the Committee on Oversight and Government Reform.

By Mrs. WAGNER (for herself, Mrs. HARTZLER, Mr. CLAY, Mr. SMITH of Missouri, Mr. LUETKEMEYER, Mr. LONG, Mr. CLEAVER, and Mr. GRAVES of Missouri):

H.R. 323. A bill 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''; to the Committee on Oversight and Government Reform.

By Mrs. WAGNER (for herself, Mrs. HARTZLER, Mr. CLAY, Mr. SMITH of Missouri, Mr. LUETKEMEYER, Mr. LONG, Mr. CLEAVER, and Mr. GRAVES of Missouri):

H.R. 324. A bill 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''; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska:

H.R. 325. A bill to amend the Pribilof Islands Transition Act to require the Secretary of Commerce to provide notice of certification that no further corrective action is required at sites and operable units covered by the Pribilof Islands Environmental Restoration agreement, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 326. A bill to amend the Marine Mammal Protection Act of 1972 to allow the importation of polar bear trophies taken in sport hunts in Canada; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 327. A bill to amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the polar bear was determined to be a threatened species under the Endangered Species Act of 1973; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 328. A bill to empower federally recognized Indian tribes to accept restricted fee tribal lands, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 329. A bill to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 330. A bill to amend title 54, United States Code, to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for declaration of marine national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 331. A bill to prohibit the Secretary of the Interior and the Secretary of Commerce from authorizing commercial finfish aquaculture operations in the Exclusive Economic Zone except in accordance with a law authorizing such action; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 332. A bill to amend the National Marine Sanctuaries Act to prescribe an additional requirement for the designation of marine sanctuaries off the coast of Alaska; to the Committee on Natural Resources.

By Mr. BISHOP of Georgia:

H.R. 333. A bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability rated less than 50 percent to receive concurrent payment of both retired pay and veterans' disability compensation, to extend eligibility for concurrent receipt to chapter 61 disability retirees with less than 20 years of service, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 334. A bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska (for himself and Mr. PIERLUISI):

H.R. 335. A bill to reauthorize the African Elephant Conservation Act, the Rhinoceros and Tiger Conservation Act of 1994, the Asian Elephant Conservation Act of 1997, the Great Ape Conservation Act of 2000, and the Marine Turtle Conservation Act of 2004, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 336. A bill to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska:

H.R. 337. A bill to provide limitations on maritime liens on fishing permits, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska:

H.R. 338. A bill to amend the Internal Revenue Code of 1986 to encourage charitable contributions of real property for conservation purposes by Native Corporations; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 339. A bill to direct the Secretary of the Interior to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound program for the exploration, development, and production of the oil and gas resources of the Coastal Plain of Alaska, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MESSER:

H. Res. 29. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to. considered and agreed to.

By Mr. BECERRA:

H. Res. 30. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to. considered and agreed to.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TURNER:

H.R. 287.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution: The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. BROWNLEY of California:

H.R. 288.

Congress has the power to enact this legislation pursuant to the following:

Section 1, Article 8 of the U.S. Constitution

By Mr. RENACCI:

H.R. 289.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. RENACCI:

H.R. 290.

Congress has the power to enact this legislation pursuant to the following:

Congress created a health care program called Medicare that is operated by the federal government. This bill would improve the efficiency and fairness of that program, especially access to care, while affecting interstate commerce, which Congress has the power to regulate under Article I, Section 8, Clause 3.

By Mrs. NAPOLITANO:

H.R. 291.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, clause 1 and clause 18 of the Constitution.

By Mr. BURGESS:

H.R. 292.

Congress has the power to enact this legislation pursuant to the following:

Per Section 8, Clause 1 of the Constitution, Congress shall have the power to lay and collect taxes. Per the Section 8, Clause 3 of the Constitution, Congress shall have the power regulate Commerce with foreign Nations and among the several States.

By Mr. BURGESS:

H.R. 293.

Congress has the power to enact this legislation pursuant to the following:

Per Section 8, Clause 1 of the Constitution, Congress shall have the power to lay and collect taxes. Per the Section 8, Clause 3 of the Constitution, Congress shall have the power regulate Commerce with foreign Nations and among the several States.

By Mr. MILLER of Florida:

H.R. 294.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. CLYBURN:

H.R. 295.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. POE of Texas:

H.R. 296.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DOGGETT:

H.R. 297.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. BURGESS:

H.R. 298.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section VIII. ''The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States.''

By Mr. STIVERS:

H.R. 299.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. POE of Texas:

H.R. 300.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 4

By Mr. FARENTHOLD:

H.R. 301.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sec. 8, Clause 3

By Mr. CONNOLLY:

H.R. 302.

Congress has the power to enact this legislation pursuant to the following:

Section 6 of Article I of the Constitution of the United States.

By Mr. BILIRAKIS:

H.R. 303.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. CONNOLLY:

H.R. 304.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. CICILLINE:

H.R. 305.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8

By Mr. COHEN:

H.R. 306.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 and 3 of Article I, Section 8 of the United States Constitution.

By Mr. DEUTCH:

H.R. 307.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the U.S. Constitution.

By Mr. FRANKS of Arizona:

H.R. 308.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. HUFFMAN:

H.R. 309.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. LONG:

H.R. 310.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

Article I, Section 9—No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. LONG:

H.R. 311.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—Congress shall have Power to . . . provide for the common Defense and general Welfare of the United States . . .''

Article I, Section 8, Clause 18—''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. LYNCH:

H.R. 312.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Mr. LYNCH:

H.R. 313.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Ms. MENG:

H.R. 314.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Ms. MENG:

H.R. 315.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. NOLAN:

H.R. 316.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8, Clause 7 of the U.S. Constitution

By Ms. NORTON:

H.R. 317.

Congress has the power to enact this legislation pursuant to the following:

clause 1 of section 3 of article IV of the Constitution.

By Mr. POSEY:

H.R. 318.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, Clause 2

Article I, Section 8, Clause 18

By Mr. POSEY:

H.R. 319.

Congress has the power to enact this legislation pursuant to the following:

Article I, Seetion 5, Clause 2

Article I, Section 6, Clause 1

By Mr. SENSENBRENNER:

H.R. 320.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. SESSIONS:

H.R. 321.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3,

By Mrs. WAGNER:

H.R. 322.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress in Article I, Section 8, Clause 7: ''The Congress shall have Power . . . To establish Post Offices and post roads''

By Mrs. WAGNER:
H.R. 323.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress in Article I, Section 8, Clause 7: ''The Congress shall have Power . . . To establish Post Offices and post roads''

By Mrs. WAGNER:
H.R. 324.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress in Article I, Section 8, Clause 7: ''The Congress shall have Power . . . To establish Post Offices and post roads''

By Mr. YOUNG of Alaska:
H.R. 325.
Congress has the power to enact this legislation pursuant to the following:
Article 4, Section 3, Clause 2

By Mr. YOUNG of Alaska:
H.R. 326.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. YOUNG of Alaska:
H.R. 327.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3

By Mr. YOUNG of Alaska:
H.R. 328.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3

By Mr. YOUNG of Alaska:
H.R. 329.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3

By Mr. YOUNG of Alaska:
H.R. 330.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2

By Mr. YOUNG of Alaska:
H.R. 331.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3.

By Mr. YOUNG of Alaska:
H.R. 332.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2

By Mr. BISHOP of Georgia:
H.R. 333.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
Article I, Section 8, Clause 12: To raise and support Armies;
Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces;
Article I, Section 8, Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;
Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. YOUNG of Alaska:
H.R. 334.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2

By Mr. YOUNG of Alaska:
H.R. 335.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3

By Mr. YOUNG of Alaska:
H.R. 336.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 1.

By Mr. YOUNG of Alaska:
H.R. 337.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3, and Article 1, Section 8, Clause 1.

By Mr. YOUNG of Alaska:
H.R. 338.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
Article 1, Section 8, Clause 1

By Mr. YOUNG of Alaska:
H.R. 339.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. COOK, Mr. HECK of Nevada, Mr. HURT of Virginia, Mr. LIPINSKI, Mr. LONG, Mr. PITTENGER, Mr. SMITH of Nebraska, Mr. HARDY, and Mr. MULLIN.

H.R. 27: Mr. CARTER of Texas, Mr. LUETKEMEYER, Mr. STEWART, Mr. LAMALFA, and Mr. WEBSTER of Florida.

H.R. 29: Mr. HULTGREN, Mr. GOSAR, and Mr. GROTHMAN.

H.R. 36: Mr. MULLIN, Mr. RIBBLE, Mr. YOUNG of Indiana, Mr. LUETKEMEYER, Mr. ALLEN, Mr. POSEY, Mr. MCHENRY, Mr. LONG, Mr. MOONEY of West Virginia, Mr. HILL, and Mr. WEBSTER of Florida.

H.R. 93: Mr. RIBBLE.

H.R. 105: Mr. HUFFMAN.

H.R. 122: Mr. CLAY.

H.R. 123: Mr. DANNY K. DAVIS of Illinois.

H.R. 125: Mr. DANNY K. DAVIS of Illinois.

H.R. 131: Mr. YOUNG of Alaska and Mr. HURT of Virginia.

H.R. 132: Mr. GARRETT, Mr. RICE of South Carolina and Mr. WESTMORELAND.

H.R. 140: Mr. OLSON, Mr. JONES, and Mr. DUNCAN of South Carolina.

H.R. 143: Mr. ROHRABACHER, Mr. LUETKEMEYER, Mr. DUNCAN of Tennessee, and Mr. KING of Iowa.

H.R. 154: Mr. ISRAEL, Ms. BROWNLEY of California, Ms. CLARK of Massachusetts, Mr. HECK of Washington, Ms. DUCKWORTH, Mr. TAKANO, Mr. SWALWELL of California, Mr. CARSON of Indiana, Ms. ADAMS, and Mr. DOGGETT.

H.R. 159: Mr. WESTERMAN.

H.R. 160: Mr. CARTER of Texas and Mr. YOUNG of Alaska.

H.R. 161: Mr. LONG.

H.R. 167: Mrs. MCMORRIS RODGERS and Mr. CARTWRIGHT.

H.R. 169: Mr. HARPER, Mr. CRAMER, Mr. RIBBLE, Mr. PETERSON, and Mr. DUFFY.

H.R. 174: Mr. POSEY, Mr. ROE of Tennessee, Mr. FLEMING, Mr. WILSON of South Carolina, Mr. COLE, Mr. WESTERMAN, Mr. EMMER, and Mr. OLSON.

H.R. 183: Mr. OLSON and Mr. POMPEO.

H.R. 184: Mr. PRICE of North Carolina, Mr. CARTWRIGHT, Mr. COOPER, Mr. YOUNG of Alaska, and Mr. WILSON of South Carolina.

H.R. 185: Mr. CULBERSON.

H.R. 187: Mr. WEBSTER of Florida.

H.R. 191: Mr. FARENTHOLD, Mr. PERRY and Mr. SAM JOHNSON of Texas.

H.R. 204: Mr. OLSON and Mr. BURGESS.

H.R. 210: Mr. RICE of South Carolina.

H.R. 223: Mr. CARTWRIGHT.

H.R. 230: Mr. ROSS.

H.R. 237: Mr. CHAFFETZ.

H.R. 242: Mr. FATTAH, Mr. CARTWRIGHT, Mr. POCAN, Mr. HUFFMAN, Mrs. TORRES and Mr. CONNOLLY

H.R. 246: Mr. TIBERI.

H.R. 284: Mr. BILIRAKIS, Mr. PETERSON, Mr. JORDAN and Mr. WEBSTER of Florida.

H.R. 285: Ms. KUSTER and Mr. ROYCE.

H.J. Res. 14: Mr. SCHWEIKERT.

H. Res. 11: Mr. AUSTIN SCOTT of Georgia, Mr. POSEY, Mr. WITTMAN, Mr. GROTHMAN, Mr. FLEISCHMANN, Mr. FRANKS of Arizona and Mr. ROUZER.

H. Res. 17: Mr. LAMALFA.

H. Res. 28: Mr. ISRAEL.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 25: Mr. RIBBLE.

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PROCEEDINGS AND DEBATES OF THE *114th* CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, TUESDAY, JANUARY 13, 2015 *No. 6*

Senate

The Senate met at 10 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

PRAYER

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

Let us pray. Eternal Spirit, You are sovereign and in good and in bad times our eyes turn to You. Fulfill Your purposes for our Nation and world by using our Senators as instruments of Your providence.

Lord, have Your way in our lives for You are the potter and we are the clay. Mold and make us as You desire, working for our good in all things for we are called according to Your purposes. Inspire our lawmakers to seek first Your guidance so that everything in time will fall into proper place. As they seek greater intimacy with You, empower them to relate honestly with themselves and one another.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 13, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. MCCONNELL. Mr. President, this morning the Senate will continue to debate the motion to proceed to the Keystone XL Pipeline bill, with the time equally divided until 12:30 p.m.

Some of our colleagues on the other side of the aisle continue to filibuster the motion to proceed to the bill. All Senators should know that we will get on this bill today and begin the amendment process. We can do it the easy way or we can do it the hard way. Either we will get on it this afternoon by consent or shortly after midnight without consent. But we will get on it today.

It is surprising to me that some Democratic Senators are choosing to exercise their procedural rights in order to block their own colleagues from offering amendments to the bill, although at this point the only Senators who have filed amendments at the desk are Republican Senators.

I want to make it clear to everybody that we are committed to an open amendment process but not an open-ended one. So we are hopeful—I have read that Democrats have a number of amendments—that we will be given a chance to get on the bill and begin to offer amendments so the Senate can work its will.

KEYSTONE XL PIPELINE

Mr. MCCONNELL. Mr. President, Democrats and Republicans cooperated last night to bring the Keystone Pipeline another step closer to construction. Thanks to that bipartisan cloture vote, the Senate can finally begin an open floor debate on this committee-vetted and approved legislation.

It is a debate many of us have actually been looking forward to—and not just because of the substance of what we are considering. But we have also been waiting a long time to have a debate where individual Senators actually matter again, which is why earlier I suggested that our colleagues on the other side of the aisle allow us to get on the bill and let us offer amendments. This is going to be an open process, but as I indicated, not an open-ended process.

This is a debate where Senators can offer amendments and have them considered by the Senators. It is a debate where Senators can make the voices of their constituents heard. That is just the kind of serious legislating many of us have been waiting a long time for, and the fact that we are finally seeing it today is a direct consequence of our constituents' calls for a functioning Congress. It is the latest example of the new Republican majority putting Congress back to work.

Getting Congress back to work means working to pass legislation that is good for jobs and for the middle class, and that is why we are focused on getting measures such as the bipartisan infrastructure bill over to the President's desk.

Even though he may not sign it—and we all know that he may not sign everything we pass—we are getting the Congress out of the business of protecting the President from good ideas. That is our commitment to the American people.

When it comes to the bipartisan Keystone bill, it is hard to see a serious reason why President Obama would

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

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veto these jobs anyway. The Nebraska Supreme Court just cleared away the last pretense many of us could imagine. So we hope President Obama will listen to the American people, and we hope in the end, after due consideration, he will decide to sign it. But, no matter, we will not be dissuaded from our path of working for the middle class. The new Republican Congress is not going to stop working for more jobs and more opportunity.

Let's get the debate started. Let's see what Members of both parties can accomplish by actually working together, and let's continue trying to pass as many good ideas as we can, starting with this bipartisan jobs and infrastructure bill.

I yield the floor.

RECOGNITION OF THE ACTING MINORITY LEADER

The ACTING PRESIDENT pro tempore. The assistant Democratic leader is recognized.

KEYSTONE PIPELINE

Mr. DURBIN. Mr. President, it is true that we are in the process of negotiating and discussing on the Democratic side the amendments that will be offered, and yes, there will be amendments offered. Senator BOXER has been part of this effort—and I just got off the phone with her—and she is now working with her staff to come up with amendments she believes will withstand any procedural challenge on the floor and, hopefully, those amendments will be brought up to the floor soon.

Senator CANTWELL, who is the floor leader on our side on this particular measure, is also open. There is no question that we will be prepared to and will offer amendments. We are trying to finalize the language at this point and the order in which the amendments will be offered.

We will be working with the Republicans once we have our own set of amendments in place. There is no effort to obstruct this process. We generally agreed that we would not be voting today on amendments. It is possible—before the end of the day—that we will have an agreement to move forward in terms of the submission and debate on the amendments and the votes to occur perhaps next week. But that is still unresolved, and we are still talking about it.

What is interesting is to put this in perspective. We are talking about S. 1. This is the very first bill offered by the new Republican majority in the Senate. It is a bill, as they say, to approve the Keystone XL Pipeline.

The Republicans' highest priority and their No. 1 bill now that they have majority status in the Senate is the approval of a pipeline project to benefit one company—a Canadian company—and create 35 permanent jobs. The highest priority of the Republican majority in the Senate is to debate and pass a bill to benefit a Canadian company to create 35 permanent jobs.

This special interest, small-ball effort, is not a national economic or energy policy or a plan to make America energy independent. The Keystone XL Pipeline, sadly, is going to have a negative impact on the environment—and not just in the United States. It will literally affect all adjoining countries.

The tar sands that will be carried in this pipeline will increase the amount of pollution, greenhouse gas emissions—first when they are mined in Canada and later when they are refined. We know this because tar sands are currently coming into the United States—Canadian tar sands—and are being processed at a refinery in Wood River, IL. It is a refinery now owned by the Phillips oil company, and their refined product is distributed throughout the Midwest.

So the Keystone XL Pipeline is not the first Canadian tar sands pipeline. We already have a pipeline, and that existing pipeline—in the course of cleaning up Canadian tar sands so it can be made into products that can be sold on the market—generates something called petcoke. Petcoke is the waste product—the dirty part of the Canadian tar sands—that needs to be removed before they become viable petroleum products.

If you don't believe this petcoke is a danger, you only need to come to the great city of Chicago, which I am honored to represent. I visited the southeast side of Chicago. The British Petroleum refinery, which is at the end of Lake Michigan in the northern part of Indiana, refines the Canadian tar sands and generates, as part of the refining process, literally hills of petcoke—this black, sooty, nasty product they stack up near the refinery. Unfortunately, many times it ends up within the boundaries of the city of Chicago.

What impact do hills of petcoke have on a neighborhood? When the wind blows, this nasty, dirty product blows all over the homes, the families, and the children who live in that neighborhood. I have seen it. I have visited mothers with small children who try to seal the windows of their homes because this petcoke can get through any crack and into their homes, leaving a sooty deposit around them.

For those who argue that these Canadian tar sands pose no environmental threat, come take a look at these petcoke hills that are generated now by the process of refining this product.

Additionally, the Keystone XL Pipeline doesn't move us away from the dangerous tipping point which we face when it comes to climate change and global warming. In fact, it is going to speed up the day of reckoning. Leading scientists warn us that we are running out of time. As a Nation and as a world, if we do not accept the reality of what is happening to our environment, we are going to pay a heavy price.

According to the U.N. Intergovernmental Panel on Climate Change, at least half of the world's energy supply will need to come from low-carbon sources in the future—wind, solar, even nuclear—by 2050, if we are going to avoid catastrophic climate changes. That barely gives us 35 years to do something for our kids and grandkids. This Keystone bill does not even acknowledge that reality.

I have come to the floor many times and offered the challenge which I will renew today. I believe the Republican Party of the United States of America represented in the Senate is the only major political party in the world today that denies global warming and climate change. It is the only major political party which refuses to accept the premise that is well established in science, well established by our departments, such as the Department of Defense, that our activity as human beings on Earth is changing the world we live in—and not for the better.

One Republican pulled me aside off the floor, after I made this challenge several times, and said: DURBIN, you are wrong. There is actually a political party in Australia that denies global warming as well. Well, that may be true, but the fact that they have such little company when it comes to this position suggests that our Republicans are denying reality. This bill denies that reality as well.

If it is about jobs, I suggest—not only to the majority leader but to the labor unions and to others interested in creating American jobs—that there are better alternatives in the energy sector. Solar power is already generating 3.4 million jobs in the United States. Remember, the Keystone XL Pipeline generates 35 permanent jobs, and, according to some estimates, maybe 40,000 temporary supply jobs for the construction of the pipeline. The Keystone XL Pipeline will create 35 permanent jobs while solar power is generating 3.4 million jobs in America. By the end of 2013, 24,000 of them were created just that year. Jobs were created in the solar industry at a growth rate of 20 percent over 2012. It is a growth industry for clean, green jobs. In Illinois, 9 solar projects employ almost 4,000 workers.

Solar isn't the only energy source we can invest in. Fuel cell technology doesn't get much attention but supports 11,000 jobs versus 35 permanent jobs for the Keystone XL Pipeline. The U.S. Department of Energy estimates that with the rapid increase in fuel cells, 180,000 new domestic jobs can be created by 2020 and 685,000 by 2035.

The International Renewable Energy Agency found the renewable energy industry in the United States responsible for 625,000 direct and indirect jobs in solar, biofuels, wind, biomass, hydropower, and geothermal industries. That is a conservative estimate. So if we are interested in clean energy, if we want to do the right thing by our environment for our kids and grandkids and we want to create American jobs—this isn't 35 jobs, which is the highest priority of the Senate Republican Caucus;

this is looking at alternative sources of energy, which will create jobs and not destroy the planet.

The Keystone XL Pipeline will produce oil with a process that produces 17 percent more carbon than any conventional crude oils. That oil is going to be shipped, if the Republicans have their way, through a pipeline from Canada all the way to Texas, over and near thousands of lakes and aquifers that Americans rely on for clean drinking water.

After it reaches Port Arthur, TX—the original plan, which I think is still the case—it will be exported, so even the refined product is not going to be used here in America. So we ask our Republican colleagues: Where is your plan to make sure America leads the world in creating good-paying, green jobs for the future? Where is your plan to increase America's production of wind, solar, thermonuclear, cellulosic, and other forms of renewable energy? In fact, when it came to debating the extension of some tax benefits to these industries, many Republicans opposed it. They instead wanted to see us move toward initiatives such as the Keystone XL Pipeline.

So this is an important debate, and it is one that we ought to take in the context of the challenges our generation faces. We will either acknowledge the global environmental reality and deal with it, or we will have to answer to our children and grandchildren why we put the profits of 1 Canadian company and why we put 35 jobs ahead of a meaningful discussion about a national energy policy that is consistent with a clean and strong environment for years to come.

IMMIGRATION FUNDING

Mr. DURBIN. Mr. President, this evening I am joining with the Center for American Progress to host a screening of ''Spare Parts,'' a new movie that tells the story of four students at Carl Hayden High School in Phoenix, AZ. These students were undocumented immigrants brought to the United States as kids. They started a robotics team at their high school that went on to great success. The movie itself was produced by actor and comedian George Lopez. He stars in it as the coach of the team; Jamie Lee Curtis as the high school principal; Carlos Pena, as Oscar Vazquez, one of the students; and Alexa Vega, as Oscar's girlfriend Karla.

I am especially excited about seeing the movie because I have known one of these students, Oscar Vazquez, for some time. Five years ago, I told Oscar's story here on the floor of the Senate. He dreamed of enlisting in the military and spent his high school years in junior ROTC. At the end of his junior year, a recruiting officer told him he could never serve in the military because he was undocumented. So Oscar found another outlet for his talent. He helped to start the robotics club at Carl Hayden High School.

Oscar and his three teammates entered a college-level robot competition, despite the fact they were high school kids, sponsored by NASA. They worked for months in a storage room in their high school to produce their competitive robot. They were competing against students from MIT and similar universities. The Carl Hayden High School team won first place in the robotic competition.

After high school, Oscar Vazquez went to Arizona State University, and in 2009 graduated with a degree in mechanical engineering. He was one of the top three students in his class. Following his graduation, he took a brave step. He voluntarily returned to Mexico, a country where he had not lived since he was a small child. He said, ''I decided to take a gamble and do the right thing.''

In 2010, the Obama administration gave him a waiver to reenter the United States. Otherwise, he would have been barred for 10 years. He would have been separated from his wife Karla and their daughter Samantha, both of whom are American citizens.

Oscar returned to the United States with the waiver from President Obama and he did two things: He applied for citizenship and he enlisted in the United States Army.

Oscar served as a cavalry scout in Afghanistan, fulfilling the dream he had as a child, and when he became a citizen of this country he was obviously willing to risk his life for it.

Last year, Oscar testified at a hearing I held about the benefits of allowing immigrants to enlist in the military. The Falcon Robotics Team, which Oscar and his friends started, is now a fixture at Carl Hayden High School.

I have told the story about two other members of that team.

Dulce Matuz graduated from Arizona State University with a bachelor's degree in electrical engineering and as a senior received an internship to work at the NASA space station. After graduation, Dulce couldn't work as an engineer, so she cofounded the Arizona DREAM Act Coalition. As a result of her leadership, she was named one of the 100 most influential people in the world by Time Magazine.

Angelica Hernandez served in junior ROTC and was president of the National Honors Society. She graduated from high school with a 4.5 GPA and graduated from Arizona State University with a mechanical engineering degree herself.

Why am I telling my colleagues about a movie called ''Spare Parts'' and the Carl Hayden robotics team? Because it puts a human face on what is happening today on Capitol Hill. It puts into perspective what the Republican-led House of Representatives wants to achieve this week. They are preparing to pass a bill in the House that would defund the President's immigration policies, including the very program—the DACA Program—that President Obama created by Executive order.

The DACA Program puts on hold the deportation of immigrant students such as those I have just described who grew up in this country and simply want a chance to be a part of our future. These young people—immigrants such as Oscar, Dulce, and Angelica—are known as DREAMers. They were brought to the United States as little kids. They didn't make a conscious effort to come across the border; they were brought here by their parents. They grew up in this country and they have overcome great obstacles to succeed. They are our future leaders. They will serve in the military. They will be doctors and engineers and lawyers and business leaders, if they are given the chance. The House of Representatives is determined not to give these DREAMers a chance to be part of America's future.

In the last 2 years, more than 600,000 DREAMers have stepped up, paid their fees, gone through the background checks, and were given this temporary status where they can't be deported. With that temporary status, they have gone on to do extraordinary things in this country. Many of them are already contributing. I mentioned Angelica, a former member of the Carl Hayden robotics team. She is working for Nexant Corporation where she specializes in renewable energy.

The Center for American Progress tells us that if we give legal status to these DREAMers, it will dramatically help our economy. These are great young people who want a chance to be a part of America's future. They can put $329 billion into our economy, according to the studies, and create about 1.4 million new jobs. These are the sparks, the catalysts, the leaders who can help us build this economy.

But the Republicans in the House of Representatives want to deport them. They want to turn them away after they have had these educational opportunities in America. They don't want us to take advantage of their skills and talents. They are wrong.

Why do they want to eliminate DACA? Why are the House Republicans so determined to eliminate it? Because that is their way of getting back at this President. That is their way of trying to make us forget that the House Republicans refused for 2 years to call up immigration reform legislation. They refused to fix our broken immigration system, and when the President stepped in on an emergency basis, now they are resisting him and trying to deport these DREAMers. How can they explain this? How can they explain this to these young people who, through no fault of their own, were brought to the United States and who have not had an opportunity to succeed, as we all hope they will? This is obstructionism on the part of the Republicans in the House. We did pass the bill on a bipartisan basis in June of 2013, 68 to 32, for comprehensive immigration reform. The House had ample opportunity—over a year and a half—to

call up this measure and they refused. They refused because they knew it would pass. And that is why it is important for us to stand up and tell the American people what is at stake.

One of the most important things we can do is to face the reality that our immigration system is broken. And to fix this immigration system, we need to work together on a bipartisan basis. Let us not do it with a negative feeling toward these young people. Give the DREAMers a chance.

I will tell my colleagues this. If this bill comes over from the House of Representatives and this bill eliminates DACA, fate puts 1.6 million young DREAMers into the legal jeopardy of facing deportation, and then eliminates the rights of their parents who have children who are citizens or legal residents to stay in this country, then we are going to see a fight on the floor of the U.S. Senate. I think it is the responsible thing to do for us to stand up for these young people who had the courage to step out of the shadows, to register with their government, to submit themselves to a background check. The right and responsible thing to do is for us to stand behind them. There are so many amazing stories about these young people and to ignore them is to ignore America's legacy and roots.

We are a nation of immigrants. My mother was an immigrant to this country and I stand on the floor of the U.S. Senate honorably, I hope, representing the great State of Illinois, and really I hope a testament to what the sons of immigrants can do across America, and daughters as well. That is why this is an important issue for us to deal with and to do it forthrightly, and I urge my colleagues to resist this effort by the Republicans to deport 1.6 million eligible DREAMers and others who may stand the chance to make America a better and stronger nation.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

KEYSTONE XL PIPELINE ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore.

Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 1, S. 1, a bill to approve the Keystone XL Pipeline.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:30 p.m. will be equally divided between the two leaders or their designees.

The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak for up to an hour to discuss the Keystone XL Pipeline.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, I wish to address my comments to the Keystone XL Pipeline approval bill—the legislation currently before the Senate—which is the motion to proceed to this legislation. The cloture on the motion to proceed to this legislation was passed 63 votes in favor to 32 votes against last night. I thank my colleagues for that tremendous bipartisan vote, and of course the good news is that the vote advances us to the bill. We have to have another vote now to actually move to the bill today, and we are working through an agreement to hold that vote. Then we will be on the bill and in a position where all Members of this body can offer amendments—Republicans and Democrats alike.

We will have an open amendment process. We will have regular order. We can have an energy debate. Members of this body are going to get to do what they haven't been able to do in some time, which is offer their amendments, bring forward their ideas, and let's have that energy discussion, let's have these amendments brought forward and debated, and if they can garner 60 votes, they will be passed and attached to the legislation. This is how the Senate is supposed to work and I encourage my colleagues to participate by offering their amendments to have the debate and do the work of this body—the important work for the people of this great Nation.

I would like to begin the discussion today in support of the Keystone XL Pipeline, the Keystone XL approval legislation, which is the bill we have in front of us, S. 1.

I note that my esteemed colleague, the senior Senator from Utah, is here. He is a Senator who leads us on a variety of issues and has for many years in our caucus, as the chairman of the Finance Committee. He certainly understands tax policy and fiscal policy for this country.

This legislation we are considering is a jobs bill. It is about energy. It is about jobs. It is about economic growth. It is about national security.

The Senator from Utah is working on reforming our Tax Code and how we can stimulate economic growth in this country. So I wish to turn to him right at the outset and ask—as someone who truly understands how our economy works and how we have to build a good business climate in this country and how we have to empower the development of infrastructure, roads, and rails, pipelines and transmission lines as part of building an energy policy that will truly make this Nation energy secure—if he would take a few minutes and address not only this project on the broad basis of its merits, but particularly some of the economic aspects that are so important when we are talking about growing our economy and putting our people in this country to work in good jobs.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, I wish to thank my distinguished colleague for leading this fight. He has been leading it for years now. It is such a no-brainer. It is amazing to me that we have to go through this again. I thank him for yielding to me, and I would like to associate myself with the many persuasive arguments that have been made here by my colleagues—both Democratic and Republican—urging the speedy passage of this legislation.

To me, the decision to approve this pipeline is an obvious one for a host of reasons:

It will support more than 42,000 good-paying jobs. I didn't quite get what the assistant minority leader was saying today on how few jobs it will create. It actually will support more than 42,000 good-paying jobs during its construction phase.

It will contribute more than $3.4 billion to our gross domestic product.

It will aid in the goal of North American energy independence.

As the State Department's environmental impact statement found, building the Keystone XL Pipeline will actually be better for the environment than not building it. The energy resources the Canadians produce will reach the market regardless of whether this pipeline is built, and Keystone XL is by far the safest, cleanest, and most efficient means of doing so. What are the arguments against it other than phony environmental arguments? That was the State Department, controlled by them.

As a commonsense, bipartisan jobs and infrastructure measure, this bill is exactly the sort of legislation the Senate should be considering as its first order of business in this new Congress, but it should not have to be. The story here is about more than a single pipeline, no matter how many jobs its construction will create, no matter how important it is for our energy independence, and no matter how environmentally sound it is. This is a story about a regulatory process that is clearly broken. This is a story about special interests manipulating the bureaucracy to muck up a process that should be very simple and uncontroversial. This is a story about just one of many examples of tragically missed opportunities to create good-paying jobs and provide relief for household budgets across the country.

The application for approval of the Keystone XL Pipeline was first filed in September of 2008—more than 6 years ago. U.S. Senators have served more than a full term during that time. Children born after the application was filed are now in first grade.

The notion that any infrastructure project should be held up for such a long period is disturbing not just to me but I think to anybody who carefully

looks at this, but the delay of Keystone XL is even worse. Given the strong and well-documented economic and environmental case for the pipeline, Keystone is the sort of project that should have been quickly and easily approved for construction. But for some committed environmentalists inside and outside the Obama administration, common sense and balanced consideration of the facts no longer matter. Instead, to them, this simple pipeline has become a political symbol, regardless of what the science tells us. They have directed their ample energies at throwing up every procedural roadblock imaginable to the approval of the pipeline. As a result, this project has endured delay after delay.

Over the past few years, the American people have rightly developed the impression that Washington is broken. There can be no better example of the consequence of this dysfunction than the Keystone XL Pipeline sitting in bureaucratic purgatory.

When a project such as this—which is good for jobs, good for families, and good for families' budgets—gets bogged down in the Obama administration's redtape, it is absolutely the responsibility of Congress to act. Unfortunately, for years the Senate became a place where good ideas such as approving Keystone XL came to die, where control of the calendar and the amendment process prevented the consideration of so many good, bipartisan issues and ideas. Not only was the administrative process broken, but the Senate was also paralyzed and unable to step in and fix it.

By taking up this important bill as our first matter of consideration in the new Congress, we are taking steps to restore the Senate to the great legislative body it is meant to be, the place where Senators work across the aisle to meet the needs of the American people.

By coming together to propose a commonsense solution to get back on track this project which has become such a symbol of what is wrong with Washington, my friends from North Dakota and West Virginia are demonstrating exactly the sort of thoughtful, inclusive, and bipartisan leadership the American people have been demanding as they watched this greatest deliberative body in the world become the laughingstock of the world because we haven't gotten very much done. We haven't gotten very much done because of the way it has been run over the last number of years.

It is my sincere hope that we move quickly and desperately and deliberately to approve this measure and that we soon begin considering serious regulatory reform to prevent the sorts of abuses we have seen bedevil the Keystone XL project. The American people deserve an efficient and effective regulatory process that works for them. It is time for the Senate to deliver.

Having said these few words, I wish to personally thank my distinguished colleagues from North Dakota and my colleagues from West Virginia for the leadership they have provided on this issue.

Senator HOEVEN is a former Governor. He knows what he is talking about. He is one of the most reasonable, decent, and honorable people in this body. He has shown a great willingness to work with both sides. He has continued to fight for this even though it has been uphill for more than 6 years. He has continued to fight for it because it is right. It is the right thing to do, and it is in our best interest to do it and to do it now.

Thank you, Mr. President.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I wish to thank the distinguished Senator from Utah for his leadership both today and over the past many years on this floor. I would like to pick up on a point he emphasized and did so very eloquently. He is in a unique position to comment on it, and that is the importance of having this open amendment process; having regular order on the Senate floor; allowing Senators, Republican and Democratic alike, to come forward and bring their ideas forward, bring their amendments forward, have this discussion, and do it in an open way.

The whole effort here is to produce good energy legislation that will help this country move forward but also to foster bipartisanship—to foster bipartisanship on this bill and other legislation so that we can get the work done that this body needs to get done on behalf of the American people. That is what this is all about. This is about getting the work done for the American people on the important issues our country faces.

That is why this bill is S. 1—not just because it is important energy infrastructure legislation, not just because we need to have this debate on energy, not just because we need to advance legislation to help build our energy future, but because it is truly an effort to get this body working in a bipartisan way on this and other important issues for the American people. That is what the American people want. They want us to get the job done.

Again, I thank the Senator from Utah for bringing out the important fact and discussing why it is so important that we approach legislation in that way.

I would like to turn to my good friend, the senior Senator from the great State of Arkansas, somebody who I think really has a good understanding of how our economy works and what needs to be done, somebody who has good relationships on both sides of the aisle, which is so important as we try to build support for this and other legislation, and somebody whose State is directly affected by this project. I know he will agree with me that it is very important on behalf of the State of Arkansas that we move forward with the Keystone XL Pipeline project. I think a very high percentage of the pipe that goes into this project—about a 1,200-mile-long project—is actually manufactured and made in Arkansas. So that is a clear benefit for the manufacturing industry and workers in the State of Arkansas that correlates directly to this project and to this legislation.

So I would like to turn to the senior Senator from Arkansas and ask him about that and ask him to tell us about the importance of this project in terms of what it means to the great State of Arkansas.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BOOZMAN. It is a pleasure to have the opportunity to talk about the Keystone Pipeline. I also wish to thank the Senator from North Dakota for his tireless efforts and his leadership on behalf of getting the Keystone Pipeline project moving.

For the past 6 years I have urged the administration to approve the project. I voted for legislation to speed up the pipeline construction. This pipeline makes sense for job creation and the future of our Nation's energy supply.

In a recent email survey sent to more than 30,000 Arkansans, I asked what issues the new majority in the Senate should focus on in the 114th Congress. Participants told me that one of their top priorities is an ''all of the above'' energy policy that addresses current and future energy needs.

The Senate has an opportunity to pass legislation that is a commonsense plan to improve our Nation's energy supply by approving the Keystone XL Pipeline. Tapping into these Canadian oil sands will offer us a reliable source of energy from one of our strongest allies and trading partners. This is good news as we work to reduce our dependence on oil from regions of the world that are hostile toward our country, and it is good news for Arkansas. Here is why.

Approval of this infrastructure project will mean jobs. This is one reason it has the support of both parties. Organized labor has been very vocal in support of the pipeline. Unions understand that this infrastructure project will create well-paying jobs for skilled laborers, and it will do so at no expense to the taxpayers. And it is not just unions; certainly businesses are supportive of the pipeline too, as well as an overwhelming majority of Americans.

Last month, as the Senator from North Dakota alluded to, I toured the Welspun Tubular Company, the Little Rock-based company hired to produce hundreds of miles of pipeline for the project. Company officers estimate that 150 jobs will be created just to load the pipe onto the railcars for shipment when the project finally gets the green light.

The economic impact has wide reach to Arkansans. Blytheville's Nucor Corporation was slated to make some of

the steel for the pipeline, and there is a trickle-down impact throughout the State.

A central Arkansas Caterpillar employee wrote to me about the importance of this project to his job because of its impact on his livelihood. ''The Keystone pipeline project would be a huge boost to us,'' he wrote.

Once built, the infrastructure will provide a safe and reliable supply of energy. Currently, this oil is transported from Canada to refiners by rail and truck. A new, modern pipeline poses less risk to the environment than these current modes of transportation. The project will help maintain lower fuel prices, which is good for all Americans.

At every hurdle, using science and common sense, this project gets the green light. Last week Nebraska's Supreme Court upheld the State's law approving a route for the pipeline through the State.

Time and again this project passes the test, but the President has threatened to veto the bill. This isn't surprising considering the administration spent more than 6 years analyzing this and punting a decision down the road until further studies have been conducted. The pipeline is being studied literally to death. It is ready to go. Yet the President is still looking for ways to stop it.

The American people deserve this affordable energy. They deserve well-paying jobs. Both can be accomplished by building the Keystone Pipeline.

Again, I thank the Senator from North Dakota for his tireless efforts in the past 6 years trying to get this project off the ground. The good news is I think we have made real progress.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I would like to thank the Senator from Arkansas and once again point out this is another State that will benefit from this project. This is a State far removed from the route of the project. As I pointed out in earlier debate on this floor, all of the States on the route, from Montana to Texas, have approved the project—all of them. They have all approved it. The only entity still holding up the approval of the Keystone XL Pipeline is the Federal Government, the Obama administration.

All of the States have approved it. Those States on the route will realize tremendous benefits from the construction—from the construction jobs, from the hundreds of millions of dollars they will receive in tax revenues, payment in lieu of taxes at the State and local level. They will receive tremendous benefit from this project, not to mention of course the benefit the whole country receives as we become more energy independent by working with Canada to truly achieve North American energy security.

But here is a State, Arkansas, far removed from the route of the pipeline. I do not think the oil will—I do not know about refineries in Arkansas. I do not think there are refineries there that it will go to. It will go to refineries in States such as Louisiana and Texas and so forth.

But even still, Arkansas will benefit directly from this project because they manufacture much of the pipe that goes into the project. Those are good manufacturing jobs that not only benefit those workers, but then you have the secondary impacts. Once again I thank the Senator from Arkansas for coming down to the floor and taking a few minutes to point that out.

We will continue over the next several weeks to talk about the benefits in other States as well. I thank the good Senator from Arkansas at this time. Even though I have floor time reserved until about 11:15 or a little more, I would like to actually stop and allow the Senator from Washington to talk about her views on it. I know she is not—of course, I work with her on the energy committee. She is our ranking member. I enjoy and appreciate working with her, but I understand she shares different views in this case.

I ask unanimous consent that her time for the next 10 to 15 minutes, as she needs, not be counted against my time. I would be willing to defer so she can speak at this time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. CANTWELL. I thank the Senator from North Dakota. I know we are going to be going back and forth on this issue and that we have other people coming. Later this morning we are going to have time divided. But I appreciate the Senator from North Dakota allowing us to join in the debate this morning and make a few points.

I do want to say I appreciate the hard work of the Senator from North Dakota on the energy committee in general. I look forward to working with him on many energy policies. He and I have worked together on a couple of different agricultural issues. I certainly appreciate his due diligence, but needless to say I do not agree with the process of moving forward with this motion to proceed to the Keystone XL Pipeline bill.

Many of my colleagues are going to be coming down and talking about the issues. Two of my colleagues, including the Senators from Utah and Arkansas, along with the Senator from North Dakota, brought up a couple of different points. But in my mind, they are talking about a 19th century energy policy and fossil fuel instead of us focusing on what should be a 21st century energy policy for our country.

It is unfortunate that S. 1 is a very narrow, specific, special interest measure for a pipeline that did not go through the proper channels of a permitting process and because of that is flawed. As people are heralding it as the new Congress.

This process continues today with people saying: Let's just give it more special interest attention and approve it. I believe America should be a leader in energy policy and that our job creation is dependent upon that energy policy for the future. We want to see America be a leader in this. I applaud the fact that the President reached a climate and clean energy agreement with China.

We are over 60 percent of the world's energy consumption. If the two countries can work together on a clean energy strategy, I guarantee that will be good business for the U.S. economy. In fact, I read a statistic that something like 50 percent of all energy is going to be consumed by the buildings in China—there is huge growth in building development, but they do not have good building standards so those buildings consume too much energy. So there is a lot to do on energy efficiency that will grow U.S. jobs and help us. That is why we would rather see us focusing on some of the energy policies that we did in 2005 and 2007. Those things unleash huge opportunities for American jobs and huge opportunities for American consumers to get a better deal and not be subject to price spikes.

The 2007 bill had fuel efficiency standards in it and laid the foundation for the growth of the hybrid electric car industry and has added over 263,000 jobs in the last 5 years. That is the kind of smart policy we should be pursuing. We also have had energy bills that made investments in clean energy tax credits, something I was just talking about with my colleague from Utah, saying we needed to move forward on energy tax credits. If there is nothing else that we should be doing, we should be doing that as S. 1, because the predictability and certainty we would be giving to that industry would certainly unleash many jobs.

So the 2005 and 2007 energy bills that we did in a bipartisan fashion helped foster an energy-efficient economy and helped support 450,000 jobs according to a 2011 Brookings Institution report.

These are examples of the types of things we have done in the past that have unleashed investment, and have grown jobs in the United States of America. They are important milestones in the type of clarity Congress can give to the private sector to spur growth and development. I can guarantee this is the opposite of that. This is about a special interest deal and overriding a process, including the White House process and local government process, that is so essential.

Two examples of what we should be doing instead: As I said, the energy tax credits which have been delayed. As my colleagues from Oregon pointed out at the end of last year, we basically authorized them for about 2 more weeks in December. That was about all the certainty we gave the industry. A McKinsey report has estimated that providing the right incentives for retrofitting buildings and energy efficiency would help employ 900,000 people over the next decade; that the wind energy tax credit would employ 54,000

people, and there are other issues about modernizing our grid and new technology storage.

There is also very important work to be done in the manufacturing sector; that is, to help unleash innovation by making sure we set standards on improving efficiency and focusing on lightweight materials for both automobiles and aviation. We have seen huge job growth in the Pacific Northwest because we were able to transform aerospace into lighter weight materials. We are also working on a biojet fuel.

So all of these things mean we have to get the R&D right, we have to get the tax credits right, and we need to help protect consumers from spiking energy prices. This is the evolution. I do not think anybody in America thinks we are going to hold on to a 19th century fossil fuel economy forever. The question is, Whether Congress is going to spend its time moving forward on a 21st century plan that gives the predictability and certainty to unleash that leadership and capture the opportunities in developing markets around the globe or whether we are going to hold on to the last elements of fossil fuel forever and leave our constituents more at risk.

But I would like to take a few minutes and talk about this process my colleagues are trying to describe as to why we need to hurry. Because I can guarantee that is what people have been trying to do all along, hurry this along for a special interest. I do not believe that is good for the American people. I do not think it is good for this process.

If we think about where we have been, this process is about people who are trying to push a route through no matter what the circumstances. Every State, people are saying, has approved this process. I can guarantee there are a lot of people in Nebraska and a lot of people in South Dakota who do not agree with that. They are very concerned about the public interest.

Unfortunately, in the case of the Keystone XL project, landowners and ranchers in Nebraska affected by the pipeline did not feel they were afforded equal opportunity before the law. In their view the process was set up to benefit a special interest, the TransCanada Corporation. On three separate occasions, beginning in 2011, the Nebraska Legislature passed carve-outs to circumvent the role of the public service commission to approve the Keystone Pipeline.

If this was such a great deal, why can't it go through the normal process, as in every other State, with a transportation and utilities commission ruling on siting? Why do we have to take the public interest out of it? The first carve-out included the Major Oil Pipeline Siting Act of 2011. So this bill laid out the rule that the public service commission determined whether a new pipeline project was in the public interest. In making this decision, the legislature required that the commission consider eight criteria.

Among them: the environmental impact of water and wildlife and vegetation, the economic and social impact, the alternative route, the impact to future development in the pipeline's proposal, and the views of counties and cities. OK. That all sounds great, right? That is what the legislature says they should be considering. But the legislature also required the commission to hold public hearings and have public comment—OK, we are still on the right track—and importantly required the commission to establish a process for appealing the decision, so that any aggrieved party could have due process rights under the Administrative Procedures Act.

Here is the punch line. Tucked away in that Nebraska legislation was a special interest carve-out that exempted TransCanada—Keystone XL—from having to comply with the public service commission process. Specifically, the legislation stated, ''. . . shall not apply to any major oil pipeline that has submitted an application to the US Department of State pursuant to Executive Order 13337 prior to the effective date of this act.''

There was only one company that qualified for this special interest exemption at the time of that legislation; that was TransCanada. So you got it. The legislature basically exempted them from that process, even though they were stating that these are the processes that you should go through. So at the very time the legislature created new rules for due process on the pipeline, it exempted them from those rules. I do not understand why TransCanada cannot play by the rules, but I guarantee you Congress does not have to join in and make S. 1 a special interest bill. They should make sure everyone plays by the rules.

In this same legislative session, the Nebraska legislature also passed the Oil Pipeline Route Certification Act. This bill provided Keystone XL with an expedited review process by the Nebraska Department of Environmental Quality and gave the sole authority to approve the project to the Governor. Unfortunately, for the legislature and for TransCanada, these carve-outs quickly became irrelevant because President Obama denied the application in 2012. That is in part due to the fact that Congress had decided to try to intervene in the matter. That is when Congress said this is important and we should go ahead and do this.

I am going to get into more detail on that in a second. This is important to understand because the initial Nebraska legislation was so narrowly tailored, it was designed to benefit the TransCanada pipeline and its pending date of enactment. What happened next? The legislature went back to the drawing board and created a third new special carve-out for the Keystone XL Pipeline.

The day following the President's denial of TransCanada's application, a new bill was introduced in the Nebraska Legislature. This bill was yet another path around the existing due process afforded to citizens in that State. The legislation allowed the company to choose whether to go through a formal process with the public service commission or seek expedited review with the Governor. I am sure a lot of U.S. companies would love to have that opportunity.

These are U.S. companies that have to pay lawyers, go through environmental processes, make sure all of the issues are addressed. I am sure American companies would love to know any day of the week they can just go past a utility commission and get the Governor to stamp ''approved'' on their project. Under this expedited approach, the legislature authorized the Nebraska Department of Environmental Quality to independently conduct an environmental impact report. However, unlike due process required by the public service commission, this process required only token outreach to the public.

There was just one public hearing in 2012. This special process provided no recourse for aggrieved parties. There was no formal appeals process. Other than the courts, there was no administrative process with the ability for stakeholders to challenge the facts as a matter of record to base their formal appeal on. These are fundamental differences between an expedited consideration within the Governor's office and a process requiring a public interest determination by relevant decisionmakers at a commission.

I know my colleagues here would like to argue that somehow this has been a long, drawn-out process. This has really been a process by one company constantly circumventing the rules on the books and trying to get a special deal for approval. We have to ask ourselves why. Why do they want to proceed this way?

I know my colleagues always like to talk about their neighbors. My neighbors in British Columbia are not so thrilled about tar sands pipeline activity. They are not interested in it. So maybe that is why TransCanada wants to hurry and get this process through in the United States.

I ask my colleagues, do you have confidence the public interest was really taken into consideration—that you run over the interests of private property owners on these issues? Was the department of environmental quality evaluation comprehensive?

I can say one Nebraska landowner described the report as ''an incomplete evaluation of a natural resource with the magnitude of the Ogallala Aquifer, and now it is left in the hands of TransCanada to do their own policing.''

Another family, who has been ranching for more than five generations in Nebraska, said the process left landowners with nowhere to turn with their concerns of erosion, water contamination or eminent domain.

Another landowner had this to say about circumventing the process in Nebraska:

> I feel it is not in the best interest of Nebraska, nor the citizens of Nebraska, to have our legislators crafting special legislation to meet the specific demands of an individual corporation.

I couldn't agree with them more. That is exactly what we are trying to do today.

The same stakeholders in Nebraska have also questioned the appearance of conflict of interest associated with the Nebraska Department of Environmental Quality report since it was prepared by a contractor who also worked for TransCanada and Exxon on different joint pipeline projects.

Meanwhile, a majority of the State Supreme Court, 4 out of 7 justices, just last week ruled that the legislature and the Governor's actions were unconstitutional.

The PRESIDING OFFICER (Mr. FLAKE). The Senator has consumed 15 minutes.

Ms. CANTWELL. I ask unanimous consent that I be given an additional 2 minutes to wrap up.

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

Ms. CANTWELL. My colleague has already given me some time this morning—and I can certainly come back and add more to the debate—but what I am outlining is exactly how this process has circumvented the laws of this land. One more action by this body is exactly what this special interest company is seeking.

If Congress had succeeded in pushing the President of the United States into agreeing to the original route through Nebraska in 2011, the route would have been right through the Ogallala Aquifer. Even TransCanada had already agreed that it needed to change the route. I don't know why we are being asked to push something through when we really should allow the State Department to do its job.

I will have much more to say on this process of the circumventing of public interest; about the devastating spill in the Kalamazoo River, and the fact that we don't know all we need to know about tar sands cleanup in water; and the fact that Midwest gasoline prices could be affected if this pipeline is approved.

There are many issues. So I will gladly debate this with my colleagues throughout the rest of this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I wish to resume my time for the colloquy.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. HOEVEN. I will take a couple of minutes to respond to the points that my colleague on the energy committee just brought up with regard to both the process and also in regard to the timeline for approval of this project. Then I will turn to my cosponsor, the Senator from West Virginia, and get some of his input on the project.

Now we are starting to get into the kind of debate that we have wanted from day one. I had the good fortune to serve as Governor of my great State of North Dakota, and the good Senator on the floor with me from West Virginia was Governor at the same time of his State of West Virginia. We worked together many times on issues. I am a Republican, and he is a Democrat. We found common ground as Governors, and we found common ground in the Senate.

This is what this is all about. This is what we want to have happen among our colleagues so we can get this and other important legislation addressed, passed, and help our country.

But before I turn to my colleague from West Virginia, I wish to touch briefly on a couple of points that the ranking member of our energy committee brought up a moment ago. As she said, she opposes the project. I understand and respect her views, but she talked about the length of time the approval process takes.

What I have to point out is that we have been in this approval process now for more than 6 years. So when she talks about needing more time to get the project approved, it is hard to understand how we are going to have a working, functioning economy, how we are going to get the private sector to invest the billions of dollars it takes. This project alone is the largest shovel-ready project that is ready to go—just under $8 billion, $7.9 billion—and it has been held up for more than 6 years.

America got into World War II and won the war in less than 6 years. Building the Hoover Dam, I believe, took less than 6 years. If we are going to create the kind of environment where we stimulate investment by the private sector, get our economy growing and growing and get people back to work, we can't hold private investment up.

Remember, not one penny of Federal spending—almost $8 billion, almost all private investment that will help create jobs, help grow our economy, create hundreds of millions in tax revenue, help us to build our energy future, help us with national security by being energy secure—all those things—and the Federal Government has held them up for more than 6 years.

How can we argue that there is any process there that works in any kind of a realistic or commonsense way when it has been up for more than 6 years.

Specifically—as regards the State of Nebraska—in 2012 I put forward legislation which we passed in this body attached to the payroll tax holiday that required the President to make a decision.

We didn't tell them what decision to make. We just said: Hey, you have to make a decision. At that point the project had been under review for 4 years—long enough, Mr. President, to make a national interest determination. That is what the legislation said that we attached to the payroll tax holiday. It passed with 73 votes.

The President at that time said: No, I am not going to make a decision on the project now because of what he perceived to be the problem with the route in Nebraska.

Remember, this project goes through States from Montana to Texas. Here it is. Remember, it is not carrying only Canadian crude. It carries crude from my State of North Dakota and the State of Montana. Light, sweet Bakken crude goes into this pipeline as well.

Everyone talks about the Canadian crude, but they forget that this moves domestic crude as well. My State alone produces 1.2 million barrels of oil a day, and we are moving 700,000 of barrels a day on trains because we can't get enough pipelines. Here we want to put 100,000 barrels a day into this pipeline, and we have been waiting for 6 years putting more and more oil on rail cars, congestion on the rails. We can't move our agriculture products, and we have been held up for 6 years. But in 2012 we passed that bill.

This body passed it, then the House, and it went to the President. Then he turned it down because he said the routing wasn't right in Nebraska. There is an objection here. Here we see the pipeline goes through Nebraska.

He said: No, I am not going to approve it at this point because they have to square it away in Nebraska.

In Nebraska, the State legislature, the elected body of the people, went to work with Governor Dave Heineman, a good friend of mine, and the Senator from West Virginia as well. We served with Governor Dave Heineman.

The elected body of the people, the legislature, went to work with the Governor. They went through a long process. They rerouted the pipeline to address any concerns regarding the Ogallala Aquifer and any other concerns that had been brought—a long laborious process—and approved it.

Every State on the route has approved the project. They have all approved it. They have had 6 years to do it. So it wasn't like they had to hurry, but they all approved it. Yet the Federal Government continues to hold it up and say: Oh, well, we have concerns.

Now, my esteemed colleague from Washington, who opposes the project, said that she was concerned about the supreme court decision.

Well, remember, the supreme court decision came up because after the State of Nebraska approved the project, then opponents challenged it, forced it into court, and it went to the Nebraska Supreme Court. The Nebraska Supreme Court found in favor of the Governor and the legislature for the State of Nebraska. They found in favor of the route, and the State of Nebraska said that is as it should be—OK.

So that is all that was covered at great length by the elected representatives of the State of Nebraska and the Nebraska Supreme Court. I mean, how much more does this take? Furthermore, there is the point that my colleague was making: Well, if we had

rushed, somehow this would have been a problem.

We put it in the legislation in section 2, under the private property savings clause, to make sure that if there is any issue such as that it is addressed in this legislation. So the very concern that she has raised is in the legislation.

The reason it is in there is because the good Senator from Montana—which is also on the route—Mr. TESTER, wanted this provision in the bill. He is also a Democrat. In showing the bipartisanship of the bill, he said: Well, let's make sure we take care of that. So we put language in the bill to make sure that the language we just addressed on the floor is addressed. It is very short, and I will read it—section 2, subsection (e):

PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing in this Act alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities described in section (a).

So we tried to make sure—and furthermore—let me also read judicial review. That section is long, and I won't read it. But we also provided for judicial review so that if any of those issues are a concern—in addition to the language we put in to protect States rights—you also have judicial review. I don't know how much more we can do to make sure any and all concerns she just raised in regard to the process of the individual States is protected.

Again, I make the case today that we have all gone through great lengths to approve the project. The only entity blocking it now after more than 6 years is the Federal Government.

There is one other point I would make briefly before turning to the Senator from West Virginia. The good Senator from Washington talked about alternative energy sources, renewable energy sources, other energy resources, and how we need to develop them. They create jobs, and that is great.

This is a note on which I will turn to my cosponsor, the distinguished Senator from West Virginia. We are for ''all of the above'' energy approach, but we have to get over the idea that somehow they are mutually exclusive. We go forward and build important infrastructure so that we can make sure that we don't have to import oil from OPEC or from countries such as Venezuela or from other parts of the world, to ensure that we can be secure in energy and that we can produce as much or more oil than we consume—both domestic oil production and in Canada. We need the infrastructure.

But that in no way precludes the development of any other sources of energy. They are not mutually exclusive. So to say that we should be doing one and not the other—how does that make sense? Let's do them both.

On that note, I turn to my colleague. Ask anybody in this body, particularly those coming to the Senate as a former Governor. He is somebody who not only is very bipartisan in his approach to all of these issues, somebody who has not only advocated for producing all of the above in terms of energy, but somebody who has done it in his time as Governor.

So I turn to my colleague and say: Can't we do both? Isn't approving this part of doing it all?

Mr. MANCHIN. First, I thank the Senator from North Dakota, my friend, for taking the lead and working with me so closely. I am very excited about the process, the open amendment process.

We are learning a lot in debates, a lot of good ideas are coming out of this. When all is said and done, we will have a better piece of legislation. That is what this is all about.

Let me make sure everyone understands this is not all about pipelines. If this is about an XL pipeline or any other pipeline, we wouldn't have a hundred thousand miles of pipeline in America already. Since the Industrial Revolution we would not have built all the pipelines needed to carry the energy that we need to run this country. This is not about pipeline.

This is about the concerns we all have with greenhouse gas emissions and the development of the oil sands in Canada—nothing to do with the pipeline.

With that being said. We have to be very clear that Canada is going to develop the oil sands whether or not the Keystone pipeline is built. That is a fact, and we have talked about this.

The State Department—our own State Department in this great country of ours, the United States of America—has conducted five environmental assessments of the Keystone Pipeline and have found in all of them that the project will not have a significant impact on the environment. Now these are the things we have to be cognizant of.

The State Department also found the pipeline is unlikely to significantly affect the rate of extraction in Canadian oil development. That means whatever we do here is not going to change the rate of development in the oil sands.

The State Department also examined alternatives to the proposed XL Pipeline. These alternatives included what would happen if no action were taken at all. Let's say we do nothing here; that nothing comes about with this pipeline. Likely, the crude would be shipped westward by rail or by tanker. That is happening today. So they are going to ship it anyway. And if that continued, it would be considered no action. If we take no action here and don't build this pipeline for whatever reason, the greenhouse gas emissions—which we are all concerned about, and our debates are about that, really—will be between 28 to 42 percent higher if we do nothing.

So those people who are concerned about greenhouse gas emissions should say: Well, OK, why do we want to contribute to more? The pipeline decreases that. If we don't do it, we have 28 to 42 percent more emissions by how we will move this oil. So the pipeline addresses our energy security limits, and I have talked about that before, and our dependence on foreign oil.

I have said this many times. We all are entitled to our opinions, and I think we are all going to hear all those opinions in the next couple of weeks. But what we are not entitled to is our own set of facts, because the facts are what they are. I have said this before, and I will repeat it again, and I will continue to repeat: We buy, as of the 2013 figures from the Department of Energy's EIA, we—the United States of America—buy 7 million barrels of crude oil a day. Whether we like it or not, we are buying it. Now, I am sure people say: I wish we didn't. Well, that is what it takes for our economy to run. We are buying that oil—7 million barrels a day.

Then we need to look at where the oil is coming from. If you are upset with Canada producing oil, we already buy 2½ million a day from Canada right now. We are already dependent upon Canada for 2½ million barrels a day.

We also buy oil from other countries, and I think we should all question why we are buying oil from these other countries, especially when we look at Venezuela. We buy 755,000 barrels a day from Venezuela. They are an authoritarian regime that impoverishes their citizens. We know that. They violate their human rights and have shown their willingness to put down political protest with horrific violence. Yet we are supporting that by purchasing a product from them which they then use the resources from to continue this type of regime.

The same here: In 2013, we bought 1.3 million barrels from Saudi Arabia. Now I don't know about my colleagues, but I question whether the resources from that or the proceeds from that oil that we paid Saudi Arabia for were used for the betterment of the United States of America, for our best interests. I have my doubts about that.

We also buy over 40,000 barrels a day from Russia. I don't need to say anything about what is going on there. I think we all know that.

The Keystone Pipeline would allow us to safely import more oil from a stable ally and one of our best trading partners. In fact, it is the No. 1 trading partner of 35 of our 50 States in the United States of America. Our No. 1 trading partner is Canada. It is also the most stable regime we have, the best ally we have ever had.

The pipeline will have a final capacity of a little more than 800,000 barrels a day. So right there we could stop buying any oil from Venezuela or cut down dramatically the amount of oil we buy from Saudi Arabia and become less dependent. We can continue to produce energy in North America while stabilizing global supply as well as benefiting Americans and our allies.

In fact, last year, one of President Obama's former national security advisors—one of President's former national security advisors, Retired Marine Gen. James Jones—told the Foreign Relations Committee:

The international bullies who wish to use energy scarcity as a weapon against us all are watching intently. If we want to make Mr. Putin's day and strengthen his hand, we should reject the Keystone.

Let me repeat that:

If we want to make Mr. Putin's day and strengthen his hand, we should reject the Keystone. If we want to gain an important measure of national energy security, jobs, tax revenue and prosperity to advance our work on the spectrum of energy solutions that don't rely on carbon, it should be approved.

So you have to decide which side you are on. Do you want to make Mr. Putin's day or do you want to find alternatives and use all of the above and be less dependent on foreign oil?

In addition to our national security interests and energy independence, this bill will also create thousands of jobs. I think we have talked about that. I hear the argument: Well, yes, but they are not going to be permanent. You know, we have built a lot of bridges in America, a lot of infrastructure, and a lot of roads. I don't know of any permanent jobs we have after we build a bridge, but we have a lot of good construction jobs when we are building the bridge. I don't know of any permanent jobs after we build a road, but we have a lot of good construction and high-paying jobs. And when you start looking at that, the building and construction trades, the teamsters, the AFL–CIO, all of our friends of working Americans, the middle class—the hard-working Americans—support this piece of legislation. They want these jobs.

Our own State Department says it will create about 42,000 jobs to construct the pipeline and thousands of other related jobs. So why don't we seize the opportunity?

We talk about amendments. This is an open amendment process. A lot of my colleagues, a lot of my Democratic colleagues on my side of the aisle, have some great ideas and I am going to work with them. I agree with my Democratic friends that companies shipping oil through this pipeline should pay the excise tax to the oilspill trust fund. There is no reason they should be exempted from these payments. I am going to work with them to put that amendment in. It is a good amendment and it will strengthen the bill. That is what the amendment process is about.

I agree also with my colleagues on the Democratic side that any steel needed in the future on this product should be bought from American steel companies. That is great. That is promoting more jobs in America: Buy American steel. Don't let them dump on us. We should be supporting American jobs.

I also agree with our friends we shouldn't export any of our oil abroad. If that oil comes to America, it should be subjected to the same laws as all the oil that is extracted in America. So if we extract in the Balkans, if we extract in Texas, we treat them all the same. Those are all good amendments.

I would like to think this process will strengthen a piece of legislation and hopefully give us 68, 70 votes. That would really give us a good piece of legislation for the American people.

We have been promised an open amendment process, and I am so thankful for that. This presents an incredibly valuable opportunity to accomplish some of our Democratic priorities—some of our Democratic priorities that we talk about all the time on my side of the aisle. I believe the process will improve the bill, and I hope to convince my colleagues to support this important piece of legislation.

Let us get the needed votes we need to make sure we move our country forward, become less dependent on foreign oil and more self-sufficient and more secure as a nation.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. I know we have several colleagues who want to come and speak on other issues this morning, and then we have some Members who want to join back in on this debate, but I want to make a few points and finish up my remarks from earlier and then yield to our other colleagues.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I ask the Senator to yield for the purpose of a question. I want to understand the time. I need about 3, 4 minutes to wrap up. I did relinquish 15 minutes for the other side, so I would request 3 to 4 minutes to wrap up and then I would certainly yield the floor to her.

Ms. CANTWELL. Go right ahead.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. HOEVEN. I just want to wrap up.

I want to thank the Senator from West Virginia. I am glad we are engaged in this debate. I think we should debate all aspects of it, as we are, and I look forward to that continuing effort.

I do, though, want to wrap up on a point as to the environmental impact. We have talked about a number of different aspects of this pipeline project. We are talking about taking great care in the approval process to address all the issues at the State level. We have talked about making sure we put provisions in the bill to respect that State process. That has been going on for more than 6 years and, obviously, it is now well past time for the Federal Government to move forward and make its decision.

But again, back to that process. If the President continues to oppose this legislation—and he has indicated he will veto it because he has a process and he hasn't finished the process—then he needs to demonstrate and finish the process. He indicated he was holding out for the decision in Nebraska. Well, the decision in Nebraska has been completed. So if there is a process, if there is a real process, then he needs to make a decision and he needs to tell us when he is going to make that decision. And if the President follows his process, he needs to make a decision in favor of the project. Because as I am pretty sure we are going to hear from some of the opponents of the project, they will say: Oh, well, based on environmental issues, that is why he should turn it down.

I understand and respect their views on some of the climate change issues, and they are certainly entitled to those opinions, but based on five studies—three draft environmental impact statements and two final environmental impact statements done on this project—the Obama administration's State Department in those environmental impact statements found this will result: As a result of this project, ''no significant environmental impact.''

I understand they are going to spend a lot of time talking about their views on climate change, and that is fine. I understand that. But there is a difference between opinion and that general discussion and the science of this project. That is the finding by the Obama administration.

We will have more discussion on this issue, in addition to the fact that Canada is working to reduce the greenhouse gas emissions from oil production in their country and in the oil sands. Since 1990, on a per-barrel basis, they have reduced greenhouse gas emissions by about 28 percent, and they are continuing to do more. So they are addressing the environmental issue by doing what? Investing in technology that not only produces more energy but does it with better environmental stewardship.

So instead of empowering that investment, here we want to block it? That is not the way to address better environmental stewardship. The way to do it is by encouraging the investment that not only produces more energy but does it with better environmental stewardship.

Again, I want to thank my colleague and fellow member of the energy committee for deferring so I could wrap up, and I look forward to continuing this debate and discussion on this important issue.

With that, I yield the floor.

Ms. CANTWELL. Mr. President, as I said, I know we have other colleagues here, so I will wrap up my opening remarks on the debate, then turn it over to other colleagues who are wanting to speak on this subject and other matters this morning.

I want to respond to a couple of things, because I know our colleagues keep thinking this is something we have to do and we have to expedite. But the reason why this project hasn't been approved to date is because we

haven't followed the process, and people keep bringing up objections to that process.

Along those lines, I want to turn back to congressional involvement in this matter during the back-and-forth with Nebraska on the pipeline route change in the Sandhills region.

During the time from 2008 until 2012, the U.S. State Department was reviewing TransCanada's initial pipeline application. This process requires a national interest determination by the President. It is worth reminding my colleagues this was a process laid out by President Bush. But in the review of that process, in their initial application, the State Department, in 2011, announced that an alternative route through Nebraska needed to be found to avoid the uniquely sensitive terrain of the Sandhills area.

The President and the State Department said we need to go a different route. So what happens next? One would think that most people would stop and listen and say: Oh, my gosh, there is a concern about this aquifer. But that is not what happened. That is not what happened. People came to Congress and said: We should get the old route approved in the aquifer that provides 30 percent of the groundwater for irrigation through the United States—where a spill would have been disastrous.

At the same time the State Department was telling the company, we have real concerns; you need to re-route the pipeline. The company was coming here to Congress trying to push the old route through at the same time the State Department was negotiating. So I would say to my colleagues, if you think you are helping this process, you are hurting it. You are trying to take away the negotiating power of the State Department to make sure that environmental and public interest issues are addressed here.

Now I know my colleague, whom I look forward to working with on the energy committee, thinks his legislation has protected something in the area of property rights, but let me be clear: This legislation ensures that the status quo in Nebraska under the Supreme Court decision last week will stand. It simply affirms that the use of eminent domain on behalf of TransCanada will be the law. So we are not doing anything in this legislation to protect them. Jamming Keystone XL onto the temporary payroll tax cut bill was a mistake, and the bill today is also a mistake. This bill says, ''Don't try to answer all of these questions that we think the State Department should decide in our national interest.'' The President should have the ability to say yes or no on this.

I would like the President to answer these questions as they relate to the tar sands oil in water, only because I had a chance to ask the Commandant of the Coast Guard a year ago about this issue. We are very concerned about the transport of tar sands out of the Pacific Northwest. The commandant at that time said we have no solution—no solution. So when my colleague from Michigan talked about the $1.2 billion that was spent on tar sands cleanup because it sank in the Kalamazoo River, I think these are issues that the State Department has every right to raise with the company to get answers on.

Just recently TransCanada has been redoing some of its pipeline in other areas because it has also found that the welds in the pipeline were not properly done. So in the State Department's Environmental Impact Statement, it required TransCanada to get a third-party validator to validate whether it was actually meeting the standards we want to see on the pipeline; but, no, our colleagues would like to interrupt that and say: We know best, just like we were ready to make it right with the Sandhills aquifer. We know best.

So I ask my colleagues not to rush a process that has been failed from the beginning, that did not allow for the public interest to be adequately afforded its right.

I don't understand what the hurry is. I do want to hurry on energy policy, but it has much more to do with getting the tax credits and clean energy incentives in place that will unleash thousands of more jobs and give predictability. That is the prerogative and the responsibility of Congress, to look at these tax incentives to establish economic incentives. It is not our job to site pipelines when the local process has not played out. At least don't stop the President from making sure these environmental issues are addressed.

My colleague from Massachusetts has been waiting, and I know he was a leader in the House of Representatives prior to his time in the Senate making sure that tar sands should pay into the oilspill liability trust fund, and I certainly appreciate his leadership on that.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. I rise for recognition to speak on this issue.

The PRESIDING OFFICER. The Senator is recognized.

Mr. MARKEY. I thank the Presiding Officer very much and I thank the Senator from Washington for her great leadership on this issue.

We are having the beginning of an historic debate here on the floor of the U.S. Senate. We are debating whether the dirtiest oil in the world, the tar sands from Canada, is going to be brought through the United States in a pipeline, like a straw, and brought right down to Port Arthur, TX, to a tax-free export zone so that it can be exported out of the United States.

What is in it for our country?

Well, when you think about it, we are going to take the environmental risk, but the benefits flow to the Canadian companies. The benefits flow to the oil companies. This whole argument that it deals with American energy independence is false, and the way in which we are going to ensure that we are protected is that we are going to bring an amendment out here on to the Senate floor to debate whether this oil should stay in the United States. We export young men and women overseas to protect these ships coming back from the Middle East with oil. Why should we export the oil that is already in the United States when it can reduce our dependence? That is our challenge, and we must deal with that.

As well, the Canadians under existing law are exempt from paying a tax into an oilspill liability fund. That can no longer continue as well. That is upwards of $2 billion over 10 years to deal with oilspills in the United States created by Canadian oil, and they are exempt. That is wrong. That is just plain wrong. So this is a very important debate, but it goes right to the heart—let's admit it—of energy independence in the United States. That oil should not come to our country, go right through it and out. We have a responsibility to the young men and women we send around the world to not provide any false advertising about this oil and where it is going to go.

NET NEUTRALITY

Secondly, I want to talk a little bit about net neutrality. We are coming up to the first anniversary of the D.C. Circuit Court of Appeals striking down the rules the Federal Communications Commission had put on the books to protect the Internet, to ensure that it is open, that it is entrepreneurial. Network neutrality is just a fancy word for nondiscrimination, just a fancy word for saying that it is open, that entrepreneurs, that smaller voices have access, so they cannot be blocked by communications behemoths. This is an issue that goes right to the heart of job creation in the United States of America.

Consider this. In 2013, 60 percent of all of the venture capital funds invested in the United States of America went toward Internet-specific and software companies. That is all you have to know. That is 60 percent of all venture capital money. That is why 4 million people have registered with the Federal Communications Commission their views that net neutrality is central to this entrepreneurial activity in our country. The FCC is going to promulgate or announce the beginning of the promulgation of new regulations in February. We are on the first anniversary right now of the rules having been struck down. There are none.

From my perspective, this goes right to the heart of the new generation of companies. Yes, we have Google and eBay and Amazon and YouTube and all rest of these first-generation companies, but there are new companies like Dwolla and Etsy that are at the heart of the new job creation, and we have to make sure they and others like them are not denied access.

So, in both of these issues, net neutrality and on the pipeline issue coming down from Canada, it is all about

job creation. It is all about making sure that if America is going to take the risk, America should get the benefit. And it is not going to on the pipeline issue. It is not. This is the dirtiest oil in the world. This is going to contribute to dangerous global warming.

Yet the oil companies are going to be able to sell it out on the open market. And why? Because the price of a barrel of oil on the open market is $17 higher than it is in Canada. You don't have to go to a business school to figure out this model. Get it out and onto the open seas, sell it to China, sell it to Latin America, sell it to other countries around the world. That is what this is all about. That is what is at the heart of this entire Keystone Pipeline agenda.

It is wrong for us to be short-circuiting a process that will guarantee that the environment of our country, the environment of our planet is, in fact, protected by the President and by the process that has been put in place.

I am so glad we are finally having this debate to make sure we put all of the facts out on the table.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to be recognized for up to 4 minutes, followed by Senator SHAHEEN.

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

(The remarks of Mr. ISAKSON and Mrs. SHAHEEN pertaining to the introduction of S. 150 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, before I speak, I have two unanimous consent requests: No. 1, that Senator WHITEHOUSE be allowed to follow me and, No. 2, that my remarks not break up the debate on the pipeline bill.

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

(The remarks of Mr. GRASSLEY are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, with all of the issues our country faces, here we are debating a Canadian pipeline. What are we doing? A new majority has taken over the Senate and their first bill—their opening gambit—is the Keystone Pipeline. What is going on?

Is it about jobs? There has been an awful lot of talk about jobs over the last couple of days, but this opening gambit—both obviously and demonstrably—has nothing to do about jobs. If this were about jobs, instead bring up the Shaheen-Portman energy efficiency bill, the bipartisan bill the Republicans spiked last year. That bill has been estimated to produce nearly 200,000 jobs, more than quadruple the 42,000 jobs supported by the construction of the pipeline.

If this were about jobs, bring up the highway bill, which came out of EPW unanimously last year. That bill was estimated to support 3 million jobs a year, 70 times the number of jobs the Keystone Pipeline will produce. Forty-two thousand is a pittance compared to that.

Right now the economy is adding over 70,000 jobs every week. In the 3 weeks we spend arguing about this bill, we will add five times as many jobs as the Keystone Pipeline would provide. We matched Keystone in just 4 average days of job growth. Yet we are going to spend 3 weeks on this issue?

If this were truly about jobs, bring up an infrastructure bill—the kind our Republican friends have relentlessly stymied when they were in the minority. Set up an infrastructure fund. God knows wherever we look American infrastructure is crumbling. Schools, airports, trains, water, health information infrastructure, smart grids, and broadband are all yearning for activity.

We could do very big things on jobs. We get 13,000 jobs on average for every $1 billion spent on infrastructure, and we need the infrastructure, but instead we are doing this. It is definitely not about jobs.

Is it about the merits of the pipeline? Hardly. With oil prices at $50 per barrel, it is not even clear that the pipeline is viable. The State Department calculated that crude oil prices below $75 per barrel would limit the development of tar sands crude.

According to a recent report from the Canadian Energy Research Institute, due to a steep increase in production costs, new tar sands projects require crude prices of at least $85 per barrel to break even. We are around $50 per barrel. The U.S. Energy Information Agency predicts that crude oil prices will average below $65 well into 2015.

Shell, Total, and Statoil have all canceled or postponed major tar sands expansion projects. Southern Pacific Resources has nearly gone broke transporting heavy crude to the gulf by rail. The Canexus terminal in Alberta has run far below capacity, plagued by logistical problems, lost contracts with developers, and has been put up for sale. At $50 per barrel this pipeline could already be a zombie pipeline—dead man walking.

Moreover, Keystone XL would be an environmental disaster. Notwithstanding the talking points to the contrary, the facts prove otherwise. As a source of carbon pollution alone, it will produce the equivalent of as many as 6 million added cars on our roads for 50 years. That is enough added carbon pollution to erase 70 percent of the carbon reductions from the recent motor vehicle emission standards that the automobile companies agreed to.

The cost of that carbon pollution adds up. Using official U.S. estimates of the social cost of carbon, the economic damage of the emissions from the Keystone Pipeline will amount to $128 billion in harm over the lifetime of the project. These are enormous costs that we will pay, borne out as parched farmland, harms to our health, and flooded businesses and homes. It is not about jobs and it is not about the merits of this pipeline. Unfortunately, it is not even a venue for a serious discussion about climate change—for a conversation about what carbon pollution is doing to our atmosphere and oceans.

In all of last week's conversation about the Keystone Pipeline tar sands bill, the number of times Republicans mentioned climate change was exactly one time, and that was only when Chairman MURKOWSKI summarized testimony submitted to her energy committee by an opponent of the pipeline. She used the term while describing the witness's testimony. There was one reference to a Democratic witness's committee testimony, and that is it. There were ''zero'' serious conversations.

We are long past time for a serious bipartisan conversation about carbon pollution and climate change. What a great thing it would be if part of the new majority's new responsibility was just to take an honest look at those issues. But for sure this isn't that. Republicans remain politically incapable of addressing climate change. Forget addressing climate change, Republicans remain politically incapable of even discussing it.

It is not jobs, it is not the merits of the pipeline, it is not an opening on carbon pollution and climate change, and the President has already told us he is going to veto this bill.

What the heck are we doing? I will tell you what I think we are doing—and I think the facts support this conclusion—but first what you have to understand to understand what is going on is that the Republican Party has become the political wing of the fossil fuels industry. There has always been a trend of this within the Republican Party, but since the Republican appointees on the Supreme Court gave the fossil fuel industry the great, fat, juicy gift of its Citizens United decision, fossil fuel industry control over the Republican Party in Congress has become near absolute.

According to the Center for American Progress, the fossil fuel industry spent nearly three-quarters of $1 billion over the last 2 years on lobbying and direct and third-party campaign contributions. That is just what is reported. That doesn't even count the anonymous dark money that is preferred by many special interest donors. It certainly doesn't include the pungent fact that even if a special interest never spends the money, just quiet, private, backroom threats of attack ads can influence political behavior.

We can argue this point more on another day. I have talked about it frequently, and I think I have made the case pretty convincingly in other ''Time to Wake Up'' speeches that the evidence points to this as the present state of affairs within the Republican Party. So for purposes of this discussion, take it as my premise, anyway,

that the Republican Party in Congress is now effectively the political wing of the fossil fuel industry.

That premise clarifies what is happening here. The fossil fuel industry has a shiny new Republican Senate majority, and it wants to take it out for a spin. It wants to take its new Republican-controlled Congress out for a spin. That is what this Keystone opening gambit is all about. This is somewhere between performance art, a show of obedience, and a show of force.

Well, fine. Take us out for a spin. Have your fun. But the laws of nature that turn carbon pollution into climate change and into ocean acidification aren't going away. God laid down those laws, and they are not subject to repeal by man. Ignore them all you want. Worship at the altar of the fossil fuel Baal all you want, but there will be a price to pay for this negligence and inaction. It is truly time for this body to wake up.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRUZ). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CUBA POLICY

Mr. MENENDEZ. Mr. President, I rise to say that nothing has changed in Cuba since Cuban arms were captured on this North Korean ship going through the Panama Canal a year and a half ago, just after the Obama administration started its secret negotiations with the Cuban Government—not the regime, not its mindset, nor its oppression of its people.

This is the essence of the regime. They put this missile system and MiGs in a container ship going through the Panama Canal, hid them under tons of sugar in violation of U.S. Security Council resolutions. It was the most significant violation of security council resolutions as its relates to North Korea in quite some time, and certainly the biggest violator in all of the Western Hemisphere.

We could not trust the Castro regime then, and we cannot trust it now. What we can trust are the voices of those who promote human rights and democracy who have been arrested and rearrested time and time again, year after year, for demanding nothing more than their ability to speak their minds freely, openly, and without fear.

Voices such as Berta Soler, the leader of the Ladies in White—the Ladies in White are a group of women who each Sunday travel to mass dressed in white, normally holding a gladiola—peacefully. These are women whose husbands or sons languish in Castro's jail simply because of their political views. And as they march to church, they are savagely beaten by state security.

Berta Soler, the leader of the Ladies in White, said:

Sadly, President Obama made the wrong decision. The freedom and democracy of the Cuban people will not be achieved through these benefits that he's giving—not to the Cuban people—but to the Cuban government.

The Cuban government will only take advantage to strengthen its repressive machinery, to repress civil society, its people and remain in power.

Or the voice of Yoani Sanchez, a prominent Cuban blogger and independent journalist, who said, ''Alan Gross was not arrested for what he did but for what could be gained for his arrest. He was simply bait and they were aware of it from the beginning. Castroism has won, though the positive result is that Alan Gross has left alive the prison that threatened to become his tomb.''

Or the voice of Rosa Maria Paya, the daughter of Oswaldo Paya, the island's most prominent and respected human rights advocate, who was killed in what the regime calls an automobile accident, what many of us call an assassination. His whole effort was under the existing Cuban Constitution to petition his government under that constitution for changes in the government, of which he amassed thousands of signatures of average Cubans across the island, and the regime saw that as such a threat that he was run off the road and, sadly, killed.

His daughter Rosa Maria Paya said:

The Cuban people are being ignored in this secret conversation, in this secret agreement that we learned today. The reality of my country is there is just one party with all the control and with the state security controlling the whole society.

If this doesn't change, there's no real change in Cuba. Not even with access to Internet. Not even when Cuban people can travel more than two years ago. Not even that is a sign of the end of the totalitarianism in my country.

Or another voice, the voice of Sakharov prize winner Guillermo Farinas, who spoke for many Cuban dissidents when he said this:

Alan Gross was used as a tool by the Castro regime to coerce the United States. Obama was not considerate of Cuban citizens and of the civil society that is facing this tyrannical regime.

In Miami, Obama promised he would consult Cuba measures with civil society and the non-violent opposition. Obviously, this didn't happen. That is a fact, a reality. He didn't consider Cuba's democrats. The betrayal of Cuba's democrats has been consummated.

As you can see, Farinas is in the midst of being arrested by state security simply for a peaceful protest.

Or the powerful voice of the husband of Berta Soler, Angel Moya, a former political prisoner of the Black Spring in 2003 when Fidel Castro imprisoned 75, including 29 journalists along with librarians and democracy activists. He said this:

The Obama Administration has ceded before Castro's dictatorship. Nothing has changed. The jails remain filled, the government represents only one family, repression continues, civil society is not recognized and we have no right to assemble or protest.

The measures that the government of the United States has implemented today, to ease the embargo and establish diplomatic relations with Cuba, will in no way benefit the Cuban people. The steps taken will strengthen the Castro regime's repression against human rights activists and increase its resources, so the security forces can keep harassing and repressing civil society.

These are the voices of those who languished inside the belly of the beast. These are the voices not of this romantic image that some have of Castro's Cuba but of the reality, the harsh reality—people who, simply to be able to promote the basic freedoms that we enjoy here in the United States and most people in the Western world, are constantly thrown into jail for long periods of time, beaten and oppressed.

Those are the voices of freedom inside of Cuba. These are the men and women who have been arrested and suffered under the oppressive hand of the Cuban regime for the belief in the right of all Cubans to be free. These are the people who know that nothing—nothing—has changed. The regime, after reaping the benefits of what in my view is a bad deal, is still arresting peaceful protesters, including more than 50 at the end of December.

As a matter of fact, on New Year's Eve when most of us were celebrating the advent of the new year, there was an effort inside of Cuba. Tania Bruguera and a series of other human rights activists and political democracy activists were going to hold in Revolution Square a 1-minute opportunity for any Cuban who wanted to come forth and talk about what they aspired to for their freedom, what they aspired to for the Cuba of tomorrow to be. It was going to be a peaceful demonstration and an exposition of the hopes and dreams and aspirations of Cuba's political dissidents and human rights activists inside their country. In that peaceful effort, dozens of human rights activists and political dissidents, including the organizers, were arrested before they ever got to the event. The event was totally suppressed.

Weeks after the administration's deal with the Castro regime—even then—the simple act of speaking for 1 minute about what your views would be of the future were repressed. So let me say that while I welcome the news that Cuba has released 53 political prisoners and that the administration has finally shared the list of names it negotiated with the Castro regime, this entire process has been shrouded in secrecy.

Reuters reports that the administration officials said the list was created in June or July. But some of the 53 were released well before June, before the list was supposedly put together. As a matter of fact, 14, to be exact, were released 6 to 8 months before the December 17 announcement. One was released over a year ago.

So, clearly, the list that supposedly was put together by the administration with the regime could not have envisioned or could not take credit for

those who were released well before the list was put together. Many had simply finished their unjust prison terms. Clearly, keeping the list secret provided the regime the flexibility to define ''mission accomplished.'' The fact is, the release of 53 political prisoners does not mean there are no longer political prisoners inside of Cuba. Human rights groups had stated, prior to the President's speech in December, that there were over 100 long-term political prisoners in the country, and there were 8,900—to be exact, 8,889—political detentions in Cuba last year—an appalling number—8,889.

In short, while 53 political prisoners have been let out of jail, the same corrupt jailer is still ruling the country. The Castros have a long history. I have followed this not only for all of my career of 23 years in the Congress, but even before that. They have a long history of rearresting these political and human rights activists whom they previously released.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. There is 1 minute remaining under Democratic control.

Mr. MENENDEZ. I ask unanimous consent to be able to continue for about 10 minutes.

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

Mr. MENENDEZ. Mr. President, the fact is that as someone who has spoken out time and again on the brutal repression of the Cuban people under the Castro regime, someone whose family has suffered the consequences, I believe the agreement this administration has reached with the Castro regime is one-sided and misguided. It fails to understand the nature of the regime that has exerted its authoritarian control over the Cuban people for over 55 years. Now, no one wishes that the reality in Cuba were more different than the Cuban people and Cuban Americans that have fled the island in search of freedom.

In December, the same month that the President announced changes to U.S. policies, the Cuban Commission for Human Rights and National Reconciliation, a group that works within Cuba, documented 489 political arrests, bringing the total number of political arrests during the first 11 months of 2014 to nearly 8,900.

This is the regime that imprisoned an American citizen for 5 years for distributing communications equipment on the island. Releasing political prisoners today in Cuba is meaningless if tomorrow these individuals can be arrested again and denied the right to peacefully pursue change in their own country. It is a fallacy that Cuba will change just because an American President believes that if he extends his hand in peace, the Castro brothers will suddenly unclench their fists.

As you see from the quotes I have read, a majority of democracy activists on the island, many whom I have met with in the past, have been explicit that they want the United States to become open to Cuba only when there is a reciprocal movement by the Castro brothers. They understand that the Castros will not accede to change in any other way. In my view and in theirs, the United States has thrown the Cuban regime an economic lifeline. With the collapse of the Venezuelan economy, Cuba is losing its main benefactor, but it will now receive the support of the United States, the greatest democracy in the world.

This is a reward that a totalitarian regime does not deserve. It is a reward that at the end of the day perpetuates the Castro regime's decades of repression. The regulatory changes the regime has won, which are clearly intended to circumvent the intent and spirit of U.S. law and the U.S. Congress, present a false narrative about Cuba that suggests that the United States and not the regime is responsible for its economic failure. So let's be clear. Cuba's economic struggles are 100 percent attributable to a half century of failed political and economic experiments that have suffocated Cuban entrepreneurs. In Cuba private business is controlled by the Cuban government—most significantly the military—with the benefits flowing directly to the regime's political and military leaders.

Cuba has the same political and economic relations with most of the world. But companies choose not to engage because of political, economic, and even criminal risks associated with investment on the island, as exhibited by the arbitrary arrests of several foreign investors from Canada, England, and Panama in just recent years.

To also suggest that Cuba should be taken off the list of state sponsors of terrorism is alarming while Cuba harbors American fugitives such as Joanne Chesimard, a cop killer who is on the FBI's list of most wanted terrorists for murdering New Jersey State Trooper Werner Foerster. She is not the only one who is a cop killer inside of Cuba from the United States. There is also Cuba's colluding with North Korea, as I showed before, to smuggle jets, missile batteries, and arms through the Panama Canal in violation of the U.N. Security Council resolution, and for giving refuge to members of FARC from Colombia and members of ETA from Spain, groups that the State Departments has recognized as foreign terrorist organizations.

Now, finally with respect to the President's decision to attend the Summit of the Americans, I am extraordinarily disappointed that we intend to violate our own principles laid down in the Inter-American Democratic Charter in 2001, on the Summit being a forum for the hemisphere's democratically elected leaders. This action disavows the charter, and it sends the global message about the low priority that we place on democracy and respect for human and civil rights.

So in this new Congress I urge my distinguished colleague, the now chairman of the Senate Foreign Relations Committee, Senator CORKER, to hold hearings on this dramatic and mistaken change in policy. I will keep coming to this floor to address at length all of the issues I have raised. I will come to this floor again and again to expose one of the most oppressive, repressive, and undemocratic regimes in the world.

To those of my colleagues who herald this agreement and for those in the press who still live with the mistaken romanticism of the Castros' revolution and who speak out about human rights abuses and democratic movements all over the world, it is so hypocritical to be so silent—a deafening silence when it comes to the democratic and human rights movement inside of Cuba.

I have listened to many eloquent speeches of my colleagues about human rights violations and democracy movements in many parts of the world. But on Cuba their silence is deafening.

This does not end here. It does not end today with one speech. It surely will not end until the people of Cuba are truly free.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent to speak for 15 minutes.

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

Mr. MERKLEY. Mr. President, I wish today to address S. 1, which would approve construction of the Keystone Pipeline to transport tar sands heavy oil from Canada to the gulf coast. The key consideration is whether this bill, by authorizing the pipeline, would contribute significantly to global warming, which is already damaging our rural resources and our future economic prospects with profound consequences for families in America and around the world.

Also, are there better ways to create jobs that would enhance rather than damage our economy? In the words of President Theodore Roosevelt, ''Of all the questions which can come before this nation, short of the actual preservation of its existence in a great war, there is none which compares in importance with the great central task of leaving this land even a better land for our descendants than it is for us.''

Let's start by examining the impact of the Keystone Pipeline on atmospheric carbon dioxide pollution and global warming. This chart displays the variations in carbon dioxide that have occurred over time, back through the last 800,000 years. We have seen that carbon dioxide levels have gone up and down within a modest range until modern times and the Industrial revolution.

At that point, where they continued to oscillate as they have in the past, we see a steady, upward progress into a realm not seen within these last 800,000

years. This is the impact simply of human kind pulling up a lot of fossil fuel out of the ground and burning it—whether it comes in the form of coal or it comes in the form of oil or it comes in the form of gas.

Now, let's take a look and see how the temperature of the planet has corresponded with the levels of carbon dioxide. What we find, going back in time, is a very strong correlation with the carbon dioxide in red and temperature change in blue—a very close correlation between carbon dioxide around our planet and the temperature of the planet.

Well, this makes enormous sense since any high school student can establish in the laboratory that carbon dioxide has thermal properties in trapping heat. As less heat radiates from the Earth, the Earth warms. Well, this certainly bears upon our stewardship of this planet. By many estimates, to contain global warming to 2 degrees Celsius—that is just shy of 3.9 degrees Fahrenheit—human civilization must transition aggressively and rapidly away from conventional fossil fuels and toward the use of nonfossil, renewable energy.

Now, this shift is within our power. It is a challenge presented by this circumstance and by our stewardship of human civilization on this planet. But are we up to the task? Do we have the political will to undertake responsible stewardship of our beautiful blue-green Earth? That is the test that stands before this body—this Senate—at this very moment.

Building the Keystone Pipeline, which opens the faucet to rapid exploitation of massive new unconventional fossil reserves—the tar sands—takes us in the exact opposite direction from where we need to go. It locks us into the dirtiest fossil fuels on the planet for a generation. It accelerates human civilization down the road to catastrophic climate change.

That is why building the Keystone Pipeline is a mistake. There is a lot at stake. Global warming is not some imaginary concept based on computer models or something that might happen 50 to 100 years from now. Indeed, global warming is not only present right now, but it is already making vast changes in State after State, and nation after nation.

The warmest 10 years on record for global average surface temperature have occurred in the last 12 years. Let me repeat that. The warmest 10 years on record for global average surface temperature have occurred in the last 12 years. That is pretty powerful evidence that something dramatic is occurring. The effects can be seen in every State. The average forest fire season in the United States is getting longer. Since the 1980s the season has grown by 60 to 80 days. That is 2 to 3 months of additional fire season. The average amount of acres consumed annually by wildfires has doubled to more than 7 million acres.

One study estimates that global warming, through the combined impact of greater pine beetle infestation and the greater number of forest fires and more severe forest fires will decimate the western forests of the United States by the end of this century. That is not the only impact that we are seeing. In addition, the snowpack in our mountains—in our Cascade Mountains—is decreasing, which means smaller and warmer trout streams. That is not good for fishing.

It means less water for irrigation—not good for farming. The Klamath Basin, a major agricultural basin in Oregon, has suffered through many years and three horrific droughts just since 2001, in substantial part, because of the lower snowpack.

This chart, which shows Washington State, Oregon, Idaho, and Montana, shows the areas of intensity of the decrease in snowpack. The decreases are circled in red and the increases in the snowpack are circled in blue. As you can see, the decreasing snowpacks vastly, vastly outweigh the occasional spots where there have been reported increases.

This translates to the types of droughts we have been seeing in the Klamath Basin, in this area of southern Oregon, and the droughts we have seen in northern California, a very significant impact on agriculture.

So when some are critical on this floor—some climate deniers who choose to ignore all of the facts on the ground and say there is no impact and no harm—well, they simply are putting forth a myth designed to serve the oil, fossil fuel, and coal industries in order to advance those powerful special interests.

Well, I have a special interest. That special interest is the people of Oregon, who are being impacted by the longer forest fires, who are being impacted by the droughts. I have a special interest. It is called planet Earth. That trumps the Koch brothers, that trumps the coal industry, that trumps the oil industry.

There are other impacts that we are seeing. One is the impact on our oceans. As the high levels of carbon dioxide in the air interact through wave action with the ocean, the ocean absorbs some of that carbon dioxide. As it absorbs that carbon dioxide, it becomes carbonic acid. Here we see some charts from Hawaii. In the purple here we have the change in atmospheric carbon dioxide over a 50-year period.

Then we have measurements of carbon dioxide in blue in the water. Then we have the measurements, over that same period, of the pH or acidic content of the oceans. What we are seeing is that as the pH level drops, that means that the oceans are more acidic. Now, what happens when the ocean is more acidic? It affects the coral reefs, for one. Coral reefs are very sensitive to this. We have seen, from scientists who are studying coral reefs, significant damage both from water temperatures and from increasing acidity.

One scientist from Oregon State University who studies coral reefs around the world came here to DC and presented a series of slides showing the reefs he studied. He said: These are my babies and my babies are dying. Those coral reefs are the basic food chain for a significant amount of sea life that is harvested for human consumption. To put it differently, fishing families around the world often depend on the coral reefs to sustain the foundation of their livelihood.

Off the Pacific coast, we are seeing a big impact on our oysters. The Whiskey Creek shellfish hatchery started having trouble in 2008 with the growth of its baby oysters that are known as oyster seeds. I visited that hatchery 3 months ago to hear their story about what they had faced.

At first they thought: Well, maybe this problem is from a bacteria. Maybe this problem is from a virus. Maybe this is from something else. They brought in Oregon State University to research and they figured out that it was, in fact, the acidity of the water, the very acidity that I just showed you the chart about.

The acidity does not happen in just one place. It is happening broadly across the world. The oyster seed—if they are having trouble fixing their shells because of the high acidity in the water, well then what else is going on? The oysters—here are some headlines related to the oysters.

Up in Washington State, the Seattle Times reported: ''Oysters dying as coast is hit hard.'' In fact, I was flipping through channels a month or 2 ago, and there was the Governor of Washington over at a hatchery on the coast of Washington, just like I visited Whiskey Creek Hatchery in Oregon. It is the same story. Oysters are dying. Why? Because of the acidity of the water.

This is a headline from the Los Angeles Times: ''Oceans' rising acidity a threat to shellfish—and humans.''

From Oregon: ''Researchers scramble to deal with dying Northwest oysters.''

So for my colleagues who want to wreak this kind of harm to our farms, to our fisheries, and to our forests, how about you figure out from the folks of your State how to pay for the damage being done in my State to our forests, our fishing, and our farming. How about you figure out how to pay for the damage being done throughout the United States and throughout the planet. You want to unleash the dirtiest oil in the world from the tar sands and increase this damage? Tell me how you are going to compensate those who are injured across this Nation and across the world.

I hear a lot of comments about responsibility. I hear a lot of comments from my colleagues across the aisle about accountability. Put your actions where your statements are and show us some accountability for the damage you are wreaking by approving this pipeline, by voting for this pipeline.

Does this bill before us, which would open the faucet on a massive new reserve of fossil fuels, advance the stewardship of the planet? Does it advance our rural economy? Clearly the answer is no. Stewardship, accountability, and responsibility would insist that we not open this faucet to further damage of the kind we are seeing right now, that we not unlock the tar sands.

But proponents of the pipeline say: Wait, we have some arguments on our side. Let's examine those arguments.

First they say: You know, this will create 4,000 construction jobs.

Well, let's take a look at this chart. This is a chart that shows the Keystone—roughly 4,000 construction jobs. That represents this little tiny line at the bottom, if you can even see it.

Now let's talk about the Rebuild America Act, which colleagues across the aisle filibustered in order to kill it even though it was revenue neutral. That is how many jobs the Rebuild America Act would create.

If you want to talk jobs, let's talk about a jobs bill. Let's substitute the Rebuild America Act for the Keystone act. Let's have a real jobs bill, a real stimulus bill, a bill that would put people to work in construction across this Nation in a way more intense fashion than would the Keystone bill.

Proponents have a second argument. They say that bringing this additional oil from Canada down to the Gulf of Mexico will increase our national security because all that oil will be refined and utilized in the United States.

Well, my colleagues are a little confused about this. They haven't thought about why it is Canada wants to ship it to a gulf port—so that it can have access to world markets, so that it can get the world market price. Our refineries in the gulf coast are largely fully occupied now. An additional supply of crude means additional crude you can export to other countries that have refineries that are short of supply. Well, that is profitable to Canada, but that doesn't mean the oil will get used in the United States.

They say: But wait a minute, some of it might get refined and utilized in the U.S. system.

Well, let's acknowledge that some of it might get refined, albeit it is clear why the oil is being shipped to the gulf coast because it is being shipped there to get into the world market and be available for export to the world. Let's say some of it might happen to be utilized in the United States. That little bit of impact is nothing compared to what we can do by investment in renewable energy that would decrease our reliance on fossil fuels. So a far better solution would be investing in renewable, non-fossil fuel energy that doesn't have the impact on the fishing, the farming, and the forests.

But, say proponents, if the Keystone Pipeline is not built, an alternative pipeline will be built through Canada.

Well, that is certainly highly questionable. If it were easier and cheaper to go through Canada, TransCanada would not be seeking to build the Keystone Pipeline.

Oh, they say, they will figure out a way to run a pipeline west to the Pacific.

But you know that has to pass through First Nation lands, and it has to have all kinds of approvals. And there are folks in Canada who actually feel as deeply and passionately about being good stewards of our planet and not contributing to the assault on our forests, our farming, and fishing as many of us here feel, and there is going to be intense opposition. That is why TransCanada wants to push this through the United States in order to reach the world market and the gulf coast. It is cheaper and easier, and they have no confidence they can build a pipeline to substitute.

Opponents say: If it is not shipped by pipeline, it will be shipped by railroad—which, of course, is again way off the fact track because the railroads are already congested, making additional capacity modest at best. In addition, the price point for shipping by rail is much higher than the price point for shipping by pipeline. If you change the price of the pipeline, you change the supply and demand curve, and you don't end up producing the same amount of oil.

So these arguments made are thin efforts to camouflage a fundamental fact that this is a great deal for TransCanada, it is a great deal for the oil industry, and it is a terrible deal for Americans depending on rural resources, a terrible deal for our oceans and our fisheries, a terrible deal for our forests, and a terrible deal for our farming.

So if you care about the future economy of the United States, if you care about rural America, if you care about all of us who depend on rural America for these wonderful and important resources, then you will oppose this pipeline.

There is no question, this is a sweetheart deal. Talk about accountability? TransCanada won't even have to pay into the oilspill liability fund. They are being exempted from that fund. They do not have to pay into the insurance fund that will help clean up when their pipeline leaks. And they all leak. That is outrageous. You want accountability? Put forward the amendment that says they would have to pay into the oilspill liability fund, the same as any other person or group pumping oil through a pipeline in the United States. Say that they would be fully responsible for every bit of damage that local governments and State governments and the U.S. Government have to pay for to compensate for the damage created by those oilspills. Let's hear some responsibility and accountability from the proponents of this pipeline, not this sweetheart deal for a Canadian company.

Tackling carbon pollution—global warming—is going to take an enormous amount of international cooperation. Just recently, the United States and China entered into an agreement to address global climate change. President Obama announced the goal of cutting American net greenhouse gas emissions 26 to 28 percent below 2005 levels by 2025. The Chinese President announced that China would invest heavily in renewable energy to generate 20 percent of China's energy from nonfossil sources by 2030 and would seek to decrease China's CO_2 emissions thereafter.

These goals will require significant efforts by the United States and massive investments by China. Do they go far enough? No, not in the context of the challenge faced because of our elevated carbon dioxide levels around the world, but this agreement by the two biggest carbon polluters among nations is a significant step forward. It is the type of leadership the world has been asking for.

We cannot simply wish for nations to work together, we have to do our part. That is why we should be talking today not about how to turn on the tap for the dirtiest oil on the planet but how to work with other nations to invest in energy conservation, to invest in nonfossil fuel renewable energy.

Let's turn back to the test President Theodore Roosevelt put before us. He said that there is no more important mission than ''leaving this land even a better land for our descendents than it is for us.'' That is the challenge. Let's rise to that challenge.

Mr. President, let's rise to that challenge. Help lead your colleagues—all of us—in stopping this assault on our farms, our fishing, and our forestry. Stop this sweetheart deal for a Canadian company, and let's substitute a real jobs bill, a rebuild America jobs bill that will create more than a hundredfold more construction jobs than the jobs we have before us.

When we think about the complete lack of accountability and responsibility embedded in this bill, when we think about the enormous damage that comes from turning on the faucet to the dirtiest oil in the world, there really is only one way to vote on this bill, and that is to vote no.

I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:56 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

KEYSTONE XL PIPELINE ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Tennessee.

HELP COMMITTEE AGENDA

Mr. ALEXANDER. Mr. President, I am here today to talk about the work

of the Senate Committee on Health, Education, Labor, and Pensions. It is an important committee. Senator Ted Kennedy, who served for many years as the chairman of the HELP Committee, as we call it, once said that the HELP Committee had 30 percent of the legislative jurisdiction of the Senate. If you think about it, health, education, labor, and pensions—the work we do touches the lives of virtually every American.

During the last 2 years, I had the privilege of being the ranking Republican on the committee. The Senator from Iowa, Tom Harkin, was the chairman. I think most people would agree we have as ideologically diverse a committee as any committee in the Senate, but we worked very well together. Where we disagreed, which was often, we simply stated our piece and we voted. But we looked for opportunities to agree, and last Congress, we passed 25 bills through the committee that became law. I am not sure any other committee can say that.

I look forward to a similar productive working relationship with the Senator from Washington, Mrs. MURRAY. She is an experienced legislator, cares deeply about education, health, labor, and pensions, and has proven she knows how to successfully negotiate. We are operating today under a budget agreement that she helped negotiate with Congressman PAUL RYAN in the House. I am hopeful Senator MURRAY and I can work together in the same successful manner that I did with Senator Harkin last Congress.

I have now visited with almost all of the members of the committee, Democrat and Republican, and I feel confident we can successfully work together.

Here are my goals for the next 2 years. I have the privilege of being the chairman of the committee. The job of the chairman is to set the committee's agenda and work with all members of the committee on that agenda. This Congress, all members, before and during hearings, will have a full chance to discuss and amend legislation related to the agenda. When we report a bill to the floor, there will be an opportunity for a robust amendment process, as Senator MCCONNELL has said. Then, I hope we will go to conference with the House of Representatives on our bill, where there will be further discussion. The challenge in passing legislation is there will have to be 60 votes to move a bill out of the Senate, 60 votes to move to conference on the bill, and 60 votes to pass a bill in the end. To accomplish that takes working with all Senators, including those on the other side of the aisle.

I also know if we want a bill to become law, President Obama must sign it. On the major issues we plan to address, we hope to work with him to gain his signature.

My first priority as chairman will be to fix No Child Left Behind. The law is over 7 years expired, and we have been working to reauthorize it for 6 years. The law has become unworkable. States are struggling. As a result, we need to act.

The Secretary of Education gave a fine speech yesterday saying we need to act on No Child Left Behind. I agree with him. I intend to finish this work in the first few months of this year.

Second, we need to reauthorize the Higher Education Act and deregulate higher education. We need to simplify and streamline the regulations that are imposed on 6,000 colleges and universities. One of the committee members is ELIZABETH WARREN, the Senator from Massachusetts. When she was at the Consumer Financial Protection Bureau, she said she would like a one-page mortgage application. A multipage mortgage application is not consumer friendly, but a two or three page one provides the consumer with information in a more easily understood manner. I think we could do the same with the application for federal aid, and there is substantial room for bipartisan agreement on this in higher education.

Just last week, I introduced legislation with Senators BENNET of Colorado, BOOKER of New Jersey, KING of Maine, ISAKSON of Georgia and BURR of North Carolina, to make it easier for students to go to college by simplifying the complicated, dreaded FASFA. The FASFA is the 108-question application form that 20 million American families fill out every year. The President talked about it on his visit to Tennessee on Friday. He also thinks it is too long and wants to simplify it. I think higher education is an area on which we can work together in the Senate and with the President.

The third thing I would like to do is to modernize the Food and Drug Administration. Now, there is a great opportunity, working with the House and with the President, to take a good look at the FDA, to take a good look at the modern world of medical devices and personalized medicines, and to say: What do we need to do to make it easier to get treatments, medical devices, and cures through the FDA process quickly and effectively while ensuring those treatments, medical devices, and cures are safe so they can help people? This sort of work literally would affect every single American.

Fixing No Child Left Behind would affect 50 million schoolchildren, millions of teachers, and 100,000 public schools. Reauthorizing the Higher Education Act and making its regulations simpler would affect 6,000 institutions of all kinds and over 20 million students across this country. If we worked together with the House and the President to reform the FDA, we could affect the lives of every American and people all over the world by the kinds of treatments and devices and cures we bring to market.

Those are my top 3 priorities. Of course, we also want to deal with the Affordable Care Act, or ObamaCare. On this side of the aisle, we would like to repeal it, and I am sure there will be that vote. I also hope, in the words of the Senator from Wisconsin, RON JOHNSON, we move as rapidly and as responsibly as we can to repair the damage that ObamaCare has done. One example to improve ObamaCare would be to redefine full-time work from 30 hours to 40 hours. That would give about 2.5 million low-wage employees in America a pretty big pay raise when they go from 27 hours or 28 hours to 37 or 38 hours, which is what they would be able to do if full-time work were defined, as it is for everything else, as 40 hours.

We will have our first hearing on that on a bipartisan bill in the HELP Committee on next Thursday—a week from Thursday. It is a bill introduced by Senators COLLINS, MURKOWSKI, DONNELLY, and MANCHIN. It is a bipartisan bill.

Our committee has a great interest in this bill. The technical jurisdiction is with the Finance Committee. But by agreement with the Finance Committee, we will have this hearing, and then we will send to the Finance Committee our opinions, and it will be up to the Finance Committee how to report the bill, whether to report it, or what version of it to report. It helps, at least on the Republican side of the aisle, that six of the members of the Finance Committee are also members of the Health, Education, Labor, and Pensions Committee.

Mr. President, let me talk about the first item on the HELP Committee agenda; the plan to fix No Child Left Behind.

I see the Senator from Washington on the floor today. She will be speaking next, and I look forward to hearing her comments. I said before she came to the floor how much I look forward to working with her. She is an experienced legislator, proven leader, and has a demonstrated record of results. I hope we are able to work together to pass No Child Left Behind.

No Child Left Behind was passed in 2001—a year before I became a Senator. It has become unworkable because Congress and the President failed to reauthorize and amend the law when it expired over 7 years ago.

Under the terms of the law, the original provisions continue, but that is what has made it unworkable. Those original provisions, if strictly applied, would label as a failing school almost every one of our 100,000 public schools. This is clearly an unintended result of the those who passed No Child Left Behind.

To avoid that unintended result, the U.S. Secretary of Education has granted waivers from the law's provisions to 42 States, the District of Columbia, and Puerto Rico. This has created a second unintended consequence. In exchange for the waiver, the Secretary has told those States what their academic standards should be, what accountability systems they should use to set

performance standards, how many and what tests shall be used to measure the progress of students, how to evaluate teachers, and how to identify and intervene in low-performing schools. The Department has become, in effect, a national school board.

We have been working over the last 6 years to fix the problems of No Child Left Behind. Over the last 6 years, the Senate HELP Committee held two dozen hearings on No Child Left Behind and K–12 education. Twice the committee reported legislation to the Senate floor. In the Congress before last, we reported the Democratic majority's bill. I did not particularly like it, but Senator KIRK, Senator ENZI, and I all voted for it so we could move it to the floor, continue to work on it, and then replace the law. But it did not come to the floor. In the last session of Congress, the committee reported a bill again.

This Congress, we need to start with a specific proposal. I will put forward a Chairman's staff discussion draft, consult with all the members of the committee on the proposal, and see if we can ultimately get bipartisan agreement on the proposal.

I have already distributed to all the committee members, Republican and Democrat, copies of the Chairman's staff discussion draft. This is not a chairman's bill; it is not a Republican bill; it is the Chairman's staff discussion draft put forward as a place to start discussions.

We would like for staff of the various members of the committee to meet every day for the rest of this week and next week. They can discuss and provide feedback on each section of the bill. This will help determine areas where we agree and disagree.

Former Chairman George Miller gave some good advice on fixing No Child Left Behind. He said: Let's pass a lean bill to fix No Child Left Behind. Discussions have highlighted there are about eight or nine problems with the law. We probably can agree quickly on about four or five of those problems. There are real differences of opinion on the other three or four areas. I hope we can come to agreement on those issues in the committee, and I am going to do my best to lead that process. I am willing to spend all the time we need over the next several weeks to reach agreement.

If we cannot reach agreement in committee, then we should vote on a bill, and bring that bill to the floor. We can amend the bill there, and pass it with 60 votes. Then we can go to conference with the House, and ultimately send a bill to the President for him to sign.

I look forward to the process. A week from tomorrow, we will hold a hearing on testing and accountability. Every member of the committee is interested in this topic. Here are the questions to be examined in the hearing: are there too many tests? Who should decide how many and what tests should be administered? We need to answer some questions before we make decision to be put into a bill. In the Chairman's staff discussion draft I have circulated, I have included two options for discussion: current law testing requirements and another option that gives more flexibility to the States to decide what to do on testing.

On fixing No Child Left Behind, I plan to set realistic goals, keep the best portions of the law, and restore to States and communities the responsibility to decide whether schools and teachers are succeeding or failing.

The Chairman's staff discussion draft relies on and respects the 30 years of work by Governors and chief State school officers to develop higher standards, better tests, stronger accountability systems, and fair and effective teacher and principal evaluation programs that will allow parents and communities to know how children in our country's public schools are performing.

I have watched the development of goals, standards, tests, and teacher evaluation systems for a long period of time. I was Governor of Tennessee in 1983 when Secretary Terrell Bell in the Reagan administration issued a report called: ''A Nation at Risk.'' The report said that if a foreign country had created schools in the condition of our nation's schools, we would have considered it an act of war. At this time, Governors all over the country were working to fix state education systems, understanding that while the Federal Government has some involvement in elementary and secondary education, it only pays for about 12 percent of state budgets. Most Americans feel as though they should be in charge of their local schools, not Washington.

In 1985 and 1986, every Governor spent an entire year focused on improving schools—the first time in the history of the Governors association that it happened. I was chairman of the National Governors Association that year. The Governor of Arkansas, Bill Clinton, was the vice chairman.

In 1989, the first President Bush held a national meeting of Governors and established national education goals. Then in 1991–1992, President Bush announced Goals 2000 to help move the nation toward those goals. I was the Education Secretary at that time. States worked together to develop challenging education standards that were voluntary. States discussed teacher evaluation systems that were adopted by states such as Tennessee. In 1984, Tennessee became the first State to pay teachers more for teaching well. Washington did not dictate to Tennessee how to pay its teachers based on performance and other States began to model teacher policies in the same way. Governors began to work together on higher standards, on accountability systems, and on teacher evaluation systems.

President George W. Bush brought many of his education ideas as Governor of Texas to Washington. A large portion of those ideas were included in No Child Left Behind, such as the requirement for annual testing to determine student achievement in every school and disaggregated reporting.

President Obama created Race to the Top to give States incentives to adopt certain standards and certain tests and certain teacher evaluation systems. Since much of No Child Left Behind became unworkable in his term, Secretary Duncan provided waivers to certain aspects of the law in exchange for telling states and districts what their academic standards should be, what their accountability system should be, how to evaluate teachers, and how to intervene in low-performing schools.

These actions have created, in essence, a national school board. We need to reverse the trend toward a national school board and put responsibilities for education back with States and local communities. There is a difference of opinion about the proper balance between the federal and state role in education. I hope we can come to agreement on that balance in the committee. We need to start discussions. We have been working on fixing No Child Left Behind for 6 years, have held multiple hearings, and have reported a bill twice to the floor. 20 of the 22 members of the committee were members last year when we had hearings and reported a bill.

I think we need to identify the seven or eight issues to fix in the law, discuss each other's points of view, and see if we can fix No Child Left Behind. I look forward to that process.

The chairman's staff's discussion draft, already distributed to committee members today, will be on the committee Web site tonight so that people can see it. We will solicit feedback. Staff will work together over the next few weeks, Senators will talk, and we will see we can turn that discussion draft into a bipartisan bill. If we can, we will mark it up in committee, have amendments, and see if we can get a bipartisan result. We will then bring it to the floor for further discussion and debate. If we can't get a bipartisan bill in committee, we will still bring a bill to the floor knowing we will have to get a bipartisan vote to get it off the floor.

I am ready to get started on this process. I have talked to almost all my colleagues on the committee, and I believe they are as well.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks a list of the nine problems the chairman's staff discussion draft identifies as the problems we should work on in trying to fix No Child Left Behind. These problems generally come from the discussions we have had over the last 6 years with the House of Representatives, and with the Secretary of Education. Identifying and discussing these problems should help us move along more rapidly.

I thank the Presiding Officer.

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

A PLAN TO FIX ''NO CHILD LEFT BEHIND''

''No Child Left Behind'' (NCLB) was passed in 2001. It has become unworkable because Congress and the President failed to reauthorize and amend the law when it expired over seven years ago. NCLB's original provisions, which continue in place today, would label as a ''failing school'' almost all of America's 100,000 public schools. To avoid this unintended result, the U.S. Secretary of Education has granted waivers from the law's provisions to 42 states, the District of Columbia, and Puerto Rico. This has created another unintended result: in exchange for the waiver, the Secretary has told these states what their academic standards should be, what accountability systems shall be used to set performance standards, how many and what tests shall be used to measure the progress of students, how to evaluate teachers and how to identify and intervene in low performing schools.

The Department has become, in effect, a national school board.

For the last six years, the Senate and the House have worked together to try to fix ''No Child Left Behind'' In each of the last two Congresses, the Senate HELP Committee has held numerous hearings and reported legislation to fix the problems with ''No Child Left Behind.'' In 2015, the Senate HELP Committee will spend the first six weeks concluding this work and, in former Rep. George Miller's words, report a ''lean bill fixing No Child Left Behind'' ready to move to the Senate floor on Feb 23. The House of Representatives is pursuing a similar schedule.

The plan is to set realistic goals, keep the best portions of the original law, and restore to states and local communities the responsibility to decide whether local schools and teachers are succeeding or failing. The HELP Committee's bill will seek to build on thirty years of work by governors and chief state school officers to develop higher standards, better tests, stronger accountability systems, and fair and effective teacher and principal evaluation programs that will allow parents and communities to know how children in our country's public schools are performing.

1. New Goals—The 2001 goal is unworkable. Set new, realistic but challenging goals to help all students succeed.

2. High Standards—Require states to have high and challenging standards that promote college and career readiness for all students, but the federal government may not dictate or get involved with what those standards should be, or require states to submit their standards to the federal government for review or approval.

3. Reporting Progress Toward State Standards—Continue and improve disaggregated school-by-school reporting so that parents, teachers, schools, legislators, and communities know what progress schools are making.

4. State Accountability Systems—Free all public schools from the federal requirement of conforming to a federally-defined adequate yearly progress mandate and, in exchange, require states to establish accountability systems to measure school performance toward meeting the each state's standards.

5. Federal Support for the Lowest-Performing Schools—The federal government will continue to support states and local school districts in fixing schools that states determine are lowest performing.

6. Better Teaching—Encourage the creation of state and local school district teacher and principal evaluation systems, but the federal government may not dictate or get involved with the design of those systems. This will replace the current federal ''highly qualified teacher'' requirements.

7. More Local Authority To Transfer Federal Funds—Allow school districts to transfer funds more efficiently among the largest federal education programs.

8. Consolidate and Streamline Programs—Consolidate and streamline more than 60 programs within NCLB. Eliminate those that are duplicative.

9. Empower Parents—Encourage the creation and expansion of high-quality charter schools that give teachers more freedom to teach and opportunities that give parents more choices of schools for their children.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, a century ago, President Lyndon Johnson returned to his old elementary school in rural Texas with a major piece of legislation. At a picnic table on the lawn of his school and sitting beside his very first teacher, President Johnson signed into law the Elementary and Secondary Education Act, or ESEA.

Our Nation has always held the ideal of education for everyone. In 1786, Thomas Jefferson wrote:

> By far the most important bill in our whole code is that for the diffusion of knowledge among the people. No other sure foundation can be devised for the preservation of freedom and happiness.

The idea of a strong public education for every child was woven into the fabric of this Nation. But ESEA put that idea into action. It aimed to close the gaps between rich and poor, Black and White, children growing up in the crowded neighborhoods of Philadelphia, to the rural districts of Texas, children with every advantage in the world and kids with disabilities. This law moved our country in the right direction, but we still have a long way to go to close those gaps.

In the coming weeks and months, Congress will have the opportunity to make sure we continue moving our country toward this ideal and to work together to fix the broken No Child Left Behind law, because we as a nation still believe every student should have access to a quality public education, regardless of where they live or how they learn or how much money their parents make.

Education and fighting on behalf of children is what drew me to public service in the very first place. When my kids were much younger, I found out their wonderful preschool program might close because of budget cuts. I knew how valuable that program was and how much it was helping our local children, so I put my two young kids in my car and I drove off to the State capitol to explain to our legislators why they couldn't just cut this program. When I got there and was finally able to get one of the legislators to listen to me, he said something I will never forget. He said to me: You can't make a difference. You are just a mom in tennis shoes.

Well, I couldn't believe that, and I was furious. I drove all the way home telling my two little kids in the car that I was going to change that. So I got home, picked up the phone and started calling other parents, and they called other parents, and we held rallies, and we wrote letters. Finally, after it was all said and done, the legislature voted to keep the funding for that preschool program.

Throughout my career, as a preschool teacher, to serving on the local school board, the Washington State Senate, and here in the U.S. Senate, I have been committed to expanding educational opportunities and making sure every kid has someone fighting for them and their future. But that battle is far from over. Now is the time to take another big step forward, putting the ideals of our Nation into action.

The current law, No Child Left Behind, is badly broken and it is time to fix it. The good news is this doesn't have to be a partisan issue. Nearly everyone—Democrats, Republicans, teachers, parents, business leaders—agrees this law needs to be rewritten. So today I wanted to come to the floor to lay out some pretty basic but very important principles I think should guide any bill to fix No Child Left Behind.

For one, we need to work to reduce redundant and unnecessary testing so educators focus on preparing students for college and their career and also ensure we know how all of our students are progressing. We need to continue to hold schools and States accountable for delivering on the promise of a quality education for all our kids so they can compete in the 21st century economy. We need to improve our schools and give them the resources they need so every student does have the opportunity to reach their potential. And I believe we need to expand access to early childhood education so students can go to kindergarten ready to learn.

What is clear to nearly everyone is that No Child Left Behind is not working. For one, the law requires States to set high standards for schools, but it didn't give them the resources they needed to meet those achievement goals. In effect, this law set up our schools for failure. It sets teachers up for failure. It set our students up for failure. That needs to change.

I have heard from parent after parent and teacher after teacher in Washington State who have told me that not only are students taking too many tests, oftentimes the tests are of low quality and are redundant. That needs to change too.

We are still facing inequality in our education system, where some schools simply don't offer the same opportunities. For example, African-American and Latino students are significantly less likely to attend a high school that offers advanced math classes. According to the Department of Education, 30 percent fewer students from low-income backgrounds reach proficiency or higher on assessments compared to their peers of affluent backgrounds. On average, kids from low-income neighborhoods don't have access to qualified

and experienced teachers, as do students from wealthier neighborhoods. That needs to change.

The current law is not working for our States either. I have seen firsthand how No Child Left Behind is not working for my State of Washington. The law is so bad the Obama administration began issuing waivers to exempt States from the law's requirements. Washington State had received a waiver but last year it lost it. As a result, most of the schools in my home State are now categorized as failing. That means that hard-working parents sending their kids to schools in communities such as Spokane in eastern Washington, the Tri-Cities in central Washington, and Seattle, Tacoma, Everett, and many others in western Washington are receiving a letter in the mail that says their children aren't getting the type of education we expect in this country.

Not only that, but Washington now has less flexibility in how to use Federal investments in education. That needs to change.

I recently heard from a woman—her name is Lillian, who lives in Shoreline, WA—last year whose son was going into the fourth grade in the same school district where I used to serve as a school board member years ago. Her son has a learning disability. With the help of teachers and specialists in his elementary school he has shown great signs of progress. But then Lillian said she got a letter in the mail 2 weeks before school started describing the school as failing, and that left her worried about her son's education.

Because No Child Left Behind is broken, so many parents and schools and districts across the State of Washington are facing a similar uncertainty, and that is not fair to our students. That needs to change too.

It is time to rewrite No Child Left Behind with something worthy of this Nation's children and their future. In the coming weeks and months, these are some of the core principles I am going to be fighting for. Let us work with our States and districts to reduce unnecessary testing, especially by targeting redundant and low-quality tests. This is an obvious step we need to take and one you won't find much disagreement on.

That doesn't mean we should roll back standards or accountability for schools to provide a good quality education. We need to make sure we establish expectations for our students that put them on a path to competing in the 21st century global economy.

And let me be clear on assessments. We know if we don't have ways to measure students' progress, and if we don't hold our States accountable, the victims will invariably be the kids from poor neighborhoods, children of color, and students with disabilities. These are the students who too often fall through the cracks, and that is not fair. True accountability makes sure we are holding our schools up to our Nation's promise of equality and justice. This is a civil rights issue, plain and simple.

Another reason assessments are important is they help parents monitor their kids' progress. If a school is consistently failing to provide a quality education year after year, parents deserve to know. We shouldn't forget this law provides the Nation's largest Federal investment in K–12 education. It would be irresponsible to ask our taxpayers to spend billions of dollars on education without knowing if it is making a difference in our students' lives. That is a good government principle which Democrats and Republicans should be able to agree on and which the taxpayers should have every right to expect.

So let's maintain strong accountability that measures the students' growth with statewide assessments. I believe annual assessments are one of the most important tools we have to make sure our schools are working for every student. We need to make sure these assessments don't lead to unintended consequences. But I would be very concerned about any proposal that rolls back this key student and taxpayer protection and accountability tool.

I believe we need statewide assessments that give parents, civil rights groups, and policymakers the ability to see how students are doing from district to district.

Furthermore, to make sure we are meeting our obligations to all of our students, let's increase funding for schools that have high numbers of children from low-income backgrounds. Rich or poor, every child should get a high-quality education.

The ones who are on the frontlines of this noble work—let's make sure our teachers and principals have the resources they deserve to continue to build their skills so they can best help the students about whom they care so much. Let's improve schools through innovation and with coursework that challenges our students—not just so they earn a diploma but so their diploma means they are truly college- and career-ready.

I believe Congress should only pass an education bill that expands access to preschool programs. This is a particularly important issue to me. As a mom and when I was a preschool teacher, I saw firsthand the kind of transformation early learning can inspire in a child not just to start kindergarten ready to learn but to succeed later in life. That is why law enforcement, business groups, military leaders, and so many others support expanding access to early childhood education.

Congress needs to catch up with the Democratic and Republican Governors and legislators around the country who support investments in early learning, and we need to make sure the investments in our youngest kids that will pay off for generations to come are part of this bill.

Those are just some of the core principles I am going to be focused on as we work together to revamp our Education bill.

Providing an excellent education to all students is a national priority—not just because our children deserve it but because it is one of the best investments we can make to ensure long-term and broad-based economic growth. Businesses and entrepreneurs need the next generation of workers to come in and help them innovate, invent, build, and grow. That is something I hear from my Washington State businesses all the time.

Making sure all students are able to take on the jobs of the 21st century is the only way our Nation will stay economically competitive in the years to come. Other countries are investing massively in education and their students, and we cannot afford to fall behind in this country.

Let me be clear on another point. The only way Congress will be able to fix this law is by working in a bipartisan way. That means Republicans should come to the table ready to work with Democrats to get this done. I know the Republicans are the majority in the Congress, and I welcome our new committee chair, Senator ALEXANDER. I listened carefully to his remarks and thank him for reaching out to begin this process. But parents across the country are expecting us to put partisanship aside and work together for the good of our children.

Secretary Duncan, President Obama, and so many of us here in Congress have made it very clear that we aren't going to accept a bill that hurts students or doesn't live up to the ideals of our great Nation.

There is no question, as Senator ALEXANDER said, that there are some serious differences in the way the two parties approach this, but I am confident, just as we did with the budget last Congress, we can find common ground and move forward if both sides are willing to leave their partisan corners and work across the aisle. Everyone should be able to agree that this law needs to provide every student in every school in every State with a quality education, and that is what I am going to be fighting for.

When President Johnson signed the Education bill, he said he envisioned ''full educational opportunity as our first national goal.'' Our Nation's commitment to that ideal is so important to me and my family. I would not be here in this Senate Chamber without it. When I was 15 years old, my dad was diagnosed with multiple sclerosis. In just a few short years he could no longer work at the five-and-dime store he ran. Without warning, my family fell on hard times. But instead of falling through the cracks, my six brothers and sisters and I got a good education because of our public schools, and we all went to college with the support from the program we now know as Pell grants. My mother was

able to get the skills she needed to get a job through a worker training program at Lake Washington Vocational School.

Today I believe we need to continue to make education a national priority so more families can seize the opportunities that are only possible with access to a good education. So I am glad to be here on the floor today with the chairman of our committee, and I call on Democrats and Republicans to work together to fix this law.

For the child who may not live in the best neighborhood or the kid whose parents are struggling to make ends meet, for every student who deserves the chance to learn, grow, and thrive—I hope we can work together to write a bill to make sure every child in this country gets a quality education. Let's make sure our country continues to have the best workforce the world over. Let's deliver on Jefferson's promise of education as the foundation for freedom and happiness.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Washington for her remarks. In the spirit of her remarks, I am delighted to have the privilege of working with her in Congress because of her leadership position, her background, her caring for children, and her reputation for getting results. I like all of those things.

I neglected to mention that our first hearing will be on the 21st—a week from Wednesday—on testing and accountability. I am working with Senator MURRAY to see if perhaps we can agree on the witnesses. The purpose of the hearing is to ask the questions she asked: Are these the right tests? Are they redundant tests? Are there too many tests? What are we hearing from across the country?

I thank the Senator for her comments. I took careful notes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

LAW ENFORCEMENT

Mr. TOOMEY. Mr. President, I rise to speak about the law enforcement in Pennsylvania and throughout the country.

We just finished the holiday season, and in my family—as with many of us, I am sure—we had a wonderful Christmas in our homes, had a wonderful meal, and got to watch the kids open their presents.

There are a lot of Pennsylvanians and Americans who didn't have the chance to do what we got to enjoy, and they were the law enforcement men and women who were out on the streets, in the cold, protecting us as they do day in and day out because their work goes on 24/7, 365 days a year.

Just this past Saturday a number of us gathered on Independence Mall in Philadelphia. Several hundred people braved a very cold and windy day to let the law enforcement officials of Pennsylvania and beyond know just how much we appreciate the sacrifice they make for us day in and day out. We had a terrific turnout. It was a very enthusiastic crowd who rallied in support of our police officers.

But being a police officer is not just often inconvenient; sometimes it is very dangerous. Last year 115 police officers died in the line of duty. So far we are 13 days into a new year and 10 officers have already been shot and wounded.

Often these police officers have been targeted and shot just because of the uniform they wear. Unfortunately, Pennsylvania is not immune to this problem. Last year on September 12, late at night, two Pennsylvania State troopers were coming in for their shift at work, and Eric Frein was lying in wait, hiding in the woods, with a high-powered rifle. He shot and killed Corporal Bryon Dickson, and he shot Trooper Alex Douglass, who was grievously wounded. The killer, Eric Frein, didn't know either Corporal Dickson or Trooper Douglass; he shot the two police officers simply because they were police officers. He thought that somehow by killing a cop he would help spark a revolution. Such is the madness police officers have to face on a regular basis. On any given day they don't know that they won't run into that kind of insanity.

It is important for us to remember that these victims—in this case, Corporal Dickson—aren't just numbers and badges. Corporal Dickson was a dad, the father of two young boys. He used to enjoy making toys for his sons. He was a devoted husband who had recently celebrated his 10th wedding anniversary. He was a proud Marine Corps veteran.

I am proud, as Pennsylvanians generally are, of the response of law enforcement to the savage and despicable shooting of these two State troopers. Officers from all across Pennsylvania and surrounding States and even around the country joined in a very intensive, tireless, 7-week-long manhunt. In the end they found Eric Frein, and they brought him into custody wearing the handcuffs of Corporal Dickson. He will meet justice.

But, of course, the story doesn't end there. There was another terrible tragedy just last month in Brooklyn. Just 5 days before Christmas, Officer Rafael Ramos and Officer Wenjian Liu were both murdered in the line of duty. In the middle of the afternoon, in broad daylight, a gunman approached their marked police vehicle while they sat in the vehicle and shot each police officer point-blank range in the head, killing them both instantly. The motivation of the gunman was very clear: He just wanted to kill any police officer he could. That day, the gunman posted messages such as ''They Take 1 of Ours . . . Let's Take 2 of Theirs.'' Another message he posted used the hashtag advocating ''Shoot the Police.''

Officers Ramos and Liu were not just nameless people in uniforms either.

Officer Ramos was described by his family and friends ''as a Puerto Rican kid who grew up on these streets'' in Queens and never stopped trying to help the people in his community. Officer Ramos had spent the last 10 years of his life studying to become a chaplain. He was murdered just an hour before his graduation ceremony. Office Ramos joined the police force at the age of 37. He explained that he saw the streets as his ministry and that by protecting and serving his community, he was serving God as well. Office Ramos left behind his wife and two sons, 19-year-old Jaden and 13-year-old Justin.

Officer Liu was the other victim that day. In many ways, Officer Liu was the epitome of the American dream. He was a young boy who at age 12 came from China to America with his family. He was a teenage boy who left playground basketball games occasionally so he could do the shopping for his family's groceries. He was a young man who was so inspired by the heroism he saw on September 11 that he decided he would become a police officer. He was the police officer who called home every night to let his dad know he had finished a day of work safely—every night, that is, except December 20, when the phone call never came. Officer Liu is survived by his wife, whom he married just 3 months before.

The response of law enforcement to the savage murders of Officer Ramos and Officer Liu should make every American proud. Over 25,000 police officers traveled from across America and from parts of Canada to attend the funeral services last month.

We can never really fully repay the debt of the men and women who sacrifice their very lives protecting us, but there are small things we can do to help the families they leave behind. I want to call on Congress to take one small step toward that goal. We should pass the Children of Fallen Heroes Scholarship Act, and we should do so soon.

The Children of Fallen Heroes Scholarship Act simply provides that any child whose parent dies in the line of duty as a member of the armed services or as a public safety officer would be entitled to the maximum permissible scholarship under the Pell Grant Program for their attendance in college.

Five years ago the House of Representatives unanimously passed this legislation. My fellow Pennsylvanian Senator BOB CASEY plans to reintroduce this legislation. I would be cosponsoring this legislation, and I call on Congress to pick up where it left off back in 2010 and enact the Children of Fallen Heroes Scholarship Act.

I also want to take a moment to address the recent spate of protests we have seen. People have gone out on to the streets and across the country, often harshly criticizing the officers. I want to be clear, if people want to protest, they have the right to protest; and I would never challenge their right to say what is on their minds or to convey whatever message they would like

to convey. But I would hope they would keep a few basic facts in mind as they consider, or in fact carry out, the protests.

No. 1, any human institution is going to be imperfect. That is the nature of humanity. It consists of human beings. So it therefore will be imperfect. But the fact is that the overwhelming majority of police officers are honest, hard working, decent Americans, and they are motivated by the desire to serve and protect the community in which they live, and they don't have a racist bone in their bodies.

So my message to law enforcement is I understand how demoralizing it must have been recently to see some of these protests, to hear some of the outrageous and slanderous statements that have been made. But these protestors don't speak for most Americans. The fact is, a big majority of Pennsylvanians and, I suspect, a big majority of Americans know that every day 780,000 men and women across America who put on their blue uniforms and put on their badges are answering to the call of the people in need when they need them the most, and they put themselves in great danger to serve all of us. When other people choose to run away from danger, they are the ones who have to run toward it.

So just as the law enforcement community has stood by the families of all the victims, and that of Officer Dickson, Officer Ramos, and Officer Liu, I want you to know that America stands with you.

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

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Alabama.

Mr. SESSIONS. First, I would like to thank my colleague from Pennsylvania for his thoughtful remarks. As one who has been involved in law enforcement for a number of years and having great friends in the law enforcement community, I am well aware of what their duties are like.

I remember we had a dangerous event here at our Capitol, and one of the police officers raced around the building to the scene of the event. Did he know what could happen to him? Could there be a team of terrorists waiting to assassinate him when he came around that corner?

What if a police officer responds to a domestic violence call at the a home? They don't know what is behind that door and what might happen to them. It is a tough job. They have a right to come home to their family and their children. They do not have to allow themselves to be murdered by someone who is a danger. It is a tough issue. Police departments work at it very hard.

I thank Senator TOOMEY for his beautiful remarks. I think they are very appropriate at this time.

Mr. President, with regard to the Keystone Pipeline issue and the discussion we have been having here, I want to associate myself with a series of very important and balanced concerns raised in support of that pipeline.

We have pipelines that criss-cross my State, as the Presiding Officer does in Oklahoma. We don't have problems with them. I cannot remember when somebody raised a problem, environmentally, about a pipeline. We know they are less likely to cause environmental damage than transportation by train or truck. We know they are less likely to be accessed. We know there is less energy consumed in that process. So I want to associate myself with that.

But there is something that has been bothering me for quite a long time, and I want to raise that point today because I think it is so valid and I think it is important for all of us to understand. The reason this Senator and I think others have advocated for more production of American energy, advocated for these issues and for more production is not to benefit some oil company, as we have been wrongly accused, not to benefit some rich group, it is to benefit the American consumer. The more energy we produce in America, the more the American people benefit.

We import a great deal of oil today. It is less now because we are producing more through the new technology of fracking and other technology. We have seen a reduction in the amount we import. Much of it has been imported from places such as Saudi Arabia, Venezuela, and Libya—many places with which we have not had very good relations. So we have made a transfer of wealth from the American people to foreign nations—weakening us and strengthening them. Many of them have not been friendly to us over the years, as I have said. So we have a choice in this vote to help supply a shortage we have from our—perhaps—closest ally in the world, Canada.

I was at the Canadian-American Interparliamentary Group. I was surprised how deeply our Canadian friends feel about this pipeline. They cannot imagine why we wouldn't want to buy oil from them as opposed to other countries around the world. They purchase all kinds of products from us. We have a good, fair, and honest trading relationship with Canada. They support us throughout the world, consistently in the U.N. and in other places, on important issues—important to the American people. We have so many common interests.

No. 1, I just want to say if we are going to import oil from around the world to meet our needs, there is no better country we could ever choose to import from than Canada, our friend and neighbor.

No. 2, it has been said that this is being done to help some big business. That is not the way this system works. In a free market system, bringing in this oil provides another source of oil for consumers. They don't have to buy the Canadian oil if it is not cheaper. They wouldn't build this pipeline if they didn't think they could sell the oil cheaper than Saudi Arabia and Venezuela could produce it or even America could produce it. They believe they can sell it, and they have to sell it for a lower cost or they won't sell it.

What would the lower cost mean? It means good things for mothers, for children, for families, and for businesses. All over America we have lower cost energy to make America a stronger, more vibrant world-class economy. We are able to compete in the world market if our energy costs are below other nation's energy costs. It helps us overcome the wage differences that Americans have compared to other places around the world. This reliable source of energy is important.

I guess what I wish to say to my colleagues is that this is an opportunity for us to make a statement. The statement is we are going to help the American people by reducing the cost of their energy so they may have more money each month to maybe go out to a movie, to go out to eat—and it can make quite a difference.

Well, they say the price is fixed. You know, these guys have got these powers, and try to manipulate prices. I don't deny that goes on in the world. But one of the most powerful forces in the world is supply and demand. If the oil companies are so powerful, why has oil fallen from $110 a barrel this summer to now $46 a barrel today? Why did this happen? Because there is a supply from fracking, from other sources around the world. It has brought up the supply, created some surplus, and the prices have collapsed. There are a lot of oil companies out there that are hurting today.

So if you don't like big oil and you don't like the big oil companies, why would you want to oppose importing oil that would be cheaper? This is the way the free market system works. I would say the market system is working. I saw an expert yesterday in Barron's indicating that oil could fall to $20 a barrel. That would be great for the American consumer.

I spoke with an oilman. I teased him a little bit. I said: I hope you saved some money, because I like this low-priced oil. Don't come in here and ask me to have oil go up on my constituents, on American consumers.

I mean, I appreciate the fact that people go out there and they drill these multimillion dollar wells and sometimes they are dry and sometimes they hit. That is the great American free market system. Some people have gotten rich. A lot of them have gone broke. There has been boom and bust in the oil industry since the beginning of time, as it is documented by Daniel Yergin in the book ''The Prize'' and by other writers. This is the way it has always been.

We benefit when the price falls, and importing a good source of oil from our neighbor Canada at a competitive price provides one more source that helps keep the price down and gives more options to the American people. It is the

right thing to do, colleagues. I cannot imagine that we would want to favor importation of oil from other countries over Canada.

I believe we should go forward with this, and I am concerned that the President and his allies are not in agreement. But look, this is a true fact, as many of us who have been involved in these issues for several years have come to understand. There is a large group of folks out there—activists, environmental extremists, and not just good environmentalists but people who have extreme views—who want the price of energy to go up. President Obama even said it in the campaign when he ran the first time. He said the price of electricity would necessarily skyrocket. That is not my policy. That is not the policy of a good public servant, in my view, for America, for the American workers. Personally, I want the electric bill as low as we could possibly keep it, consistent with good environmental and clean activities, and I want that gasoline bill as low as we can get it. That is what we should do, and that is how we can make this country better. It will make it tougher for a lot of these guys who have been sitting on oil at $100 a barrel and now it is $46.

So who is the loser with more supply? The guys who have been sitting on the energy. I don't bear any grief for them. I am happy if they make money. They have to go through tough times just as everybody else does.

I want to thank Senator HOEVEN and others who worked so hard on this legislation. I believe we are in a position to see some positive action occur in the next few days and look forward to creating an additional supply of oil from an ally of the United States that will bring down the price of oil perhaps even further in the world and in the U.S. market.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. 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. SANDERS. Mr. President, I wish to take a few moments to speak about an amendment that I will be offering as part of the Keystone Pipeline legislation. It is an extremely simple, straightforward amendment. It is a brief amendment, but it basically raises a very fundamental issue, and that issue is whether the Senate will abide by scientific evidence, will come down on the side of science as we debate this enormously important issue of climate change.

The amendment is very brief, and I wish to read it and then explain why I believe it is such an important amendment. This is what it says:

It is the sense of Congress that Congress is in agreement with the opinion of virtually the entire worldwide scientific community that, No. 1, climate change is real; No. 2, climate change is caused by human activities; No. 3, climate change has already caused devastating problems in the United States and around the world; No. 4, a brief window of opportunity exists before the United States and the entire planet suffer irreparable harm; and No. 5, it is imperative that the United States transform its energy system away from fossil fuels and toward energy efficiency and sustainable energy as rapidly as possible.

That is it. That is the entire amendment. I would say that for the scientific community around the world, there is nothing in that statement that smacks of controversy. These are simple statements of fact, agreed to by the overwhelming majority of scientists who have written and studied climate change.

Climate change is, in fact, one of the great threats facing our country and the entire planet. It has the capability of causing severe harm to our economy, to the food supply, to access to water, and to national security.

The Intergovernmental Panel on Climate Change—the leading international scientific body on this issue—reported yet again this past fall that ''warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level.''

More than 97 percent of the scientific community in the United States and across the globe agrees with these findings, including, among many other organizations, the American Association for the Advancement of Science, the American Chemical Society, the American Meteorological Society, and the American Geophysical Union, to name just a few. In fact, at least 37 American scientific organizations, 118 international scientific organizations and national academies, and 21 medical associations all agree that climate change is real and is being caused by human activities.

I ask unanimous consent to have printed in the RECORD a list of 37 American scientific organizations, 135 international scientific organizations, 21 medical associations, and some religious and teacher organizations that understand that climate change is real and that it is caused by human activity.

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

Virtually every major scientific organization in this country and throughout the world have said that climate change is real, climate change is caused by carbon emissions and human activity, and that climate change is already causing devastating problems in the United States of America and around the world.

This list includes at least:

37 American scientific organizations, 135 international scientific organizations, 21 medical associations, 4 religious organizations.

37 AMERICAN SCIENTIFIC ORGANIZATIONS

American Anthropological Association, American Association for the Advancement of Science, American Association of Geographers, American Association of State Climatologists, American Astronomical Society, American Chemical Society, American Fisheries Society, American Geophysical Union, American Institute of Biological Sciences, American Institute of Physics, American Meteorological Society, American Physical Society, American Quaternary Association, American Society for Microbiology, American Society of Agronomy, American Society of Plant Biologists, American Statistical Association, Association of American Geographers, Association of Ecosystem Research Centers, Botanical Society of America, California Academy of Sciences.

Crop Science Society of America, Ecological Society of America, National Academy of Engineering, National Academy of Sciences (USA), National Association of State Foresters, New York Academy of Sciences, Scripps Institution of Oceanography, Society for Industrial and Applied Mathematics, Society of American Foresters, Society of Systematic Biologists, Soil Science Society of America, The Geological Society of America, The Wildlife Society, United States National Research Council, University Corporation for Atmospheric Research, Woods Hole Oceanographic Institution.

135 INTERNATIONAL SCIENTIFIC ASSOCIATIONS

Academia Brasiliera de Ciências (Brazil), Academia Chilena de Ciencias (Chile), Academia das Ciencias de Lisboa (Portugal), Academia de Ciencias de la República Dominicana, Academia de Ciencias Físicas, Matemáticas y Naturales de Venezuela, Academia de Ciencias Medicas, Físicas y Naturales de Guatemala. Academia Mexicana de Ciencias, Academia Nacional de Ciencias de Bolivia, Academia Nacional de Ciencias del Peru, Academia Sinica, Taiwan, China, Academiê des Sciences et Techniques du Sénégal, Acadêmie des Sciences (France), Academy of Athens, Academy of Science for South Africa, Academy of Science of Mozambique, Academy of Sciences Malaysia, Academy of Sciences of Moldova, Academy of Sciences of the Czech Republic, Academy of Sciences of the Islamic Republic of Iran, Academy of Scientific Research and Technology, Egypt, Accademia dei Lincei (Italy), Africa Centre for Climate and Earth Systems Science.

African Academy of Sciences, Albanian Academy of Sciences, Amazon Environmental Research Institute, Australian Academy of Science (Australia), Australian Coral Reef Society, Australian Institute of Marine Science, Australian Institute of Physics, Australian Marine Sciences Association, Australian Meteorological and Oceanographic Society, Bangladesh Academy of Sciences, Botanical Society of America, British Antarctic Survey, Bulgarian Academy of Sciences, Cameroon Academy of Sciences, Canadian Association of Physicists, Canadian Foundation for Climate and Atmospheric Sciences, Canadian Geophysical Union, Canadian Meteorological and Oceanographic Society, Canadian Society of Soil Science, Canadian Society of Zoologists, Caribbean Academy of Sciences, Center for International Forestry Research, Chinese Academy of the Sciences, Colombian Academy of Exact, Physical and Natural Sciences, Commonwealth Scientific and Industrial Research Organisation (Australia).

Croatian Academy of Arts and Sciences, Cuban Academy of Sciences, Delegation of the Finnish Academies of Science and Letters, Deutsche Akademie der Naturforscher Leopoldina (Germany), Ecological Society of Australia, European Academy of Sciences and Arts, European Federation of Geologists, European Geosciences Union, European Physical Society, European Science Foundation, Federation of Australian Scientific and

Technological Societies, Geological Society of Australia, Geological Society of London, Georgian Academy of Sciences, Ghana Academy of Arts and Sciences, Indian National Science Academy, Indonesian Academy of the Sciences, Institute of Biology (UK), Institute of Ecology and Environmental Management, Institute of Marine Engineering, Science and Technology, Institution of Mechanical Engineers, UK.

InterAcademy Council, International Alliance of Research Universities, International Arctic Science Committee, International Association for Great Lakes Research, International Council for Science, International Council of Academies of Engineering and Technological Sciences, International Research Institute for Climate and Society, International Union for Quaternary Research, International Union of Geodesy and Geophysics, International Union of Pure and Applied Physics, Islamic World Academy of Sciences, Israel Academy of Sciences and Humanities, Kenya National Academy of Sciences, Korean Academy of Science and Technology, Kosovo Academy of Sciences and Arts, Latin American Academy of Sciences, Latvian Academy of Sciences, Lithuanian Academy of Sciences, Madagascar National Academy of Arts, Letters, and Sciences, Mauritius Academy of Science and Technology, Montenegrin Academy of Sciences and Arts.

National Academy of Exact, Physical and Natural Sciences, Argentina, National Academy of Sciences of Armenia, National Academy of Sciences of the Kyrgyz Republic, National Academy of Sciences, Sri Lanka, National Council of Engineers, Australia, National Institute of Water & Atmospheric Research, New Zealand, Natural Environment Research Council, UK, Nicaraguan Academy of Sciences, Nigerian Academy of Science, Norwegian Academy of Sciences and Letters, Organization of Biological Field Stations, Pakistan Academy of Sciences, Palestine Academy for Science and Technology, Polish Academy of the Sciences, Romanian Academy, Royal Academies for Science and the Arts of Belgium (Belgium), Royal Academy of Exact, Physical and Natural Sciences of Spain, Royal Astronomical Society, UK, Royal Danish Academy of Sciences and Letters, Royal Irish Academy, Royal Meteorological Society, Royal Netherlands Academy of Arts and Sciences, Royal Netherlands Institute for Sea Research, Royal Scientific Society of Jordan, Royal Society of Canada.

Royal Society of Chemistry, UK, Royal Society of New Zealand, Royal Society, UK, Royal Swedish Academy of Sciences, Russian Academy of Sciences, Science Council of Japan, Serbian Academy of Sciences and Arts, Slovak Academy of Sciences, Slovenian Academy of Sciences and Arts, Society of Biology, UK, Society of Systematic Biologists, Sudanese National Academy of Science, Tanzania Academy of Sciences, The Geological Society (UK), The World Academy of Sciences (TWAS) for the developing world, Turkish Academy of Sciences, Uganda National Academy of Sciences, Union der Deutschen Akademien der Wissenschaften, World Meteorological Association, Zambia Academy of Sciences, Zimbabwe Academy of Sciences, Sudan National Academy of Sciences.

21 MEDICAL ASSOCIATIONS

American Academy of Pediatrics, American College of Occupational and Environmental Medicine, American College of Preventive Medicine, American Lung Association, American Medical Association, American Nurses Association, American Public Health Association, American Thoracic Society, Association of State and Territorial Health Officials, Australian Medical Association, Children's Environmental Health Network, Health Care without Harm, Hepatitis Foundation International, National Association of County and City Health Officials, National Association of Local Boards of Health, National Environmental Health Association, Partnership for Prevention, Physicians for Social Responsibility, Trust for America's Health, World Federation of Public Health Associations, World Health Organization.

4 RELIGIOUS ORGANIZATIONS

Interfaith Power and Light, National Association of Evangelicals, Presbyterian Mission Agency, The Pope.

OTHER ORGANIZATIONS

American Association for Wildlife Veterinarians, American Society of Civil Engineers, International Association for Great Lakes Research, Institute of Professional Engineers New Zealand, Natural Science Collections Alliance, Organization of Biological Field Stations, The Institution of Engineers Australia, The World Federation of Engineering Organizations, World Forestry Congress.

Mr. SANDERS. Mr. President, let me read from an excerpt of a letter signed by virtually every major scientific organization in this country that was sent to the U.S. Senate way back in 2009. This is what the letter states:

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver. These conclusions are based on multiple independent lines of evidence, and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science. Moreover, there is strong evidence that ongoing climate change will have broad impact on society, including the global economy and on the environment. For the United States, climate change impacts include sea level rise for coastal states, greater threats of extreme weather events, and increased risk of regional water scarcity, urban heat waves, western wildfires, and a disturbance of biological systems throughout the country. The severity of climate change impacts is expected to increase substantially in the coming decades.

Let me repeat that one sentence:

The severity of climate change impacts is expected to increase substantially in the coming decades.

We know that the Earth's climate is warming and warming quickly as a result of industrial greenhouse gas emissions. The 2014 National Climate Assessment reported:

The most recent decade was the nation's warmest on record. U.S. temperatures are expected to continue to rise.

According to NOAA, October, August, June, and May were the hottest months ever recorded. And 2012 was the warmest year on record in the contiguous United States and saw at least 69,000 local heat records set.

The consequence of this rapid and dramatic rise in global temperatures—what does that mean? What is going to happen? The answer is, it is going to mean more severe storms, more flooding and destructive storm surges, heat waves, drought, forest fires, and the inundation of water supplies and agricultural land with saltwater.

As the New York Times reported in August, droughts in the West and Southwestern United States appear to be intensifying as a result of climate change.

Over the past decade, droughts in some regions have rivaled the epic dry spells of the 1930s and 1950s. . . . The country is in the midst of one of the most sustained periods of increasing drought on record.

China's heat wave a year and a half ago was the worst in at least 140 years. Fire-suppression costs in the United States have increased from roughly $1 billion annually in the mid-1990s to an average of more than $3 billion in the last 5 years, adjusted for inflation, reports the National Climate Assessment.

Our oceans are not just warming, they are becoming more acidic, threatening fish, coral reefs, and other sea life.

A study published in the Journal of Science reported:

Carbon dioxide emissions in the atmosphere are driving a rate of change in ocean acidity, which is already thought to be faster than at any time in the past 50 million years.

The authors warn that we may be entering an unknown territory of marine ecosystem change.

Extreme storms are also becoming more common and more intense, with extraordinary impacts. For example, when Typhoon Haiyan struck the Philippines a year ago, it displaced over 4 million people, killed thousands, and cost the country at least $15 billion in damages.

What will happen if we fail to cut back dramatically on greenhouse gas emissions and climate change continues to accelerate? What will that reality mean for our country and for the globe? The IPCC estimates that without additional efforts to reduce greenhouse gas emissions, ''warming is more likely than not'' to exceed 4 degrees Celsius—7.2 degrees Fahrenheit—by the end of the century.

Let me repeat that. If we do not begin the process to dramatically reverse carbon emissions and slow down the warming of this planet by the end of the century, warming is more likely than not to exceed 4 degrees Celsius, which is 7.2 degrees Fahrenheit, resulting in a planet that is over 7 degrees Fahrenheit warmer.

Similarly, just last year the White House released the National Climate Assessment, emphasizing that global warming is already happening and warning that global warming could exceed 10 degrees in the United States by the end of the century—10 degrees Fahrenheit.

The World Bank, which is a pretty conservative organization, talked about a world in which temperatures increase by just 4 degrees Celsius, that that would be one of unprecedented heat waves, severe drought, and major floods in many regions, with serious impacts on many systems, ecosystems, and associated services. This is the warning we hear from the World Bank, which is a fairly conservative international organization.

The IPCC reports that sea levels are likely to rise another 10 to 32 inches by the end of the century. Some studies have reported projected increases of more than 6 feet during that time period.

As the New York Times reported, a rise of less than 4 feet would inundate land on which some 3.7 million Americans live. Miami, New Orleans, New York, and Boston are highly vulnerable.

Similarly, according to the IPCC, ''many small island nations are only a few meters above present sea level. These states may face serious threat of permanent inundation from sea-level rise.''

Reuters has reported that experts estimate that if the sea level rises by 1 meter over the next 50 years, 20 million additional people will be displaced from their land.

The Army Corps of Engineers has predicted that the entire village of Newtok, AK, could be underwater by 2017 and more than 180 additional Native Alaskan villages are at risk. Parts of Alaska are literally vanishing.

As reported in the journal Forest Ecology and Management, U.S. Forest Service researchers reported that wildfires are expected to increase 50 percent across the United States under a changing climate and over 100 percent in areas of the West by 2050. So huge increases in forest fires are expected.

The World Health Organization reported in August that the number of weather-related natural disasters has more than tripled since the 1960s, and more than 60,000 people now die each year in weather-related natural disasters. By 2020 food production is estimated to drop by 50 percent in some African countries, and by 2090, the World Health Organization anticipates, climate change will double the frequency of drought and the duration will be six times longer.

In 2003 a heat wave in Europe killed an estimated 70,000 people. As a study published in Nature Climate Change projects, however, Europe will likely experience severe heat waves once every 5 years now, which is 10 times more frequent than just a decade ago.

The need to act quickly is profound and pronounced. In its fifth assessment, the IPCC found that ''without additional mitigation efforts beyond those in place today, and even with adaptation, warming by the end of the 21st century will lead to high to very high risk of severe, widespread, and irreversible impacts globally.''

In order to prevent ''irreversible and severe impacts,'' we must quickly reduce greenhouse gas emissions in order to keep warming below 2 degrees Celsius, and to do that we must transform our energy system away from fossil fuel and into energy efficiency and sustainable energy.

In the face of this overwhelming evidence, in the face of deep concerns all over this planet, what is the Senate going to do over the next few weeks? Well, I hope very much that we do not go forward with the Keystone Pipeline, which moves us exactly in the wrong direction by expanding the production and transportation of some of the dirtiest fossil fuel on this Earth. I think that would be a terrible mistake. But maybe more importantly, I hope the Senate goes on record in strongly supporting the overwhelming scientific evidence which tells us loudly and clearly that climate change is real, that climate change is caused by human activity and the emission of carbon, and that climate change is already causing devastating problems in our country and around the world.

We have a short window of opportunity in order to move dramatically to reverse climate change and cut carbon, and we must transform our energy system away from fossil fuel to energy efficiency and sustainable energy.

I intend to offer an amendment which basically urges the entire U.S. Senate to go on record in making it clear that they understand what scientists are talking about. They are going to listen to the scientific community, and they are going to take actions for which our kids and our grandchildren will be proud of them so that we do not leave them with a nation and a planet substantially less habitable than the planet on which we were born.

With that, I want to thank Senator BENNET and Senator CARPER for cosponsoring this amendment. I hope we can have more cosponsors and I look forward to seeing the adoption of this important amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

PERSONAL IDENTITY THEFT

Mr. NELSON. Mr. President, I want to speak on the Keystone Pipeline, but before I do, I want to alert the Senate that I am filing legislation today to try to protect the average American from the breach of data in an individual company and therefore the loss of their personal identification.

We have had a number of cases where there have been these wide data breaches in companies with hundreds of thousands of records being stolen. And, of course, woe to you if, in fact, your personal identity is stolen. It may manifest itself in so many different ways, not the least of which we have seen particularly in the Tampa and the Miami area of my State—the use of stolen Social Security numbers to file false income tax returns seeking refunds. Believe it or not, there was a ring in Tampa that was actually doing this so successfully that the street crime actually dropped—the burglaries, the robberies, the breakings and enterings, all of that dropped because suddenly the criminals found it was so easy to use a laptop instead, once they had secured the stolen ID, to generate these false income tax returns. That is just one example.

The fact is if your identity is stolen because of a breach in a corporation, you should have a right of having the knowledge that your security has been breached. Therefore, we are filing today, with a number of cosponsors, simple legislation that I have filed before in previous Congresses, that if data is stolen from a company, it is incumbent upon that company to notify its customers within 30 days that their secure information has been stolen. That is it. Plain and simple.

Mr. President, I want to talk about the Keystone XL. I would first remind anybody who is not familiar with this issue, this is the Keystone XL Pipeline. What does XL stand for? It stands for extra large. Well, if this is an extra-large pipeline, that would indicate there is a smaller pipeline, and in fact there is. There is a smaller pipeline that is in existence from Canada coming across the northern part of the United States, coming down to a terminal in southern Missouri.

It was about 2 years ago that the President announced he was going to start and allow the extension of that southern terminus all the way to the gulf where there are the refineries. That is under construction. I don't know the completion date. It may be already completed. So there is a pipeline from Canada all the way to the gulf coast.

If what the oil interests in Canada want is a larger pipeline, XL, a lot of this environmental debate could have been avoided if you simply ran it along the same route as the existing pipeline. In fact, there wouldn't have been all the controversy about all of the aquifer and the recharge area right across the middle of Nebraska that the State of Nebraska got so exercised about, and at first the Governor and the various State officials took the position they did not want this.

Finally, a new route was negotiated and the route was further to the east, not right across the middle of the recharge area which supplies a lot of the aquifer not only in Nebraska but a lot of the Western States. Yet it is still running across part of the aquifer. We would have avoided all of that had you just run the XL pipeline right along the existing pipeline. There wouldn't have been all of this siting problem. The environmental problems associated with the pipeline wouldn't have been there.

But why was it done? This is all politics. It was done in the middle of the Presidential campaign going back—coming up to the 2012 campaign, and it was supposedly to show that the President was anti-energy, anti-energy independence because he wasn't in favor of creating more oil production in North America.

Well, that is clearly what played out. But along the way, then the question came: Well, assuming you put this pipeline there, what is going to happen to that Canadian oil? Where is it going to go? It was a legitimate question.

The answer to that was it was going to go right out to additional foreign

countries. So this particular Senator said, now wait a minute, do I understand that you want Canadian oil to have a conduit right through the center of the United States to a port in the Gulf of Mexico, then to be exported to foreign countries? And the answer to that was yes.

I said, well, since it seems as though it would be in the interests of the United States that we at least keep part of that in the United States for consumption so it would lessen our dependence on foreign oil coming from the Middle East or coming from places where we used to get some 12 percent to 20 percent of our oil—thank goodness we don't today, but used to from a place such as Nigeria. You know how troubled that area is now.

My question was: Well, wouldn't it make sense that we keep some of that oil in the United States for domestic uses so we didn't have to rely on oil coming from Saudi Arabia, the Persian Gulf area, from the West Coast of Africa? The answer was that they would not entertain an amendment that would prohibit that oil from being exported. Likewise, if the oil is refined on the gulf coast, it is not prohibited from being exported.

I am just a country boy from Florida, but I can put two and two together. It simply does not make sense to me that you would want foreign oil to come in a conduit through the United States right through the heartland to go right out to other oil-thirsty nations in the world. If that were the case, then why doesn't Canada take an oil pipeline and build it themselves to the west, through the Pacific Coast? Or why wouldn't Canada use the existing structures and end up in the Great Lakes and send the oil out through the Great Lakes?

And yet, what did I say? This is politics.

Since the motion to invoke cloture on the motion to proceed last night was passed, this is going to be in front of the Senate. There are going to be opportunities for amendments, and I can tell you that this Senator is going to support the amendment that prohibits this oil from being sent out to other countries.

If we are really interested in the security of the United States, national security, our independence from foreign oil, since Canada is such a close friend and ally, this would be in the interests of the United States.

The fact is that it is coming at an interesting time. It is getting all the more complicated. It used to be that oil—and you think back a half a year, three-quarters of a year ago, oil was selling in excess of $100 barrel. Yesterday it was just over $46 a barrel. It is said that Canada cannot efficiently produce this oil and have any breakeven point unless oil is selling in the range of $70 a barrel. So why in the world would Canada even want to do this right now, particularly at a time that oil is at $46 and may stay down for some period of time, even a year or two?

I think if we apply some country-boy logic to this, there are sufficient significant questions—first of all, to kill the bill, and if that is not possible, certainly to amend it so that it complies with the financial and national security interests of the United States. That is the intention of this Senator.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that all postcloture time on the motion to proceed to S. 1 now be expired and the Senate proceed to a vote on the motion to proceed; that if the motion to proceed is adopted, the bill be reported and that Senator MURKOWSKI be recognized to offer a substitute amendment, the text of which is at the desk.

I further ask that the following amendments be in order to be offered during this week's session by Senators CANTWELL and MURKOWSKI or their designees: Markey amendment No. 13 related to oil exports; Portman amendment No. 3; a Franken amendment related to U.S. steel; and that the consideration of these amendments be in the order listed and the bill be for debate only during this week's consideration.

The PRESIDING OFFICER. Is there objection?

Ms. CANTWELL. Mr. President, reserving the right to object. I just want to note for my colleagues that this agreement has been worked out on both sides; that instead of staying until midnight and having a great deal of uncertainty as we approach the next 2 days for both of our caucuses to have retreats, giving people predictability about Friday and next Monday being a holiday, working out a back-and-forth on these agreements I think is a good way to proceed.

I hope people will feel free on Friday to come and dialogue about these or other amendments. But this process is one I think we should pursue at this point, so I will not object.

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

Ms. MURKOWSKI. Mr. President, I have discussed the process going forward on this bill with our leader, the majority leader, and Senator CANTWELL. It is our intention to work together so the two bill managers or their designees continue to offer amendments in an alternating fashion.

The PRESIDING OFFICER. All time is expired.

The question is on agreeing to the motion to proceed.

The motion was agreed to.

KEYSTONE XL PIPELINE ACT

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

The assistant legislative clerk read as follows:

A bill (S. 1) to approve the Keystone XL Pipeline.

AMENDMENT NO. 2

Ms. MURKOWSKI. Mr. President, at this time I call up my amendment No. 2.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO, proposes an amendment numbered 2.

Ms. MURKOWSKI. I ask unanimous consent that reading of the amendment be suspended.

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

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Keystone XL Pipeline Approval Act''.

SEC. 2. KEYSTONE XL APPROVAL.

(a) IN GENERAL.—TransCanada Keystone Pipeline, L.P. may construct, connect, operate, and maintain the pipeline and cross-border facilities described in the application filed on May 4, 2012, by TransCanada Corporation to the Department of State (including any subsequent revision to the pipeline route within the State of Nebraska required or authorized by the State of Nebraska).

(b) ENVIRONMENTAL IMPACT STATEMENT.—The Final Supplemental Environmental Impact Statement issued by the Secretary of State in January 2014, regarding the pipeline referred to in subsection (a), and the environmental analysis, consultation, and review described in that document (including appendices) shall be considered to fully satisfy—

(1) all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(2) any other provision of law that requires Federal agency consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a))) with respect to the pipeline and facilities referred to in subsection (a).

(c) PERMITS.—Any Federal permit or authorization issued before the date of enactment of this Act for the pipeline and cross-border facilities referred to in subsection (a) shall remain in effect.

(d) JUDICIAL REVIEW.—Except for review in the Supreme Court of the United States, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction over any civil action for the review of an order or action of a Federal agency regarding the pipeline and cross-border facilities described in subsection (a), and the related facilities in the United States, that are approved by this Act (including any order granting a permit or right-of-way, or any other agency action taken to construct or complete the project pursuant to Federal law).

(e) PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing in this Act alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities described in subsection (a).

Ms. MURKOWSKI. Mr. President. I am pleased we are at this point in time

when we can start debate on the Keystone XL Pipeline. We have had some good conversation on this floor while we have worked through procedural issues. I appreciate that we have been able to avoid a midnight vote, that we were able to work out an agreement. I thank my colleague and the ranking member, Senator CANTWELL, for her assistance in getting us to this point, where we, during the daylight hours, can begin debate on amendments. These amendments, I think, are particularly timely and particularly important to where we are today from an economic perspective, from an energy perspective, and from an energy security perspective.

Keystone XL fits in with that. In front of us is the first amendment to the Keystone XL Pipeline, S. 1, and it is in the nature of a committee substitute. What I will assure Members is that the substitute we have in front of us is almost a mirror image of the bill we reported from the energy committee just last week. We reported it on a bipartisan basis. We had good discussion at that point in time.

But we have in front of us that substitute amendment. When we look to the amendment itself, it is pretty simple. We are truly talking about a two-page bill, a bill that is clear in content, a bill that is very readable in terms of what it does and what it does not do. Again, it spans just over two pages—pretty wide font, pretty wide margins. One can read it in a couple of minutes—and better yet, understand it.

That is because the bill itself is very simple. What this measure does is approve the cross-border permit that is needed to construct the Keystone XL Pipeline. It does this with important provisions. It fully protects private property rights. It requires all State and local obligations be met, including those related to siting. There has been some discussion that somehow or other the Senate is engaging in routing, engaging in siting. This bill does not approve a pipeline route. We are not a planning board. Our bill only approves the pipeline's cross-border permit. It only does that because we have been waiting for 6 years for this cross-border permit.

Some have suggested this is somehow some big giveaway. There is no subsidy in this bill. It is not a giveaway. It does not evade any regulations. It does not preempt any environmental study. It will not cost taxpayers a single dollar. Again, I would encourage my colleagues to look critically at the language of this bill. What this bill does is authorize a cross-border permit.

There has been a lot of discussion about the jobs created and the environmental pros and cons on both sides. We have had good, strong debate already, just as we have moved through the procedural process of this. But what I think is important for us as a body to appreciate is the point we are at now, the point where we as Members can take this simple, straightforward bill and offer amendments we believe would make it better or enhance it.

As we go forward, I am encouraging Members on both sides to bring their amendments forward. Let us have the give and take, the back and forth for which the Senate was once so famous. I have been asked: How are you going to handle amendments on the floor? Is it going to be a situation where the majority determines what the minority will introduce, what we will have an opportunity to debate and decide?

That is not how we are handling amendments on this bill. The majority leader has promised a full debate. He has said: It is not unlimited. We are not going to be on this for months, but we are going to give Members an opportunity to speak to the issues of the day, the issues of the day that are so important to our Nation's economy.

The Presiding Officer comes from an energy-producing State, as do I. We know the significance of energy jobs that come to our States and our local economy. We know the independence that comes when we are not reliant on others, particularly others who wish us ill, for a resource that powers our country.

We are seeing firsthand the benefits of good energy production throughout the entire country. So why would we not want to allow for a piece of beneficial infrastructure, a piece of infrastructure to cross a border from our closest friend and ally in Canada, moving a product to our refineries in the gulf coast where they are set up to handle this type of crude oil.

There has been a lot of discussion that this is just going to be a transference of oil from the north in Canada through the United States and exported to the rest of the world. But I think if we look to the facts that are laid out in the State Department's report, in their environmental assessment, we appreciate the fact that it makes no sense to use the United States just as a conduit, when our refineries, those refineries that are designed to handle the heavy crude, will be in a position to refine that crude for our benefit in this country, for those in Canada who are looking to again move their product.

What we are effectively going to be able to do is replace what we are currently receiving from Venezuela, which provides us with that heavy crude currently, which we refine in the gulf coast areas—in those refineries we will be able to replace that with oil from our friend and ally, Canada. I do not know about the Presiding Officer, but I would much rather have a relationship with Canada than Venezuela.

Again, the benefits, the merits of this legislation are very substantive. Keep in mind, this is not a case of first impression. This is not the first pipeline we have crossing the United States-Canadian border. There are 19 cross-border pipelines currently operating today. So as we work to develop not only a relationship around our energy, I think it is important to recognize the relationship we have with our friends to the north is important as well.

One of the issues we will see come forward for discussion on the floor is the environmental aspects of the Keystone XL Pipeline and the oil sands from which they stem. We will have an opportunity to discuss the issue of exports and the significance of our energy exports, in terms of the benefits to our economy, trade perspective, balance of payments, the significance of that, and the opportunities we have in other areas related to energy, energy efficiency.

I know my friend and colleague from Ohio wishes to speak to an amendment he will propose today. But this is a long time in the making for us to not only have the chance to talk energy but the opportunity for us to vote on energy-related amendments.

I have much I wish to relay and convey in response to some of the comments that have been made by colleagues on this floor in the past couple days. We will have an opportunity to speak directly.

As was noted in the agreement, we will have this measure in front of us. We will put some amendments forward this afternoon. We will not be voting on any amendments today nor will we be voting on any amendments on Friday, but we will have an opportunity for good, concerted discussion on Friday and going into next week.

On behalf of the majority leader, I have been asked to announce that the next rollcall vote will occur on Tuesday, January 20.

AMENDMENT NO. 2

But what that allows us is an opportunity again, beginning today, beginning now, to encourage Members to come forward with their amendments and based on the agreement we have outlined—two on the Republican side today, two on the Democratic side today—get those out there, get them on the table, get them up, let's talk about them. We will have the opportunity on Friday and will do more of the same on Tuesday. Then we can actually start moving through a process that I hope is good, robust, and encouraging—encouraging, not only for the American public—but also encouraging to members of this body.

I think it will be good for us in the Senate to get back to a habit of advancing amendments, of allowing the floor managers to work together to decide a process, to lay out initiatives, to have the back and forth, to take some tough votes—it is what we do or what we should do—and to get back to what we know to be regular order.

I want that to be a terminology all Members understand instead of just some who have been around for more years than others. Being able to get back to regular process feels pretty good today. I am pleased to begin this debate under regular process.

With that, Senator PORTMAN was on the floor as we began our unanimous

consent request, but I understand we will defer to Senator MARKEY to first bring up his amendment and then turn to Senator PORTMAN for his.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 13 TO AMENDMENT NO. 2

Mr. MARKEY. I seek recognition, pursuant to the consent agreement, to call up amendment No. 13.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Massachusetts [Mr. MARKEY], for himself and Ms. BALDWIN, proposes an amendment numbered 13 to amendment No. 2.

Mr. MARKEY. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To ensure that oil transported through the Keystone XL pipeline into the United States is used to reduce United States dependence on Middle Eastern oil)

At the end of section 2, add the following:

(f) LIMITATION.—

(1) IN GENERAL.—Subject to paragraph (2), none of the crude oil and bitumen transported into the United States by the operation of the Keystone XL pipeline under the authority provided by subsection (a), and none of the refined petroleum fuel products originating from that crude oil or bitumen, may be exported from the United States.

(2) WAIVERS AUTHORIZED.—The President may waive the limitation described in paragraph (1) if—

(A) the President determines that a waiver is in the national interest because it—

(i) will not lead to an increase in domestic consumption of crude oil or refined petroleum products obtained from countries hostile to United States' interests or with political and economic instability that compromises energy supply security;

(ii) will not lead to higher costs to refiners who purchase the crude oil than the refiners would pay for crude oil in the absence of the waiver; and

(iii) will not lead to higher gasoline costs to consumers than consumers would pay in the absence of the waiver;

(B) an exchange of crude oil or refined product provides for no net loss of crude oil or refined product consumed domestically; or

(C) a waiver is necessary under the Constitution, a law, or an international agreement.

Mr. MARKEY. If I may speak briefly on the amendment, I thank the chair of the energy committee. I thank her for her courtesy and the Senator from Ohio as well.

While we will not be having the full debate at this time on the Senate floor, we are in fact beginning with a critical issue, an issue that relates to climate change, American energy independence, the impact that legislation can have upon consumers—drivers in our country in terms of how much they are paying at the pump.

It deals with actually the mission of young men and women in our country who go overseas in order to protect tankers of oil that are brought back to our country.

So the first question that will be asked in this debate is whether the oil, which is going to be delivered through this pipeline from Canada, is going to stay in the United States of America.

The Canadian tar sands oil is the dirtiest oil in the world.

The pipeline, similar to a straw, is going to be built through the United States down to Port Arthur, TX, a tax-free export zone. You don't have to have an MBA from business school to figure out what this 3-by-5 card looks like.

It is something that basically says, since the price of a barrel of oil on the global market is $17 higher than what the Canadians can get for the tar sands oil—that they want to get it out of the country, which is why it is going to end in Port Arthur, TX, an export zone.

What the amendment I am going to be making on the floor of the Senate says is that if the oil is drilled for in Canada, put through a pipeline in the United States, that oil cannot be exported, that oil stays in the United States, and that the promise of energy independence in our country is in fact what this agenda is all about. Because otherwise the United States is taking all of these environmental risks, the planet is taking all of these environmental risks, but the economic benefits are not flowing to consumers, drivers in the United States who finally feel some relief at the pump—that they are not feeling—that they are being tipped upside down and having money shaken out of their pockets on a daily basis.

The oil companies have made many claims about this pipeline. They have said it was for North American energy security, but it is about exporting oil. They have said it is about reducing prices, but it is about getting the highest profits. They said it would not harm the environment but it in fact will worsen climate change and risk dangerous oilspills.

They have been trying for 6 years to get this pipeline built, even when it is clear that we do not need it. So this is the Keystone ''export'' pipeline—the KXL.

So this first amendment that we will be debating is one that says: No, you cannot export it. We must keep that oil in the United States. We must ensure that it is in fact something that benefits the American people. Otherwise, the Canadians are just ripping this oil, this dirty oil from their soil in Canada and putting it into a pipeline that then will be exported, which will only ensure that the planet gets hotter, that it becomes more dangerous for future generations.

Ladies and gentlemen, this is a very important debate. The planet is running a fever. There are no emergency rooms for planets. We have to engage in preventive care.

If this action takes place, and all we are doing is allowing Canadian oil to go through our country and out the other end, then we haven't done anything for the American consumer or for the planet.

I look forward to a more complete debate on this issue, and I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 3 TO AMENDMENT NO. 2

(Purpose: To promote energy efficiency)

Mr. PORTMAN. I rise and call up amendment No. 3.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Ohio [Mr. PORTMAN], for himself and Mrs. SHAHEEN, proposes an amendment numbered 3 to amendment No. 2.

Mr. PORTMAN. I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of Monday, January 12, 2015, under ''Text of Amendments.'')

Mr. PORTMAN. Mr. President, I rise to thank Senator MURKOWSKI for giving me this opportunity. She spoke earlier about the fact that we are going to talk about Keystone in an open process, going to allow amendments, which seems very normal, but in the Senate it hasn't been over the past several years.

This amendment is one that results to energy efficiency. I strongly support the underlying bill, and we will talk about it in a moment, but I also support the strategy of saying let's produce more energy, but also let's use the energy that we have more efficiently. I believe those are complementary, and I believe it is consistent with creating more jobs in this country, making our businesses more competitive, and improving the environment. So I appreciate her willingness to allow us to move forward with this amendment.

This energy efficiency amendment we are talking about is a key part of the ''all of the above'' energy strategy that a lot of us discuss, whether it is nuclear, renewable, oil, coal or gas, efficiency ought to be a part of it.

It is an amendment that is the result of a lot of years of work by Senator SHAHEEN, who was mentioned earlier, myself but also Senator HOEVEN, Senator AYOTTE, Senator FRANKEN, and many other Members of this body.

Our cosponsors this afternoon are Senator SHAHEEN, Senator AYOTTE, Senator BENNET, Senator COLLINS, Senator GARDNER, and Senator MANCHIN.

This is legislation that is clearly bipartisan and legislation that shouldn't be controversial. It takes part of the broader Portman-Shaheen legislation that has already passed the House of Representatives and brings it to the floor.

This is also legislation that has passed the committees in the Senate and the committees in the House—energy committees—with wide bipartisan margins. Also, it was on the floor of the House last year and passed with a vote of 375 to 76, including with the support of the Presiding Officer. I thank the Presiding Officer.

There are four provisions and they are all pretty straightforward. None of them has a mandate, none of them has a cost curve. The CBO, the Congressional Budget Office, has told us they don't score. All of them are voluntary.

The first one is an important one. It is called Tenant Star. It establishes a voluntary market-driven approach to try and align the interests of commercial business owners and their tenants. This is important because a lot of the real estate folks would like to have the ability to say this has the Good Housekeeping seal of approval. It is like an Energy Star seal of approval that enables people to know it is an energy-efficient building.

This is broadly supported in part because it is voluntary. It is not a mandate, but it will help us in reducing energy consumption.

The second provision is one that is very timely. This is one that a lot of us have worked on over the years. Senator HOEVEN has talked about this. We talk sometimes in the Senate about the unintended consequences of regulations. This would be a great example.

Here we have the Department of Energy promoting a regulation that if we don't stop it now will actually make our country less energy efficient. It is unintended, perhaps, but it is something we need to deal with legislatively now.

If we don't, then we are not going to be able to help save these particular products, which are water heaters. Around the country there are hundreds of electric cooperatives that operate voluntary programs and use what we call electric resistance water heaters.

They use them to store energy at night, and then during a peak demand period they don't have to turn on these electric water heaters. So it is actually an energy efficiency effort.

It is the kind of grassroots, on-the-ground innovation we want to see more of. But this regulation that we have to stop—from the Department of Energy—establishes a new standard for water heaters that effectively undermines this program. How? Because it makes it impossible for these companies to produce these kinds of water heaters that the co-ops are using. So the legislation exempts these water heaters from business standards, allowing these co-op programs that are good for energy efficiency to continue.

People probably heard from their rural electric co-op—if they are a Member of this body—on this issue because it is important to them that it be handled and handled now. If it is not, then these companies will stop producing these water heaters and they will not be able to continue these programs.

The third provision has to do with the Federal Government. Basically it says the Federal Government ought to practice what it preaches.

The Federal Government talks a lot about energy efficiency. Yet it is probably the biggest energy user in the world and probably one of the most inefficient. This says simply that Federal agencies have to coordinate with the Office of Management and Budget, with the Department of Energy, and with the Environmental Protection Agency to develop an implementation strategy that includes best practices, measurements, and verifications for the maintenance, purchase, and use of energy-efficient and energy-saving information and technology.

IT has been a source of great inefficiency in the government, and this legislation simply says let's require these Federal agencies to actually clean up their act so they will be more energy efficient in the area of information technology.

Again, it is a nonpartisan approach. It is one that has been supported by both sides of the aisle.

Finally, along the same lines, the fourth provision requires that federally leased buildings without Energy Star labels benchmark and disclose their energy usage data. Again, these are not Federal buildings that have to report this information, but these are buildings that the Federal Government leases.

So in effect all of us as taxpayers should have an interest in being sure that these leased buildings also have the energy efficiency provision to avoid wasting taxpayer money.

I think these are very important provisions. These are not controversial provisions. I think they are consistent with the idea that, yes, let's produce more energy. Let's make sure we have the infrastructure to bring the energy to the consumer, but let's do it in a way where we are using more energy but also using it more efficiently.

I hope we will see the kind of strong bipartisan support on the floor we have seen in the past on these provisions as they are part of this underlying legislation.

I would like to talk for a moment about the underlying legislation. This is the Keystone XL Pipeline construction. It seems as if we have been talking about this forever. Frankly, we have. This has been going on for almost 7 years now, I believe. Think about that. This is just to get the approval of the pipeline—not to actually build it. Just to get the approval it has taken 7 years. It is time to stop talking about it and move forward on it.

The Keystone XL Pipeline has taken almost 7 years. In comparison, we built the Hoover Dam in less than 5 years. The entire Empire State Building was constructed in 1 year and 45 days. In fact, the entire transcontinental railroad was constructed by hand in 6 years. So there is no reason we shouldn't move ahead on this.

We have learned a thing or two about this Keystone XL Pipeline during this period of time we have been debating it, and everything we have learned leads us to the conclusion it just makes sense to move forward. We know we can do it safely. We know we can do it in an environmentally sound way. We know we can create thousands of good jobs during its construction. Yet as we stand here today, with the Keystone XL Pipeline a source of debate rather than a source of jobs, we are not moving the country forward. I think we have waited long enough.

There has been debate before. I have heard it over the last couple of days and last week. Is this going to create jobs? Yes, it will. The State Department has said it will. The State Department is in the Obama administration, and they are the ones who tell us it is going to increase our economy by about $3 billion, increase the GDP of America, and also create more than 40,000 jobs during its construction—both through the actual building of the pipeline and through the sourcing of pipeline projects to American manufacturers.

By the way, a bunch of those manufacturers are in my home State of Ohio. Ohio produces pipe. Ohio produces the kind of steel—the structural steel—that goes into the construction of the pipeline. Ohio also produces the monitors that go on this pipeline. We also produce other things, such as pumps and compressors. So this will create jobs in my home State of Ohio. I have toured these factories and talked to these workers. They are going to have the opportunity now to roll that steel, build these compressors and so on, and for them this is important too.

Some of the critics of the pipeline have attempted to undermine these numbers by claiming the jobs related to the pipeline are not permanent. I don't know what to say about that except are any construction jobs permanent, by that definition? We certainly want construction jobs. This administration—the Obama administration—talks all the time about the need for more infrastructure projects to create more jobs. This is an infrastructure project. By some measure it may be the biggest infrastructure project in America over the next couple of years if we approve this thing. It will create not just jobs but good jobs. This is the kind of work we want to have more of in this country.

This is a why a lot of labor unions, including the building trades, are excited about this, because they know it is going to be able to lower unemployment and get the people back to work who have lost their jobs.

Others have expressed environmental concerns. Let's look at the facts. Let's look at the science. With every environmental study that has been conducted, the pipeline has passed. In fact, we know the pipeline is safer and more environmentally sound than the alternative. What is the alternative? What is happening now—it is transporting this oil by truck, transporting this oil by train. As we know, and as the CRS report has said, a lot of this oil actually doesn't even come from Canada. It comes from the Bakken. The Bakken is actually in America. It is in North Dakota and in other places. So some of

that oil is now being moved by truck and train. It is better that it go by pipeline. It is more efficient, of course, and less costly, but it is also safer environmentally.

Let's debate this issue. I am happy to do that, but let's try to stick to the facts. The fact is this thing just makes sense. For those who oppose it, I would ask: Why is it so different from all the other pipelines we have constructed in this country? In all our States we have pipelines. When we build this, it won't be the first pipeline to carry oil across international boundaries, by the way. It won't be the second or the third. It will actually be the 20th—the 20th pipeline to carry energy across international boundaries. It will be the fourth one to import oil—specifically oil from Canada.

Just to give some idea of how the permitting process of XL has been, of the three other Canadian pipelines that have been approved, it took the Federal Government 15 months on one, another was 24 months, and another was 28 months. The permitting process for this one—the Keystone XL—has now dragged on for over 76 months and counting.

So look, I have heard people on the floor say: What is the rush? Why are we rushing this? I don't think we are rushing. I think this makes sense. Just as we have approved other pipelines, we go through a process, and now we should have the ability to move forward on these jobs and the energy security that it provides.

By the way, when this debate is over, we also need to think about our permitting system. To me, this is really an indictment of our entire permitting system in this country. We need to do something about it, where you simply can't get a project approved. And by the way, I am not just talking oil and gas projects. I am talking about other energy projects—solar projects. I am talking about siting windmills. I am talking about hydro projects.

I first got involved in this issue because there was a hydro project on the Ohio River, of all places, that was being held up by Federal regulations. The folks who were trying to get this through came and said: We can't believe how complicated it is to get a permit from the Federal Government. As soon as we get one permit from one agency another agency comes in. They require it be done sequentially, and it is taking us forever, and we are losing investors. Those investors are going not just across the Ohio River to another State, they are going to another country because the Federal permitting system is so bad in this country.

That is why I intend to introduce bipartisan legislation called the Federal Permitting Improvement Act. Senator MCCASKILL of Missouri is my cosponsor. We are hoping to bring that to the floor very soon too because the American government shouldn't be standing in the way of good projects, particularly these energy projects that are so important. The American Government shouldn't be standing in the way of good American jobs. That is exactly what is happening. We need to streamline the approval process. It can be done and be done in a bipartisan way.

So it comes down to this. We hear a lot about an ''all of the above'' energy strategy in the Senate. Everyone seems to be for it. It is a position the American people support, by the way, overwhelmingly. I have been to the floor many times to express my support for an energy policy that includes everything from nuclear to oil, natural gas, renewables, coal, and of course, increased energy efficiency, as we talked about earlier. We will need all of those if we want to continue to see energy prices fall and to continue to see our reliance on dangerous and unstable parts of the world decline.

An ''all of the above'' energy strategy includes the Keystone Pipeline and other projects like it. So if you want to say you support all of the above, you better support Keystone. If you don't support the pipeline, I think you have to explain to the American people why you stood in the way of 40,000 good-paying jobs, why you opposed a project that is more environmentally safe than the alternatives out there now, and you need to explain why you opposed an ''all of the above'' energy strategy that can keep prices low and help secure North American energy independence. That also affects our national security. For us not to be dependent on these volatile and dangerous parts of the world is good for our national security. Let's stop sending the money to the Mideast. Let us keep the money here in North America.

Let's stop the delay. Let's make construction of this pipeline a reality. The American people are watching. We have all spent time in our States over the last month. We have all heard over and over again that the American people want us to work together. They want us to cooperate where we can, particularly on issues that relate to jobs and the economy and getting things moving in this country. I think this current legislation can be a model for how the Senate can operate and a sign that we have heard the message the voters sent in November.

This final bill will be the model, as I said earlier, of an open process where people can come to the floor to debate, as I have today, and not just on the underlying legislation but on the amendments on energy efficiency. That is good. At the end of this process, it will likely contain some policies that I fully support. And by the way, the final bill will probably contain some policies I don't support, because that is what happens when you have an open process. People will be able to come out here, make their best argument, and people will vote yea or nay, depending on how they feel it affects them, their States, and their constituents. That is what is happening on the Senate floor, and that is a good thing for our country and a good thing for getting to the right policy.

When the amendment process is complete, I believe we will have produced a bill that advances this goal of implementing a true ''all of the above'' energy policy, while creating more jobs for the American people and protecting our environment in better ways. That is what we all want, and that is why this legislation is a win for all Americans.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. AYOTTE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

PARIS UNITY RALLY

Mr. COATS. Madam President, throughout history a single picture has revealed the political reality of the moment.

Before we had photography, there were artist depictions of Caesar entering Rome, General Washington crossing the Delaware, and Napoleon crossing the Alps. When photography came, we could see the images that defined America's role in the pivotal moments of existential threats to our values, our faiths, and our way of life: Roosevelt and Churchill sitting beside Stalin in Tehran and later at Yalta, President Kennedy at the city hall in Berlin, and Ronald Reagan at the Brandenburg Gate.

The pictures that define the moment, the pictures that are seared into our minds, images that stay with us throughout our life are all powerful, and they have the common theme and the common purpose of confirming America's essential leadership role in global affairs.

In all of these examples and thousands of others, we can see the world looking on Americans with respect and with the expectation that we will be there at moments critical to the world's future—they are there not just to participate but there to lead where U.S. leadership is essential to the success of the endeavor.

Today, possibly the most powerful image that evokes most clearly a new reality is this image right here. Here, we see many of the world's leaders of major nations—some of the most significant, influential leaders—walking arm-in-arm down a Paris boulevard as a united protest against the grotesque barbarism that threatens us all. The leaders of Europe, Africa, the Middle East, and even those who in other circumstances are not united, are united arm-in-arm, marching in front of literally millions of Europeans from France and other countries.

Yet something is tragically missing. The most profound significance of this picture—which has been shown around the world and which has been seared

into our minds as a defining moment—is that America is nowhere to be seen, looking at this picture, with the world's leaders, some diametrically opposed ideologically to each other but united here. And we are told that throughout the millions of people who were there, if there was the presence of an American representative, that person was not seen.

If the world needs any further demonstration of America's decline and our growing irrelevance, it is this utter absence at this potentially defining moment of rallying the nations of the world to address this existential threat to the most basic of our values and our freedoms.

It is not just an image problem, although the image itself carries the message, it is a substance problem.

This group of world leaders and millions of others joined together in Paris last weekend to show the entire world that a threat to our principal freedoms is entirely unacceptable to us all and will be resisted by all of us, an unacceptable mortal threat to freedom of expression, freedom of conscience, freedom of religion, and freedom of the press.

My friend and former colleague Joe Lieberman wrote a piece in today's Wall Street Journal that articulately defines this threat and how we must respond. In his piece, he wrote:

In rapid order, the three attacks in France last week showed more clearly than ever that the international movement of violent Islamist extremism has declared war on Western civilization's foundational values, which are embraced by so many people throughout the world. The murders of police officers, cartoonists and Jews were attacks against the West's most central values and aspirations—the rule of law, freedom of expression and freedom of religion. This radical extremism will continue to threaten what we hold dear unless it is fought and eventually defeated.

Millions gathered not only because 16 people died so tragically, they also gathered because those who would pervert their faith in order to lure deluded young people into violent extremism must know that we will all oppose them no matter what it takes.

So how can we reconcile this vital mission with America's utter absence? No excuses are sufficient. No apologies or explanations about bureaucratic ineptitude will be enough to undo the damage caused by our absence and depicted throughout the world.

Some may say the President didn't attend because of security concerns. Writing for the Wall Street Journal, Peggy Noonan said, ''Life is a security concern, you must do what's right.''

Sadly, the President's absence is an accurate reflection of how this administration sees our role in the world. During the past year we have seen a long list of foreign policy disasters—the rise of the most potent and violent terrorist organization in history; the continued disintegration of Syria; American hostages beheaded in full public view; a resurgent Taliban conducting more attacks in Afghanistan; and the Government of Iraq losing control of a third of the country, including cities and provinces soaked with the blood of American troops. We have seen our old enemy Al Qaeda and its affiliates metastasize throughout the Middle East and north Africa to mount threats from Sudan, Somalia, Yemen, and now even France. We have seen the Islamic State mount media campaigns that have persuaded thousands of Americans, Europeans, and others to flock to their black banners. We have seen an ill-conceived and poorly prepared Middle East peace initiative collapse under the weight of unattainable expectations.

All of these problems and many others—some colossal disasters—have been aggravated by U.S. policy failures. Those failures have come from a White House isolated in a wasteland of confusion. The Obama administration has no coherent strategy for dealing with the world other than, in a now famous paraphrase, ''Don't do stupid stuff.'' Shrouded in this fog of indecision and failures, is it any wonder that we could not find the vision to join with the rest of the world to show purpose in Paris?

It is deeply ironic and appropriate that the events in Paris were all generated by the power of imagery—cartoons, no less. Those events have now produced this new imagery, a picture of global common action in which the United States is tragically absent.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, we are awaiting the arrival of Senator FRANKEN to bring up the amendment relating to U.S.-made steel that is part of the agreement we entered into just a little bit ago that would allow for a series of amendments to be brought forward to the floor. The first was my substitute amendment to S. 1; Senator MARKEY has brought forward his amendment No. 13; Senator PORTMAN, his energy efficiency bill.

What I would like to advise Members is that these are the matters pending before the body at this point in time. We certainly welcome debate on these issues.

Obviously, energy efficiency is very key to any energy debate. The aspect of export is one also that is worthy of discussion and, I hope, good debate on both sides as we go forward.

I would encourage Members to speak not only to these issues, but if there are other issues they would like to have brought to the floor—while we won't be in a position to allow other Members to offer their amendments at this time under this agreement, there is certainly plenty of time to be talking about them.

Prior to the entry of the agreement, Senator SANDERS came to the floor and spoke about his intention to offer an amendment at a later point in time.

I again invite Members to be engaged, to be part of this open amendment process we are part of. I think for some it is new and it may take a little bit of getting used to, but that is a good thing. It is a good thing because these are areas that are worthy of debate on the Senate floor. When we are talking about jobs, when we are talking about our energy security, when we are talking about the strength of our economy, it is always timely to have this debate.

I will again remind colleagues that our next opportunity to discuss these issues will be Friday morning, when we will be in session to take them up.

I look forward to more discussion from across the aisle.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 17 TO AMENDMENT NO. 2

Ms. CANTWELL. Madam President, on behalf of Senator FRANKEN, I call up his amendment No. 17.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Washington [Ms. CANTWELL] for Mr. FRANKEN, proposes an amendment numbered 17 to amendment No. 2.

Ms. CANTWELL. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To requie the use of iron, steel, and manufactured goods produced in the United States in the construction of the Keystone XL Pipeline and facilities)

After section 2, insert the following:

SEC. ___. USE OF UNITED STATES IRON, STEEL, AND MANUFACTURED GOODS.

(a) LIMITATION.—Subject to subsection (b), to the maximum extent consistent with the obligations of the United States under international trade agreements, none of the iron, steel, or manufactured goods used in the construction of the Keystone XL Pipeline and facilities approved by this Act may be produced outside of the United States.

(b) NONAPPLICATION.—Subsection (a) shall not apply to the extent that the President finds that—

(1) iron, steel, and the applicable manufactured goods are not produced in the United States in sufficient and reasonably available quantities with a satisfactory quality; or

(2) inclusion of iron, steel, or any manufactured good produced in the United States will increase the cost of the iron, steel, or any manufactured good used in the Pipeline and facilities by more than 25 percent.

Ms. CANTWELL. Madam President, we have made some progress with proceeding to this very important issue and Members are obviously coming to the floor to talk about their amendments and offer their viewpoints on this legislation.

I would just point out that I hope we have a chance to consider some of the

other amendments we have been talking about, the issue of whether companies in the tar sands business should be paying into the oilspill liability trust fund. We talked earlier today about how the oilspill liability trust fund which U.S. companies are required to pay into and is critical for cleanup. I want to add some documents to the RECORD of this case we had in Kalamazoo where the company may have hit its cap and where it may—for that Kalamazoo spill on tar sands—be asking the oilspill liability trust fund to actually recoup the benefits they had to pay out.

To me this is a very important issue. Here is a company where we have tar sands spilling into the Kalamazoo River and actually costing, I think, something like $1.2 billion, and instead of this company paying into the trust fund and paying for costs on this, they basically are going to take money that U.S. companies paid into the trust fund and be recouped because of this. So I just want to get this right, and I hope we can work with our colleagues on another amendment on that process.

I ask unanimous consent to have printed in the RECORD an article that just appeared in the paper from the AP about how TransCanada is said to offer landowners a price for their land in Nebraska at which point if they don't come to an agreement by this Friday the company can use eminent domain to take the land.

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

[From Associated Press, Jan. 13, 2015]

ATTORNEY: LANDOWNERS STILL HAVE OPTIONS IN PIPELINE DISPUTE

(By Grant Schulte)

LINCOLN, NE (AP).—Nebraska opponents of the Keystone XL oil pipeline will continue to fight the project, even though the state's highest court allowed its planned route to stand, an attorney for the group said Monday.

Omaha attorney Dave Domina said landowners on the route can challenge the project again once pipeline developer TransCanada uses eminent domain to get access to their property. Once the company begins that process, Domina said individual landowners can fight the company in court battles that could take two to three years with appeals.

In addition, Domina said the landowners could file a new legal challenge against the law itself, using landowners who live directly on the route. Or they could lobby Nebraska lawmakers to try to change the law. It's too early to know which approach they'll choose, Domina said.

''This decision has simply been punted down the road, to be answered another day,'' Domina said in an interview. ''It's up to TransCanada to make the next move.''

The Nebraska Supreme Court on Friday ruled against three landowners who sought to overturn Nebraska's 2012 pipeline-siting law, which they say violates the state constitution. Not all of the plaintiffs owned property along the route, but the group sought legal standing as Nebraska taxpayers challenging an illegal use of state money to review the project. TransCanada later reimbursed the state.

The Nebraska attorney general's office argued that, among other things, that the landowners didn't have legal standing to bring the case.

The high court ruled 4–3 that the plaintiffs had standing, and four judges also deemed the law unconstitutional. The remaining three declined to review the constitutional arguments, arguing that the landowners lacked the legal standing. A five-judge supermajority was needed to overturn the law because it raised a constitutional question.

Pipelines are generally reviewed by the Nebraska Public Service Commission, but the siting law allowed then-Gov. Dave Heineman to approve it after a review by the state's environmental department. Heineman, a Republican, supported the pipeline, and the environmental department is a part of the governor's administration. Public Service Commission members are elected.

TransCanada spokesman Shawn Howard said offers to landowners are set to expire on Friday, at which point the company can begin eminent domain proceedings. Howard said the company will continue to discuss deals with landowners who are still negotiating in good faith. When warning letters were sent in December, the company said it had voluntary agreements from 84 percent of landowners along the route.

The $8 billion pipeline would carry oil from Canada through Montana and South Dakota to Nebraska, where it would connect with existing pipelines to carry more than 800,000 barrels of crude oil a day to refineries along the Texas Gulf Coast.

Environmentalists and other opponents argue that any leaks could contaminate water supplies, and that the project would increase air pollution around refineries and harm wildlife. But many Republicans, oil industry members and other backers say that those fears are exaggerated and that the pipeline would create jobs and ease American dependence on oil from the Middle East. They note a U.S. State Department report raised no major environmental objections.

Ms. CANTWELL. So while I think this is very interesting that Congress is trying to expedite a process here by which the TransCanada pipeline is approved and the Nebraska Supreme Court made a decision basically on standing and had four of the seven justices say that this was unconstitutional—what the legislature did in trying to take away the public interest standard—this company is not waiting one second to say that property owners who never got the public interest standard met are going to get shortshrifted again and they are just going to go ahead. So I don't see why Congress is trying to help a special interest hurry and make a decision when they are not trying to give any landowner the benefit of a process or give landowners the ability to negotiate. They are just going to go ahead with eminent domain.

So it is a very interesting tale we are going to talk a lot more about in the ensuing days about all the special attempts that TransCanada has done to try move ahead with this pipeline without following due process.

As I noted earlier this morning I found it very interesting that at the very time the State Department was saying to TransCanada that their current proposal goes through an aquifer and really should go somewhere else, TransCanada was looking for support in Congress to go ahead and approve the pipeline through the aquifer by saying the State Department had to approve it. Clearly, here is somebody who just wants this pipeline no matter what, no matter where, and is going to use every attempt to not follow the rules. So we hope that we will have a very healthy debate about why Congress shouldn't be entering into this kind of special interest deal on behalf of this company.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONGRATULATING THE NORTH DAKOTA STATE UNIVERSITY BISON ON WINNING THE 2014 NCAA DIVISION I FOOTBALL CHAMPIONSHIP SUBDIVISION TITLE GAME

Mr. HOEVEN. Madam President, I wish to make a number of points in regards to the Keystone XL pipeline approval bill, the legislation we are currently considering. But before I do so, I am planning to submit a resolution on behalf of the North Dakota State University Bison who won their fourth national championship on Saturday against the Illinois State Redbirds. It was a spirited and wonderful game in Frisco, Texas.

I know, Madam President, that you had a team that was in the hunt, so to speak, and played a tremendous game in New Hampshire against the Illinois State Redbirds. It is a testament to the quality of the teams in the FCS championship, the Division I playoff series. Teams such as the University of New Hampshire had a tremendous year of outstanding coaching and great student athletes.

I watched the game between the Illinois State Redbirds and the University of New Hampshire. It was a fantastic game that went right down to the wire. It just speaks to the fact that there are excellent teams in this division and tremendous athletes. A lot of teams had great seasons. So I certainly want to begin by commending all the teams that were in the playoffs, including our opponent in the championship game, the Illinois State Redbirds. They did a great job.

But North Dakota State University, the coaches, everybody on staff, the leadership of the North Dakota State University and these student athletes had just a fantastic year. So I want to congratulate them. Four years in a row is unprecedented. Nobody has won the national championship in Division I football in their division in the playoffs in history. So this was certainty a great achievement.

I am planning to submit the following resolution to honor the North Dakota State Bison. It says:

Whereas, the North Dakota State University (referred to in this preamble as

''NDSU'') Bison won the 2014 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division I Football Championship Subdivision title game in Frisco, Texas, on January 10, 2015, in a hard fought victory over the Illinois State Redbirds by a score of 29 to 27;

Whereas, NDSU has won 12 NCAA football championships;

Whereas, NDSU has now won four consecutive NCAA Football Championships since 2011, an unprecedented achievement in Football Championship Subdivision history;

Whereas, the NDSU Bison have displayed tremendous resilience and skill over the past four seasons, with 58 wins to only three losses, including a streak of 33 consecutive winning games;

Whereas, Coach Chris Klieman and his staff, through their dedication and talent, have continued the excellence of the Bison football program;

Whereas, the leadership of President Dean Bresciani and Athletic Director Matt Larsen has helped bring both academic and athletic excellence to NDSU;

Whereas, an estimated 17,000 Bison fans attended the Championship game—

Including myself—a fantastic game—

reflecting the tremendous spirit and dedication of the Bison Nation that has helped propel the success of the team; and

Whereas, the 2014 NCAA Division I Football Championship Subdivision title was a victory not only for the NDSU football team, but also for the entire State of North Dakota:

Now, therefore, be it

Resolved, That the Senate—

(1), congratulates the North Dakota State University football team as the champion of the 2014 National Collegiate Athletic Association Division I Football Championship Subdivision title;

(2), commends the North Dakota State University players, coaches, and staff for their hard work and dedication; and

(3), recognizes the students, alumni, and loyal fans for supporting the Bison on the successful quest of the team to capture another Division I trophy for North Dakota State University.

I will be entering that resolution into the RECORD to honor and recognize the team in a program that has done just an incredible job this year. I know how hard those student athletes worked. It is a privilege to honor them with this resolution and commend them on their outstanding achievement this year winning their fourth consecutive national championship.

Thank you, Madam President.

Now I would like to shift to the continued discussion of the Keystone XL Pipeline approval legislation that is currently pending on the floor. I am pleased to say that we have reached agreement now to proceed to the bill. In fact, we will be voting on amendments—not this week. But we can at least tee up amendments this week, and we will be starting votes on these amendments beginning next week.

That has been the idea all along—first, to advance to this bill; it is important energy infrastructure legislation—but also to have an open process to return to what we have referred to as regular order on the Senate floor in an effort to work truly in a more bipartisan way and to get the work of the Senate done for the American people.

That is the idea with this energy legislation—to make sure we are having the debate so we give everybody the opportunity to come forward and to present their amendments. We will debate them. They can then get a vote. For the amendments that can command 60 votes—it takes a bipartisan vote to pass anything because neither party has 60 votes—it requires bipartisanship. Any amendments that can garner 60 votes will be added to the legislation, and I hope that fosters the best legislation possible and enables us to get our work done on behalf of the American people—not only on this bill but on other important legislation to help move our country forward as well.

There are a number of arguments that have been made this afternoon by some of the critics of the bill, and while greatly respecting their right to come forward and present their opposition to the legislation and any criticisms they feel they want to present, I also want to take the opportunity to rebut a number of those. Of course, that is the whole focus and effort here in terms of the debate—to have this debate and hopefully convince people that what we have is good legislation. If we can make it better with amendments, great, but at the end of the day, we pass this legislation and get this project approved on behalf of the American people.

It is about energy, it is about jobs, it is about economic growth, and it is about national security. It is a great place to start in this new Congress, where we are focused like a laser on growing our economy and creating jobs for the hard-working taxpayers and people of our country, for the middle class, for the folks out there working every day. And for those not working and looking for a job, let's find ways to make sure we get this economy going and that we get jobs for them. This is a great example. This is the largest shovel-ready project—at almost $8 billion—that we have, and it is ready to go. It doesn't cost one single penny of government money. It is privately financed, and it is all about creating the kind of business climate and powering the kind of investment that will help grow our economy.

One of the discussion points I have been hearing is this whole issue of, well, this somehow is just for Canada and not the United States or that we are doing this for Canada. I will start with the premise that our closest friend and ally in the world is Canada, so the idea of working with Canada makes a lot of sense to me. They are our largest trading partner. We work with them all the time. We have a unique and wonderful relationship that very few countries have.

So to start with this criticism that this is just for Canada and not for the United States, I am thinking: Yes, and it is a bad idea to work with your friends, why? It seems to me that that is a good selling point. If this is good for Canada, then great. I hope we are doing good things for Canada, and I hope they are doing good things for us. That is how friends and allies work together. The whole concept that somehow this is a bad idea is lost on me. To me it seems as though it is a positive when we can work together with Canada.

The fact is it is not just good for Canada—it is good for Canada, but it is really good for the United States too, and that is the whole point. In that line of argument that it is somehow good for Canada and not good for the United States—the critics say it is good for Canada because they produce oil up here in Alberta, and they are going to move that oil down to our ports and they are going to export it. Well, that is not the case.

Is it possible that some oil could be exported? Yes. But the reality is a lot of this oil is coming to our country and will be used in our country, and even more than that, it is not just Canadian oil. The argument that this is somehow just Canadian oil and it is going to be exported is wrong. It is wrong on both counts. I wish to take a minute to rebut that because that argument has been brought up a number of times.

As a matter of fact, I believe it is the focus of one of the first amendments that has been offered by the good Senator from Massachusetts. He wants to include a provision that says none of the oil can be exported because it is all Canadian oil and it is all going to be exported. Well, on both counts, that is wrong. Oil from North Dakota and Montana, out of the Bakken formation—our State oil in North Dakota produces 1.2 million barrels of oil a day. We are second only to the State of Texas. But because we don't have enough pipelines, we have to move 700,000 barrels a day on rail.

We are trying to move agricultural goods. We are the leader of 14 different major agriculture commodities. We have all kinds of other products that we produce, as do the States in our region, which includes Minnesota, South Dakota, and Montana. But we have tremendous congestion on our rails because we are putting more and more oil on rail. We have 700,000 barrels a day going out on rail and growing as we continue to grow our production in this part of the country. So we need more pipelines.

What you see on this diagram is the original Keystone Pipeline that was constructed and built when I was Governor of North Dakota, and this yellow shows the sister pipeline we are trying to build.

As you can see, this goes right through our State, and the new pipeline goes right next to our State. The whole point is we want to put 100,000 barrels a day—at least for starters—of our light sweet Bakkan crude in this pipeline.

It is not just moving Canadian oil, it is moving domestic oil as well. It is moving U.S. oil. When you hear that it is just going to move Canadian oil,

that is already wrong. How about we stick to the facts? How about we make sure we foster real understanding? How about we tell people what is really going on here? It is not just Canadian oil, it is Canadian and it is U.S. oil.

The whole point is this is the kind of infrastructure that helps us achieve North American energy security. What do I mean by that? I mean by the United States working with Canada, we can produce more energy than we consume, and that is energy security. That means we don't have to depend on importing it from OPEC, that means we don't have to depend on importing it from Venezuela. When push comes to shove, we produce more oil and energy than we consume. That is a national security issue.

When you drive up to the pump today to fill up your car, take a look and check out the price at the pump. It is less than $2. It is about half of what it was maybe a year ago, right? That equates to $100 billion to $125 billion in savings for American consumers. Why is that happening? Is it that OPEC decided: Hey, let's give America a Christmas present? Is it because Vladimir Putin decided: Hey, let's get some energy over to America? Is it because Venezuela said: Hey, let's drop the price at the pump in America? Why is that happening? The reason it is happening is because we are producing so much more energy in our country in places such as North Dakota and Texas and the Bakkan and in the Eagle Ford. We are producing more natural gas in places such as the Marcellus and Utica, and the shale across our country, and because we are getting more oil from Canada because we have more supply, that is bringing the price down. More supply puts downward pressure on prices.

Every consumer is benefiting at the pump. A 60-cent drop in the price of gasoline translates from a $100 billion to $125 billion tax cut for the people of our great country, for the small businesses, and for all the industry sectors that rely on energy, and that is most of them, right? That is the benefit we are creating by working together with Canada to produce more energy. It truly is more energy, lower prices for our energy, making us more competitive in a global economy, it is jobs for our people, economic growth, and it is a national security issue. It truly is a national security issue.

Back to the point it is all going to be exported. First, it is not just Canadian oil. It is Canadian and U.S. oil, and I have gone through that.

On the issue that it will be exported—they say, look, the pipeline goes from Hardisty in Alberta all the way down to these ports—Port Arthur. So that must mean it is all going to be exported. No. It is going from where it was produced to where it is refined and consumed. It comes from Hardisty, down to Steele City, and from there it can go to Patoka, IL. Why? Because there are refineries there and pipeline networks where it can go into the eastern part of the United States.

It also goes to Cushing, OK—a huge pipeline network that goes all over the country, and it is based out of Cushing, OK, so it can go almost anywhere.

The idea that building a pipeline is somehow an unusual or difficult thing to do—well, let's take a look at all the pipelines we have moving oil and gas around this country. The whole point is when you bring that pipeline through, you can interface with all of these networks so you can move it all over the country.

For somebody to look at this and say: Oh, gee, look, because it goes from Hardisty down to here, it will all be exported. Come on, let's tell people what is really going on. There is the pipeline. It can go through many different routes and across the country. Don't just take my word for it because I am an advocate for the pipeline. People say: Well, he is pushing for the pipeline, and that is what he says. Fine. Let's go to what the State Department and the Department of Energy say. Let's go to the Obama administration's State Department and the Department of Energy and see what they say.

Here in January of 2014, the State Department determined in its final environmental impact statement—

> [The export of the oil] appears unlikely to be economically justified for any significant durable trade given transport costs and market conditions.

That was in the final environmental impact statement, section 1.4.6.2. I will repeat that statement.

> [The export of oil] appears unlikely to be economically justified for any significant durable trade given transport costs and market conditions.

So there we have the State Department and the environmental impact statement saying they are going to use the oil in the United States.

How about the Department of Energy? In its report, the Department of Energy determined that it does not make economic sense to ship the oil to China. Furthermore, any export would need to obtain a Department of Commerce license before it is exported. I am not saying that none of it will be exported, I am saying that according to the State Department and the Department of Energy, it will be used in this country, and before it could be exported, you would have to have the Secretary of Commerce say it is OK for some of that oil to be exported. The Obama administration would have to approve exporting some of that crude before it could be exported.

Furthermore, refiners that have contracts with TransCanada, which is Valero, have publicly confirmed that the oil that will be shipped through the Keystone XL Pipeline will be used for U.S. domestic needs. The United States retains 99 percent of all crude within the country and uses 97 percent of the gasoline refined in the country. A large majority—over 90 percent—of transportation fuel refined in the United States is for use in the United States.

Look, these are global markets. I am not saying that there is none that would be exported, but my point is we are going to use this oil in the United States, and if we don't build this pipeline, then one of two things will happen—again, according to the environmental impact statement that was done by the Obama administration.

If you can't build a pipeline, then it is going to have to be railed into this country, the same way I got done telling you that we rail 700,000 barrels a day out of my State of North Dakota. We will have to rail more of the domestic crude that I mentioned out of here, continuing the congestion on the rails, and we will have 1,400 railcars a day moving that oil because you can't move it on the pipeline. All of those locomotives produce emissions, right? We will either have to have 1,400 cars a day railing it or you are not going to build the pipeline and Canada is going to build pipelines to the west coast of Canada, and then they will load it on tankers and take it to China, thereby producing more greenhouse gas emissions, and refining the oil in Chinese refineries with higher greenhouse gas emissions.

And, by the way, since we are not getting that oil, we will have to bring more in from OPEC for us, right?

Under this scenario where they build the pipeline to the west coast and send it to China, how much of it will come to us then? Then it is all exported, isn't it?

This argument that some of it might get exported, then the converse of that—or the result is to say, we don't want the pipeline because some of it might get exported. So, in essence, we blocked it from coming here, and so then it will all be exported and it all goes to China. Wow. That makes sense? Let's see, because some of it might get exported, then let's make sure we don't have the pipeline so make sure it all gets exported, but we don't want it exported.

What am I missing here? Where is the common sense? When push comes to shove and we are not in a situation like we are right now where prices are low, when prices start going back up based on supply and demand and all of those things, or when there is conflict in the world that disrupts supplies, would we rather have control of that supply of oil from Canada or would we rather make sure it all goes to China?

When push comes to shove and we need the energy, when prices are high, or when there is volatility or conflict in the world, do we want to make sure that all of those resources are going to China and then we can go hat in hand and ask them for it, or would we rather have control of it? That is why I wanted to take a few minutes to rebut the argument that, oh, gee, it is all going to be exported rather than a more commonsense view of, well, gee, some might be exported because it is a global economy, but if it is, they have to get the Obama administration's approval to do it.

If you don't build the pipeline, you are either going to have it all come by railcar or you are not going to have any of it, and 100 percent of it will be exported because we would force all of it to go to China. Under any of those scenarios, you are still producing the energy up there, aren't you?

I will shift to the environmental argument. I will go back to this chart. There is another argument I wish to rebut for a minute. The argument is, oh, gee, all of this might be exported so we don't want the pipeline because we are trying to prevent the oil sands from being produced because of the environmental aspect of greenhouse gas.

As I just pointed out, even without the pipeline, the oil is still going to be produced. Again, this is not me saying that. Go back to the environmental impact statement. Go back to the science. Go back to the report done not once, not twice, not three times, not four times, but five times by the Department of State and their environmental impact statements—three draft statements, two final environmental impact statements, five different studies. What they say is the oil is still going to be produced so if we don't build the pipeline, our emissions are going to be higher from greenhouse gases than if we build the pipeline. Why is that? I went through some of that already. No. 1, we will have it all moved through railcars, which produce more greenhouse gases than a pipeline—1,400 rail cars a day. It will be shipped to China, which will refine it in refineries that have higher emissions than ours. And we are going to have to haul it in from other places such as Venezuela. So we have greenhouse gas emissions from the ships as well. So the reality is—and the environmental impact statements show it—that we have lower greenhouse gas emissions with the pipeline than we would without it.

As we have talked about on the floor many times, everybody is entitled to their own opinions, but they are not entitled to their own facts. Those are the facts as laid out very clearly, as I say, in not one or two environmental impact statements but in three draft environmental impact statements and two final environmental impact statements.

The other point I wish to make on the environmental aspect is that we produce oil in California and we import oil from Venezuela that has greenhouse gas emissions that are as high or higher than oil produced in the Canadian oil sands.

Another point I wish to make is that Canada is working to reduce both the greenhouse gas emissions and the environmental footprint of their production in the oil sands. Since 1990, on a per barrel basis, in Alberta, Canada, the producers of oil from the oil sands have reduced the greenhouse gas emissions by 28 percent—almost a third. So that is a 28-percent reduction in greenhouse gas emissions in oil sands oil from 1990 to the present on a per barrel basis. So they have reduced it by almost a third, and they are continuing to find ways through better drilling techniques, through cogeneration, and through other efforts to improve the environmental stewardship of what they are doing there. That is the way it works. Rather than blocking investment in needed infrastructure, rather than blocking investment in new technologies, we need to encourage that investment because when we encourage that investment in our country and work with Canada, we produce more energy more cost-effectively with better environmental stewardship. When we block it, we don't get that technology, we don't get the energy, and we don't get the improvements in environmental stewardship.

That is the way we should be approaching this. We should be encouraging the investment.

As I said before, not one penny of government money is expended on the pipeline. We are simply allowing a project to go forward. Private companies invested almost $8 billion in the largest shovel-ready project we have after the project has been held up by the Federal Government for more than 6 years—held up after every single State—all six States—every single one of them has approved it. But here we are 6 years later and the Federal Government is saying to those States that even though every single one of those States on the route has approved it, even though they want it, even though all the States will realize hundreds of millions of dollars in cash revenues and benefits not only from construction but from property taxes and other sources of revenue in building the project, and even though it won't cost the government one single penny, the Federal Government said no. Even though we have studied it for 6 years, that is not good enough. Even though in poll after poll 65 percent of the American people want it built, even though Americans want energy security here at home and in Canada, even though a bipartisan majority in the House and in this Senate support it, the President says: No, that is not good enough somehow. We would rather keep importing oil from OPEC.

That has to be music to OPEC's ears. Oh, good, the Americans aren't going to get serious and work with Canada and make sure they are energy secure. They are going to keep getting oil from OPEC.

That has to be music to China's ears. They want it. They are trying to buy these oil resources in Canada. They are not only trying to buy the oil. They are trying to buy the resources in Canada. But last I checked, we work for the American people, and the American people want energy security.

So we have an absolute obligation to make sure that as we are talking about this project, we are talking about the facts. We are not talking about our opinions. I know we are striving for clarity and an understanding of what is really going on.

When it comes to the environmental aspects and when it comes to whether the energy is going to be exported or used here, when it comes to the economic impact, when it comes to the job creation, and to all of these different issues, let's debate them. If somebody has an amendment we can add, let's debate that, too. It needs to get 60 votes. But let's make sure we are fostering understanding of what is really going on here so we talk about climate change and that type of issue that is relative to this project. Let's make sure we are clear. Let's make sure we are telling the people that this project will have no significant environmental impact, according to the U.S. State Department—the Obama administration's State Department. According to the Obama U.S. State Department—the Obama administration—according to their environmental impact statements, including three draft statements and two final statements done over more than 6 years: no significant environmental impact. Then when we talk about greenhouse gas emissions and the oil that comes from the oil sands, let's be clear that this is not just Canadian oil. It is also domestic oil from our country, from States such as North Dakota and Montana. Let's also talk about how the investment in new technologies is reducing the environmental footprint and reducing the greenhouse gas for oil sands production. There has been a reduction of 28 percent in greenhouse gas emissions since 1990 in the oil sands because of their investment in new technologies, in better drilling techniques, as well as their efforts going forward.

I do believe we are going to have officials from Alberta and from Canada coming during the next weeks to talk about what else they are going to do to make additional improvements in terms of environmental stewardship and the efforts they are undertaking to reduce further the environmental footprint and the greenhouse gas impact of the energy they are producing.

So with that, I wish to close. This really is an opportunity to work with our good friend Canada on a project of great mutual benefit, and that is energy security for North America and energy security for our country as well as for Canada. I think this is a project Americans very much want.

Again, I urge my colleagues to come forward to engage in this debate and, at the end of the day, let's get this done for the American people.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Louisiana.

Mr. CASSIDY. Mr. President, this is my first speech to the Senate.

It is interesting because as a child I would read about how the Senate was a great deliberative body. I would read of the debates in which issues were discussed that changed the course of our country's history. The key issue here is that it is a deliberative body.

I was in the Senate energy committee the other day and one of the opponents of this Keystone bill said we need to be guided by science. I like that thought. We are not to be guided by our prejudice. We are not to be guided by what we want to be the case. We are to be guided by the facts, because just as when I was a kid and I would read about how this great deliberative body would decide issues that would then decide our country's future, this Keystone bill decides the future for many issues.

With that said, let me also say that I just came over from the House of Representatives and one of the nice things I had the privilege to do was to enter a Keystone bill quite similar to this one, which passed. In the course of that being introduced, debated, passed, et cetera, I heard the arguments of those who were opposed to the Keystone bill, and I have been able to think about them.

I am pleased to say I think there actually is common ground. If the American people want the Senate to work together to come up with solutions on a bipartisan basis, and if we are to be guided by science and the facts and not by our prejudice, and if what we deliberate will help determine the future of our country and the many families in our country, I am pleased to say that we have common ground.

The opposition is concerned about climate change, increased carbon emissions, the amount of oil that might be spilled, whether this encourages the use of fossil fuels, and are the jobs being created worth being created? We can address these factually, not by prejudice but by using, actually, President Obama's own State Department information. With that kind of source—it is President Obama's State Department providing the answer to these questions. So let's go through them.

First, the President's own State Department says that building the pipeline will decrease carbon emissions, there will be less oil spilled. By the way, it will not only create jobs, but it will also save workers' lives. We are deliberating a bill here which, according to President Obama's State Department, will save lives. That is truly changing the future of somebody.

In detail, on page 34 of President Obama's State Department report, it says that the pipeline would have no significant environmental impact. It will actually reduce greenhouse gas emissions by 28 to 42 percent relative to not building the pipeline at all.

President Obama's own State Department also acknowledges that these oil sands are going to be developed whether we build the pipeline or not. If they are not piped to the gulf coast of Louisiana and Texas to be processed, they will be sent to overseas markets such as China, creating Chinese jobs instead of American jobs.

I think it is also safe to say—we read about how in China people can't see the blue sky. Their environmental standards are far more lax than ours. If it goes to the gulf coast, I can tell my colleagues I just came from Louisiana yesterday and I saw blue skies.

With all of our environmental standards, this will be processed in such a way which is most environmentally friendly. If it goes to China, there will be pollutants put out in the air which the jet stream will blow over the United States. If we are to be guided by science and not by prejudice, the science would say we should build the pipeline to allow the oil sands to be processed in the United States.

I heard one person say that he would be for the pipeline if he was sure the oil would not be exported. I don't quite know how to respond to that because if we don't build the pipeline it will absolutely be exported. It will be exported to China, and then quite likely we will buy the refined products that the Chinese then produce. On the other hand, again referencing President Obama's State Department, they have said that if we pipe that oil to the gulf coast, our gulf coast refineries are uniquely equipped to process that oil in an environmentally safe way, and so it is unlikely that it will be exported. I will add to that, according to the World Trade Organization guidelines, if we accept an import from another country, we cannot not export it should there be higher value.

But I return to what President Obama's State Department said, which is that the gulf coast refineries' unique ability to refine this in an environmentally sensitive way means that despite World Trade Organization restrictions, it is unlikely that it will be exported.

There are other benefits as well. It is clear that it will diversify our energy security. Instead of buying our oil from the Middle East or from countries like Venezuela who don't care for us—in fact, use the money we pay them in some cases to finance terrorism—it will come from a trusted neighbor who will spend that money that we pay Canada for this commodity back into the North American economy creating jobs indirectly in the United States that otherwise would not be, which leads us to the question, are these jobs worth having? In a word, the answer is absolutely. Now, we all know that creating better jobs for American families is what should be the Congress's priority.

For 6 years we have been talking about building the Keystone XL Pipeline and we have, if you will, postponed the creation of these jobs.

Let's just look at it. Refineries in my State of Louisiana and along the gulf coast would benefit because it would be roughly 100,000 barrels a day of crude oil transported to us. In Louisiana up to 12 percent of that oil would end up in our refineries, more than $1 billion in revenue to our economy. It would create over 40,000 construction jobs over a 1-to-2 year period.

Some will oppose this and say these jobs only last for a week or two. I was outside the energy committee hearing room and there were a couple of fellows from trade unions who stopped me. They said, We need these jobs.

I said, what about the argument of the other side that the jobs will only last 2 weeks?

Those are the nature of our jobs. If you bring a master welder in, he or she will do their job for 2 weeks and then move on to another. But for our union members to get their union benefits, they have to work a certain number of hours per quarter or per month—I forget the unit of time—but this will allow them to meet that minimum requirement in order to continue to receive their union benefits.

I can tell you the crafts unions think that these jobs are worth having. These are well-paying jobs with good benefits. They are not the service sector in which hours might have been reduced from 40 to 30 hours a week. These are great jobs and great benefits.

The American people want Washington to work together. As I mentioned earlier, I introduced and passed Keystone legislation in the House of Representatives. Keystone has become a symbol for North American energy independence. Approving this pipeline is not the final step in this independence but it is the next step. It is a good step.

The case for approving this pipeline and other energy infrastructure projects is clear. I encourage my colleagues to join in approving the Keystone XL Pipeline and putting this debate to rest because I truly believe we have common ground, if we are to be guided by the science and the facts and not by prejudice. We know from President Obama's State Department that it reduces carbon emission, it will decrease the amount of oil spilled, it has minimal effect upon the environment, it will save the lives of the workers while strengthening our national security and enhancing our energy independence and creating 40,000 American jobs. That is why more than 60 percent of Americans support this bill. It is a jobs bill, a national security bill, and it is a bill which should be passed.

Thank you, Mr. President. I yield back my time.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, might I say to the distinguished Senator from Louisiana, he indicated this was his maiden speech on the floor of the Senate. If that is so, I urge him to make additional speeches. I don't think I ever heard a more concise summary with regard to the pipeline issue than he just gave. We can certainly see why the people of Louisiana sent him here. It was perfect, it was cogent, and it was short. It was interesting. He had a bill very similar to this and Senator CASSIDY passed it in the House and he is now in the Senate. We hope that with enough debate we can have truly

a bipartisan effort with comity. This is a new beginning. We are so happy to have the Senator here. I thank him for his remarks.

Mr. CASSIDY. I thank the Senator from Kansas.

(The remarks of Mr. ROBERTS pertaining to the introduction of S. 168 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. ROBERTS. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. 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. INHOFE. Mr. President, we are getting close to a time when we are going to be able to see a reality here that we have been talking about—the Keystone Pipeline—for a long period of time now. When I go back to Oklahoma, people say: If you have something that no one is against who does not have a particular institutional reason to be against it—everyone is for it. When you see the jobs—no single thing we have dealt with in the last 3 or 4 years that I can recall has talked about 42,000 new jobs that otherwise are not going to be there, good-paying jobs.

I admit that I am biased a little bit because being from Oklahoma—Cushing, OK, is right in the center of the State. It is the hub of all of the pipelines going through America. But I see that there is really no logical reason—I heard someone on the floor just a few minutes ago saying: All those dirty oil sands up in Alberta are going to be—there is a great environmental risk from that. Yet they know full well that if for some reason the people who are opposed to fossil fuel altogether—such as President Obama—are successful, they are still going to produce that stuff up there.

China is chomping at the bit right now because China has a great need for the very ingredients in the pipeline that we do here in this country. They already have talked about transportation to the western part of Canada to get it to China. So it is going to happen. In fact, you could argue, if you are concerned about some of the environmental problems, if they do exist, they would be greater if China did it than if we did it. For example, China does not have any emission controls on all of the stuff that we are talking about the way we do in this country.

I think there are some things that are factual. I think everyone is aware of it. One is that President Obama has had a constant war on fossil fuels since the time before he was even President of the United States. When we look at what he has done and how he has committed—and we have heard all of those quotes from when he was talking to the far-left environmental groups, the Tom Steyers and others like him who have put in the money to fight fossil fuels. He is one who is solidly opposed and doing everything in his power to keep us from finishing the pipeline.

Having said that—I will put the chart up on what happened just a year ago in my State of Oklahoma. The only visit the President has made to my State of Oklahoma was about a year ago—2 years ago. He came in and was—in the background there, that is a picture of him in Cushing, OK, and those are the barrels—this is what is taking place right now in Cushing.

He was talking about—his quote there, as you can read:

I am directing my administration to make this project a priority—

He was talking about the Keystone Pipeline—

to go ahead and to get it done.

Well, he made that statement and he came down to hold that meeting in Cushing, OK, to try to make them believe he was actually for a pipeline. He went on to say that he was going to make sure that he was not going to do anything to keep the pipeline from going on further south.

Now, let's get the picture here. You have Cushing, OK, which is right in the middle of the United States, and the pipeline will continue to go south to the Texas coast. Well, he said he was not going to do anything to stop that. There is a good reason for this; that is, he cannot. He does not have any jurisdiction. That did not cross an international boundary. The borders—the international border that it has crossed is in Canada. So that is the area where he is still to this day doing all he can to keep that from being a reality. The southern leg could be finished and he cannot do anything about that.

I mentioned Tom Steyer. I want to put up that chart so people know—in case they have not been introduced. He is probably a very fine person. He has a strong commitment to try to stop fossil fuels. He is the one who made the statement back before the November elections that he was going to raise $100 million—put in $50 million of his own money and raise $50 million in addition to that—and put it in eight campaigns—I think we know probably which campaigns they were—to see whether he could resurrect the issue of global warming and whether he could stop the pipeline.

Well, all that happened back then. I think it is important that people understand that he was not able to—he was willing to put his millions of dollars in, but he could not raise the 50. So instead of that, he put $70 million of his money in the race. This is not me talking; this is all—he is very proud of it. Frankly, I appreciate the fact that he is not trying to hide what he is doing. I know he has some political interests. I know he has a commitment to try to stop the pipeline. I am not sure what that is based on other than just the people to whom he caters.

But nonetheless he has a great deal of influence with this administration. It was reported a couple of weeks ago that he had visited the Obama White House 14 times—that is as of that time—which led a member of the watchdog group Public Citizen to say, ''Tom Steyer has not just got the ear of the President, but he clearly has the President's attention.'' Again, that is this watchdog committee making that statement.

So we are looking at it now. We know that the White House meetings were often with President Obama's counselor and chief environmental advisor, John Podesta. We remember John Podesta from the Clinton administration. He has been a lobbyist now for quite some time. He is very actively involved in this issue. Reports have also surfaced that Steyer and Podesta met with billionaire liberal activist George Soros just days after Steyer made his commitment.

Anyway, that is behind us now. That affected the election, there is no question about that; however, they still lost. If I am guessing right on the races he was involved in, there is not one of those who won. Republicans took over 10 seats. That was quite a good year. So maybe he wasted several million dollars. But when we looked at it and if you think about what he has done to fossil fuels, that has been his war.

Twice today already I have heard people on the floor saying: Well, look at the success the oil industry has had under the Obama administration. Well, I have to suggest that it has been in spite of the Obama administration. The proof is very easy. The revolution that is going on right now within the oil industry is one that has been very successful. On private land and on State land, the amount of production since Obama has been in office has actually increased by 61 percent. That is incredible.

They say: Well, you must be really pro oil and gas because of that.

In reality, all of that, 100 percent of that 61-percent increase has been on State and private land. On public land, the Federal land that he has control over, there has not be an increase of 61 percent or even 6 percent. As a matter of fact, there has been a reduction of 6 percent.

So that is going on and it is all a part of this war that is taking place right now. I am very anxious to see how these votes turn out. I know that people, when they realize the number of jobs that are there, I get very excited about it, and I can't help but think we are going to be successful.

I wish to mention though—I wasn't going to—a person whom I consider to be a very good friend is on the floor, and we have philosophically disagreed with each other about as much as any two people can; that is, the Senator from Vermont.

He is sincere. He believes what he says. Yet some of the things he says I believe are wrong, but he believes

them. I don't want to question whether he is telling what he believes is the truth—and others too.

Another good friend of mine is the Senator from California, Mrs. BOXER. Frankly, I will miss her in the Senate. I understand she has announced her retirement.

But nonetheless, on the issue they are talking about on global warming, I listen and I think: Where do they come up with this stuff?

Because we know for a fact that many of the things that they talk about are not true. We keep hearing that 97 percent of the scientists are saying they believe CO_2 is the cause of the catastrophic climate change, the world is coming to an end, and we are all going to die.

This goes back to about 2002 when this became an issue. I will remember this for a long time because that was when the first bills were introduced. At that time everybody thought global warming was true. They were all going to try to do what they could to stop it.

Frankly, at the very first I thought it must be true—that is what everybody said—until they did a study at the Wharton School. Some of their scientists, along with MIT, Charles Rivers and Associates, and others said what the cost would be. Because everybody was talking about the world coming to an end and they asked: But what is cost going to be?

They all agreed on a range, and that range has not been refuted by anyone. The range is between $300 billion and $400 billion a year. I immediately went back to see. Whenever I hear a big number, I go back to Oklahoma and I count the number of people, families who file a Federal income tax return and then I do my math.

That would cost the average person and family in Oklahoma $3,000. So we think: All right. Are we sure we are going to get something for the $3,000?

I will share with you—because a lot of people have forgotten this—that Lisa Jackson was the first Administrator of the EPA who was appointed by President Obama. I asked her on the record, live on TV, in our committee, I said: Now let's assume we passed some of this legislation that puts in cap and trade or do it even by regulation. Is this going to stop CO_2 emissions or lower CO_2 emissions worldwide?

She said: No.

These are her words, not mine. She said: The reason is the problem isn't here in the United States, the problem is in China, it is in India, it is in Mexico, and it is in other places.

So in the event they were able to do that, then this would not lower it. In fact, we could use the same argument and say if we passed a cap and trade and did something—as they are talking about doing and we have heard on the floor today—then it would have the effect of not reducing but increasing CO_2 emissions, and this is why.

As we chase our manufacturing base overseas where they have to somehow find someplace where they can generate electricity, it will be in countries such as China and India where they don't have any of the restrictions in emissions.

So even if someone is a believer that the world is coming to an end, that global warming is going to kill everybody and it is all due to man-made gas, if they truly believe that still, even in spite of that, it is not going to reduce worldwide emissions. I guess that is what they want to do, so we hear about the consensus.

I remember at that time I made a speech on this floor questioning the science. I said: I assume there are scientists out there who are not a part of the IPCC—that is the Intergovernmental Panel on Climate Change—and that those scientists know better. They know what the reality is.

I started getting phone calls. I got phone calls from scientists. On this chart are recognized scientists. There are 58.

Richard Lindzen, I see his picture. He is a scientist at MIT. I think we could argue he would be in contention with the very best informed scientists.

Richard Lindzen said:

Controlling Carbon is a bureaucrat's dream. If you control carbon, you control life.

Is that real, these people, or what? I remember how upset he was with Al Gore. Richard Lindzen made the statement again—this is him, not me, Richard Lindzen of MIT:

To treat all change as something to fear is bad enough. To do so in order to exploit that fear is much worse.

Now we have so many things that have happened. Just the other day—it wasn't long ago, I don't have the exact date—one of the universities did a survey of all the weathercasters, and they came back that 63 percent of weathercasters believe any global warming that is occurring is the result of natural variation and not human activities.

To say ''97 percent of scientists'' is just not true, but if you want to believe it badly enough you will. So we have a lot of information.

Nature journal, which is a well-respected journal, in their 2013 paper said that ''there is considerable uncertainty as to whether [increases in extreme climate variability] is occurring.

Munich Reinsurance Company said: ''Global weather related disaster losses have declined by 25% as a proportion of GDP.''

We have all these statements.

The IPCC, they are the ones that are always being quoted, and it is a branch of the United Nations. That is where all this started and certainly it would enure to their benefit to have people believe that we have to look at some international organization such as the United Nations to protect us from all these droughts and all these things that they say are going to happen.

We had another little thing happen recently. I only mention this because nobody has yet on the floor. I think everyone used to believe that everyone was already aware of it, but remember Climategate?

Climategate was when they were having one of the big United Nations parties. It was going to be in Copenhagen. I remember a lot of our people went over there to tell the 191 countries that were participating that the United States was going to pass cap and trade, they were going to do all of these things.

I went over at the very end of it, made my little talk, and assured them that in spite of the fact that President Obama had been there, Secretary Clinton at the time had been there and now-Secretary Kerry and all the rest of them—to say we are not going to be doing it in the United States of America. If anybody believes what they said, that we are going to pass cap and trade, we are not going to do it. They had tried it already. There were 35 Members—and at that time it was a much more liberal Senate than we have today—only 35 would actually vote for something like that.

Incidentally, it was at that time when Climategate came up. Climategate was when they analyzed some of the things IPCC had said, and they had all these quotes and emails that totally debunked the credibility of IPCC. Still today they are talking about it.

To give us an idea, Christopher Booker, with the UK Telegraph, said: ''Worst scientific scandal of our generation.''

That scandal he is talking about is to try to have them make people believe climate change is going to destroy the world.

Clive Crook of the Financial Times said:

The closed mindedness of these supposed men of science . . . is surprising, even to me. The stink of intellectual corruption is overpowering.

Again we are talking about Climategate. Nobody talks about it any more, but still this is a fact.

A prominent physicist from the IPCC, who is no longer there, said: ''Climategate was a fraud on a scale I've never seen,'' talking about how they are rigging the information to try to cook the science.

So we have all of these—this is Newsweek. It said: ''Once celebrated climate researchers feeling like the used car salesman.''

''Some of the IPCC's most quoted data and recommendations were taken straight out of unchecked activist brochures. . . . ''

So these are the things that are going on, and I hope the people, as we develop this right now—we should be concentrating on the vote that is going to be coming up having to do with the pipeline. But as the committee of jurisdiction is looking at this, I can assure you we are going to be having hearings.

One hearing we are going to have is to get some of the best scientists

around to evaluate and to see what the truth is on the global warming issue.

But in the meantime let's go back to the pipeline. I can't think of any argument against it that is overwhelming, and the mere fact that people say they don't like the Alberta sands or the production, it doesn't mean we in the United States of America are going to stop them from doing it because they will just do it and ship it to China.

So we have a huge issue we are concerned with. I can't think of anything I have seen in the past 4 or 5 years that is going to be producing more jobs in America than this issue.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

PROPOSED WATERS OF THE UNITED STATES RULE

Mr. GRASSLEY. Mr. President, I rise to speak about the issue of EPA regulation of waters of the United States rule. I see it as one of the biggest power grabs by an agency in a long time—particularly the EPA.

Before I speak on that issue, I wish to bring attention to some headlines that appeared both in Iowa and nationally on this issue. I will quote the Wall Street Journal: ''Watch Out For That Puddle, Soon It Could Be Federally Regulated.''

The next quote is from an Iowa Farm Bureau spokesman: ''Water rule is really about control of land.''

The next quote is from a Farm Bureau spokesman: ''Water rule intrudes on property rights, hurts conservation.''

Farm Bureau spokesman said: ''EPA proposal would regulate all water wherever it flows.''

Farm Bureau spokesman: ''Water rule threatens U.S. agriculture.''

The last quote is also from the a Farm Bureau spokesman: ''Rule is threat to conservation momentum . . . a flood of red tape.''

Last spring the EPA and Army Corps of Engineers published a proposed rule to define ''waters of the United States.'' This is part of a long history of attempts to determine the scope of the Federal Government's jurisdiction under the Clean Water Act. The latest proposal has generated no shortage of rhetoric from those concerned about the rule as well as those defending the rule. However, you would be hard pressed to call it a true debate.

Rather than making a serious attempt to address the numerous legitimate concerns with the rule, the Environmental Protection Agency and their allies in the professional advocacy community have attempted to push a narrative that tries to portray critics of the rule as misinformed, nutty or in favor of water pollution.

They, the advocacy community, claim the rule simply clarifies the jurisdiction of Federal agencies, and they also claim it does not expand that jurisdiction in any way. The EPA also promises that it will not interfere with the farmer's routine use of their own land.

Given its history of ignorance and indifference toward the needs of rural America, it is no wonder EPA's assurances are met with skepticism by many in America, but it is particularly met with skepticism by America's farmers.

The EPA will have another chance to consider the concerns of farmers and many other Americans as it reviews the formal comments it collected before issuing the final rule. Still, given the fact that EPA officials—starting with Administrator McCarthy—went out of their way to be dismissive of legitimate criticisms even while the comment period was still open, I am not going to hold my breath hoping for a change of heart on the part of the EPA.

First, it is important to understand that this debate is not about whether we should have clean water protections but which level of government is in the best position under our laws, and the intent of those laws, to manage which bodies of water.

Despite what some interest groups would have you believe, no one is arguing that farmers or anybody else should be allowed to dump pollutants in the waterway. There is also no question that there is a very important role for the Federal Clean Water Act to protect interstate bodies of water.

However, the Clean Water Act itself clearly states:

> It is the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution, to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, and to consult with the Administrator in the exercise of his authority under this chapter.

That is in the law right now, and it has been there a long time. The complicated Federal clean water permitting process is appropriate if a factory is looking to discharge waste into a river, but does it make sense to require a farmer to apply for a Federal permit to build a fence on his own land?

There is clearly a limit to where Federal regulation is appropriate, where Federal regulation is effective, and where Federal regulation is legal. In fact, expanding the cumbersome Federal permitting process to cover lands it was not designed for would actually be counterproductive in my State of Iowa and probably a lot of other States as well.

Forcing farmers to file for a Federal permit would add significant redtape for Iowa farmers as they make routine decisions about how best to use their land. Ironically, that could delay or deter farmers from undertaking projects to improve water quality, and that is why I quoted some members of the Farm Bureau earlier.

There was one story that very specifically said farmers in Iowa were willing to spend a lot of their own money to do some conservation practices that everybody would be very happy with, but they are not going to spend their own money because they cannot even get an answer from the Corps and the EPA on whether they even need a permit. They are not going to pursue their conservation practices and invest all of their money if they could be violating a law, so you can see why they are very upset. Under the existing law, the EPA cannot even tell a farmer whether they need a permit, and they want to assume a lot more responsibility. It is kind of concerning considering that they cannot do their job right now.

Having to constantly apply for Federal permits just to farm their land would be unnecessarily burdensome to farmers, a waste of Federal resources, and an intrusion on State and local land use regulations. What about the EPA's assertion that its proposed rule simply clarifies its existing jurisdiction and restores it to what it used to be? The fact is that in the past, the EPA has attempted to claim nearly unlimited jurisdiction well beyond what the law says and well beyond even an expansive reading of the Federal Government's constitutional authority to regulate interstate commerce. However, those attempts were repeatedly struck down by our U.S. Supreme Court.

The Court decisions in 2001 and 2006 made very clear that the Federal Government does not have unlimited authority over all bodies of water but left the precise division between State and Federal or local jurisdictions somewhat unclear.

In response, the U.S. Army Corps of Engineers and the EPA issued guidance in December 2008 in an attempt to comply with the Supreme Court's rulings but did not engage in any formal rulemaking. Significantly, legislation was routinely proposed in Congress by those who wanted to push aside the Supreme Court rulings and give the EPA unlimited jurisdiction, but it never garnered enough support.

While legislation would not have resolved the constitutional limitations to the EPA's authority, it is important to know Congress passed on several opportunities to amend the Clean Water Act to expand Federal jurisdiction.

Nevertheless, in April 2011, the Obama administration proposed to replace the existing guidance with revised guidance that provided a very expansive reading of Federal authority, leaving very little land under State and local control.

This unilateral reassertion of expansive authority—in defiance of the other two branches of government—was made even more egregious by being proposed through guidance outside of the formal rulemaking process. Fortunately, the outcry from the Republican Congress against this power grab caused the administration to scrap guidance and pursue a formal rule with public comment.

I do believe we need clarity about what is and is not covered by the Clean Water Act, and particularly its permitting process, and that a formal rule with public comments is the best route.

However, the proposed rule that was formally published in April of 2014 once again asserted an extremely expansive view of Federal authority. This would increase the Federal Government's jurisdiction to regulate waters that had previously been the sole jurisdiction of States and local governments. Moreover, rather than clarifying points of uncertainty remaining from original guidance, court decisions, and precedents, the proposed rule would create a whole new definition of waters of the United States that opens new areas of uncertainty and confusion.

Rather than fixing the problem, this rule would make it much worse. It would lead to another round of court cases and overwhelm the Federal agencies with requests for jurisdictional determinations, diverting scarce Federal resources away from enforcement in more critical areas.

The EPA and the Corps should withdraw the proposed rule and work collaboratively with the States and other stakeholders to craft a sensible rule that will ensure clean water and provide much needed clarity about the scope of the Federal Clean Water Act jurisdiction.

TRIBUTE TO TRISTRAM COFFIN

Mr. LEAHY. Mr. President, I would like to publicly thank U.S. attorney Tristram Coffin for his service to Vermont and our country. I have known Tris for decades, and I am proud that Vermont has been served by someone as thoughtful and fair as Tris. I join my fellow Vermonters in thanking him for his service to our State.

Tris earned his undergraduate degree from Wesleyan University and his law degree from Columbia University. He worked for me as a staff attorney on the Senate Judiciary Committee from 1991 to 1994 before becoming an assistant U.S. attorney in Vermont's civil division from 1994 to 1998 and in their criminal division from 1996 to 2006. He then worked in private practice in Burlington with the firm of Paul Frank & Collins, P.C. In 2009 I recommended Tris for the vacant U.S. attorney position, and he was unanimously confirmed by the Senate in August 2009 to be Vermont's 36th U.S. attorney.

Throughout his time as U.S. attorney, Tris has demonstrated thoughtful leadership in partnering with State and local law enforcement agencies and Vermont communities on a wide range of issues, including efforts to confront the crisis of heroin and opioid addiction. In September 2010 he convened a timely and constructive symposium in the State house in Montpelier to discuss the problem of opiate drug abuse. Impressed by his work, last year I invited Tris to deliver testimony at a Judiciary Committee field hearing in Rutland examining community solutions to the opioid crisis. At that hearing, I was moved by the dedication and passion Tris has brought to developing partnerships with Vermont schools to raise awareness and focus on prevention.

Vermont is a safer and better place because of dedicated public servants like Tris. I commend Tris for his years of service to the Green Mountain State and wish him the best in his future endeavors. He is a friend I treasure.

TRIBUTE TO THE HONORABLE PATRICK R. DONAHOE

Mr. CARPER. Mr. President, I rise today to honor the 73rd Postmaster General of the United States, Patrick ''Pat'' R. Donahoe, upon his retirement, for his leadership, vision and commitment to the U.S. Postal Service, and for his service to our Nation. During his 39-year career, Pat ascended the ranks of the Postal Service and went on to help lead the 239-year-old agency during one of its most challenging periods.

Pat's career with the agency began in 1975, when he started as trainee on a mail-sorting machine in his native Pittsburgh. In 1976 he was hired as a clerk at the same location, and from there he moved up the ranks and went on to hold several leadership positions. Over the years, he has served as Vice President of Allegheny Operations, Senior Vice President of Human Resources, Senior Vice President of Operations, Chief Operating Officer, and Deputy Postmaster General.

In his role as Chief Operating Officer, he helped the Postal Service navigate back-to-back tragedies and challenges to mail operations following the 9/11 terrorist attacks and the use of the mail to transmit anthrax. He also played a key role in the recovery efforts following Hurricanes Katrina and Rita in 2005.

Before he worked his way up the Postal Service's ranks, Pat graduated from the University of Pittsburgh with a bachelor of science in economics. During his time with the Postal Service, he earned his master of science at the Massachusetts Institute of Technology Sloan School of Management as a Sloan fellow.

In October 2010, Pat was appointed by his colleagues on the Postal Service Board of Governors to be the Nation's 73rd Postmaster General, PMG. At the time, the outlook for the Postal Service was bleak and its future uncertain. It was hemorrhaging billions of dollars and saw its workforce numbers slashed as it grappled with the rapid transition to electronic communication and the fallout from the great recession in 2009. It was teetering on the edge of collapse, and no one knew how long the Postal Service could hold on. But Pat Donahoe accepted the challenge.

During his 4-year tenure as Postmaster General, Pat proved himself to be a dedicated public servant, a strong leader, and an innovative chief executive with the willingness to make tough calls and hard decisions. He did what was necessary to help the Postal Service keep its lights on and compete in the age of the Internet. He did a remarkable job using limited resources to keep the Postal Service alive during the second worst financial crisis in its history. With the help of a strong team at Postal Service headquarters and in postal facilities across the country, he sought to keep prices competitive, reduced costs, rightsized the enterprise, and explored a number of innovative and successful business endeavors. His efforts have helped guide the centuries-old agency through a remarkable transition that has better prepared it to compete and remain a linchpin of our economy in the digital age. In fact, his work and his vision have put the Postal Service in a position where, with the right tools and authorities from Congress, it can remain competitive and viable for generations to come.

Pat Donahoe had a vision for what the Postal Service could become and never stopped working to build on its potential. During his tenure, the Postmaster General helped bring the Postal Service to a place where it could better meet the demands of the 21st-century customers it serves. He reimaged tried-and-true services to make them more user-friendly and more valuable, like flat-rate shipping and priority mail. He created more opportunities to innovate and grow using the Postal Service's unique distribution network by adding services like Sunday package delivery and by exploring innovative partnerships with companies such as Amazon, FedEx, and UPS.

As someone who has watched the Postal Service both soar and struggle, Pat provided guidance and leadership during tremendously challenging times. Despite the significant financial and legislative restraints that face the Postal Service today, the Postmaster General kept the Postal Service on a course that would enable it to deliver on the high expectations set by the American public.

The PMG has also been a strong voice for the agency and an important partner to Congress during our efforts to pass comprehensive postal reform in the 112th and 113th Congress. He has

worked tirelessly on behalf of the Postal Service's customers, employees, stakeholders, and the 7 to 8 million people whose jobs depend on a healthy and robust Postal Service.

As I worked with my former partner on Homeland Security and Governmental Affairs Committee, Dr. Tom Coburn from Oklahoma, in developing comprehensive postal reform legislation, Pat and his staff were indispensable. We could always rely on the PMG and his team to come with little notice to a meeting in the Capitol or to join a late-night or weekend conference call.

As he would probably admit, Pat also took plenty of abuse from some of my colleagues here in Congress, from the press, and from the public. He knew that some of the initiatives he put into place during his tenure as Postmaster General would be unpopular but stuck to his guns because he thought it was the right thing to do. Even in recent days, he has continued to press for what he knows is right and what he knows will sustain the Postal Service in the years to come.

Pat Donahoe has graciously shared decades of his life with the Postal Service and has served the American people well. I sincerely thank him for his dedication, and I deeply appreciate his tireless efforts to help the Postal Service and our country. While Pat is retiring from the Postal Service, his legacy will carry on, and the changes he made will continue to serve the Postal Service and its customers. I wish Pat, his wife Janet, their two sons, and their granddaughters Charlotte and Lucy all the best in the years to come. As we say in the Navy when people complete an especially difficult assignment and sail off into the sunrise, ''Fair winds and a following sea.''

ADDITIONAL STATEMENTS

REMEMBERING LIEUTENANT COLONEL STEPHANIE RILEY

● Ms. AYOTTE. Mr. President, I wish to recognize the exceptional service and the extraordinary life of Lt. Col. Stephanie Riley of Concord, NH.

Born and raised in Henniker, NH, Stephanie graduated from Henniker High School in 1984. An excellent student, Stephanie attended St. Paul's advance studies program the summer before her senior year and was the valedictorian of her high school class. In 1988, she graduated cum laude from Boston College's School of Nursing and in 1989 was commissioned into the U.S. Air Force, where she completed a 4-month nursing internship at Travis Air Force Base in California. Following her internship, she was stationed at the Barksdale Air Force Base in Louisiana for the remainder of her 3-year tour.

In 1992, Colonel Riley entered the Inactive Ready Reserve and became a civilian travel nurse. Showing both her love for the military and her home State, she returned to New Hampshire in 2000 and joined the U.S. Air Force Reserves in Westover, MA, and then the NH Air National Guard in 2003. She subsequently volunteered for a tour abroad and deployed to Qatar in support of both Operation Enduring Freedom and Operation Iraqi Freedom. She held appointments in the Medical Group as officer in charge of staff development, assistant chief nurse, and the chief of education and training. Colonel Riley was employed by the New Hampshire Army National Guard as a case manager and was active on State and national committees. She became a voice for National Guard members and New Hampshire veterans and was a key member of New Hampshire's State Veteran's Advisory Committee, the Military Officers Association of America, and the national and State chapters of the National Guard Association. She served in key leadership positions on the New Hampshire Legislative Commission on Post Traumatic Stress Disorder, PTSD and Traumatic Brain Injury, TBI.

In October 2013, Steph was diagnosed with early stage breast cancer, and in what may have been her most heroic effort, she channeled her energy into a personal and sustained effort to promote health screenings and cancer awareness. She posted openly on social media and spoke courageously about her decision to undergo a preemptive double mastectomy. She sparked a team, ''Steph Strong,'' that helped raise several thousand dollars for Concord Hospital. Her important message for all was to take preventative health screening seriously.

From her extensive military service, to her work as a civilian nurse, Stephanie devoted her life to serving others—a commitment that endured even while battling her own illness. She was taken from us far too soon but her legacy of compassion and her inspiring dedication to caring for her fellow citizens will live on through all those whose lives she touched.

Steph leaves behind the love of her life, her husband Shawn Riley, a deputy fire chief with the Laconia Fire Department, and their son Shane, age 13, and daughter Sammie Riley, age 9. We are all deeply saddened by the loss of our friend Lt. Col. Stephanie Riley, an extraordinary woman and proud New Hampshire daughter who served our State and Nation with honor, courage, and dedication. She represented the very best of our State, and I ask my colleagues to join me in sending Shawn and his family our deepest condolences and our gratitude for Steph's life and for her work.●

CONGRATULATING DICK GAMMICK

● Mr. HELLER. Mr. President, I wish to congratulate Washoe County district attorney Dick Gammick, of Reno, on his retirement. After decades of service to the people of Washoe County, District Attorney Gammick retired from public service on January 3, 2015. It gives me great pleasure to congratulate him, not only as a colleague, but also as a friend, on his retirement after his years of hard work and dedication to the Silver State.

District Attorney Gammick stands as a shining example of someone who has devoted their life to the betterment of their community. A devoted husband and proud father, District Attorney Gammick's career in public service began in 1973 when he became a Reno Police Officer while attending the University of Nevada, Reno. After earning a degree in business administration, he went on to graduate from the McGeorge School of Law in Sacramento, CA, in 1982. District Attorney Gammick served as chief deputy district attorney for Washoe County for 10 years before serving as deputy Reno city attorney. Aside from dedicating his career to Washoe County, he has devoted much of his time and efforts to the betterment of his community through his roles as a board member of the Boys and Girls Club of Truckee Meadows, a member of the Prospector's Club, and former president of the Reno Rotary Club.

In 1994, he was elected Washoe County District Attorney, a post he served in for 20 years. District Attorney Gammick's accomplishments, such as the opening of a sexual assault center for women and children, as well as the implementation of preventive programs to keep young people out of prison, have made Washoe County a stronger and safer community. A dedicated prosecutor and advocate of justice, District Attorney Gammick was recognized by his peers as the recipient of the 2013 William J. Raggio Award, as he has committed his career to the administration of justice throughout Washoe County.

His service to the Reno community extends far beyond the many positions he has held in the Silver State over the years. District Attorney Gammick also served his country and is a decorated veteran from his time serving as a captain in the U.S. Army and a major in the Nevada Army National Guard. I extend my deepest gratitude to District Attorney Gammick for his courageous contributions to the United States of America and to freedom-loving nations around the world. His service to his country and his bravery and dedication earn him a place among the outstanding men and women who have valiantly defended our Nation. As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals who serve America, but also to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation.

I am grateful for his dedication and commitment to the people of Washoe County and to the State of Nevada. He

exemplifies the highest standards of leadership and community service and should be proud of his long and meaningful career. Today, I ask that all of my colleagues join me in congratulating District Attorney Gammick on his retirement, and I offer my deepest appreciation for all that he has done to make Washoe County an even better place. I offer my best wishes to Dick and his wife Norma for many successful and fulfilling years to come.●

TRIBUTE TO DOUG GILLESPIE

● Mr. HELLER. Mr. President, today I congratulate Clark County Sheriff Doug Gillespie of Las Vegas on his retirement. After more than three decades of service to the people of Clark County, Sheriff Gillespie retired from public service on January 5, 2015. It gives me great pleasure to congratulate him on his retirement after his years of hard work and dedication to the people of Southern Nevada.

Responsible for the safety of one of the world's top tourist attractions, Sheriff Gillespie stands as a shining example of someone who has devoted most of his life to serving his community. Born in Pennsylvania and raised in New York, Sheriff Gillespie's career in public service began in 1980 when he joined the Las Vegas Metropolitan Police Department as a patrol officer. Prior to serving as sheriff, he served in both SWAT and the K–9 unit, eventually working his way to undersheriff in 2003.

In 2006, he was elected Clark County sheriff, where he served for 8 years. Sheriff Gillespie's accomplishments, such as improving the Safe Strip Initiative to ensure tourist safety, civilianizing the LVMPD crime lab to ensure proper investigations, and establishing the Fusion Center to streamline and share information with different agencies, have made Clark County a stronger and safer community I am proud to represent in the U.S. Senate. A dedicated police officer and public servant, Sheriff Gillespie was recognized by the National Sheriffs' Association as the 2014 Sheriff of the Year.

I am grateful for Sheriff Gillespie's commitment and dedication to the people of Southern Nevada. He exemplifies the highest standards of leadership and community service and should be proud of his long and meaningful career. Today, I ask that all of my colleagues join me in congratulating Sheriff Gillespie on his retirement after 34 years, and I offer my deepest appreciation for all that he has done for Clark County. I offer my best wishes to Doug and his wife Louise, for many successful and fulfilling years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:54 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 33. An act to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

H.R. 203. An act to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res.2. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the First Special Service Force, in recognition of its superior service during World War II.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res.7. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

MEASURES REFERRED

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

H.R. 203. An act to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Finance and referred as indicated:

S. 32. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 33. An act to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

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. HATCH (for himself, Ms. KLOBUCHAR, Mr. TOOMEY, Mr. DONNELLY, Mr. BURR, Mr. FRANKEN, Mr. PORTMAN, Mr. CASEY, Mr. COATS, Mrs. SHAHEEN, Mr. ALEXANDER, Ms. AYOTTE, Mr. CASSIDY, Mr. ISAKSON, Ms. MURKOWSKI, Mr. SCOTT, and Mr. WICKER):

S. 149. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices; to the Committee on Finance.

By Mr. ISAKSON (for himself, Mrs. SHAHEEN, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. CRAPO, Ms. COLLINS, Mr. ENZI, Mrs. FISCHER, Mr. GRASSLEY, Mr. HEINRICH, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. MANCHIN, Mr. MCCAIN, Ms. MURKOWSKI, Mr. PERDUE, Mr. PORTMAN, Mr. VITTER, Mr. WARNER, Mr. JOHNSON, and Ms. HEITKAMP):

S. 150. A bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget.

By Mr. HELLER (for himself and Ms. HIRONO):

S. 151. A bill to require the Secretary of Defense to establish a process to determine whether individuals claiming certain service in the Philippines during World War II are eligible for certain benefits despite not being on the Missouri List, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 152. A bill to prohibit gaming activities on certain Indian land in Arizona until the expiration of certain gaming compacts; to the Committee on Indian Affairs.

By Mr. HATCH (for himself, Ms. KLOBUCHAR, Mr. RUBIO, Mr. COONS, Mr. FLAKE, and Mr. BLUMENTHAL):

S. 153. A bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. HEINRICH:

S. 154. A bill to amend the Act of July 31, 1947, to provide for the termination of certain mineral materials contracts; to the Committee on Energy and Natural Resources.

By Mr. MORAN (for himself, Mr. PERDUE, and Mr. ISAKSON):

S. 155. A bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mr. HELLER):

S. 156. A bill to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than $1,000,000,000 and will cause significant adverse effects to the economy; to the Committee on Environment and Public Works.

By Mr. CASSIDY:

S. 157. A bill to repeal the medical device tax and the employer and individual responsibility requirements of the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mr. VITTER):

S. 158. A bill to authorize health insurance issuers to continue to offer for sale current group health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCAIN (for himself, Mr. FLAKE, and Ms. AYOTTE):

S. 159. A bill to improve the operation of the Department of Homeland Security's Unmanned Aircraft System Program; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HELLER (for himself and Mr. WARNER):

S. 160. A bill to direct the Secretary of the Interior and the Secretary of Agriculture to expedite access to certain Federal land under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WHITEHOUSE (for himself, Ms. BALDWIN, Mrs. SHAHEEN, Mr. DURBIN, Mr. REED, Mrs. MCCASKILL, Mr. FRANKEN, Ms. WARREN, Mr. MERKLEY, Mr. LEAHY, Mr. BLUMENTHAL, Mr. SANDERS, Mrs. BOXER, Mr. MARKEY, Mr. REID, Ms. KLOBUCHAR, and Mr. SCHATZ):

S. 161. A bill to ensure high-income earners pay a fair share of Federal taxes; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. LEAHY, and Mrs. BOXER):

S. 162. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property; to the Committee on Finance.

By Mr. SCHUMER:

S. 163. A bill to establish a grant program to help State and local law enforcement agencies reduce the risk of injury and death relating to the wandering characteristics of some children with autism and other disabilities; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself and Mr. CARDIN):

S. 164. A bill to increase the rates of pay under the General Schedule and other statutory pay systems and for prevailing rate employees by 3.8 percent, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. AYOTTE (for herself, Mr. GRAHAM, Mr. BURR, Mr. MCCAIN, and Mr. BARRASSO):

S. 165. A bill to extend and enhance prohibitions and limitations with respect to the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, and for other purposes; to the Committee on Armed Services.

By Ms. KLOBUCHAR (for herself, Mr. CORNYN, Ms. HEITKAMP, Mr. KIRK, Ms. STABENOW, Mr. MCCAIN, Mr. WARNER, Ms. AYOTTE, Mr. FRANKEN, Mr. HOEVEN, Mr. BLUMENTHAL, Mr. COATS, Ms. HIRONO, and Mrs. GILLIBRAND):

S. 166. A bill to stop exploitation through trafficking; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself, Mr. BLUMENTHAL, Mr. BURR, Mr. MANCHIN, Mr. BLUNT, Mr. FLAKE, Ms. KLOBUCHAR, Mr. MORAN, Mr. MENENDEZ, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. SULLIVAN, Mrs. GILLIBRAND, Mr. DURBIN, Mr. SANDERS, Ms. HIRONO, Mr. BROWN, Mr. TESTER, Mrs. MURRAY, Mr. DONNELLY, and Mr. CASEY):

S. 167. A bill to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROBERTS (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. COATS, Mr. CRAPO, Mrs. FISCHER, Mr. GRASSLEY, Mr. HATCH, Mr. ISAKSON, Mr. JOHNSON, Ms. MURKOWSKI, Mr. RUBIO, Mr. SESSIONS, Mr. WICKER, Mr. TILLIS, and Mr. TOOMEY):

S. 168. A bill to codify and modify regulatory requirements of Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY:

S. 169. A bill to amend the Internal Revenue Code of 1986 to disallow any deduction for punitive damages, and for other purposes; to the Committee on Finance.

By Mr. TESTER (for himself, Mrs. MURRAY, and Mr. HELLER):

S. 170. A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER:

S. 171. A bill to amend title 38, United States Code, to provide for coverage under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel in connection with certain special disabilities rehabilitation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER:

S. 172. A bill to amend title 38, United States Code, to provide for certain requirements relating to the immunization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASSIDY:

S. 173. A bill to modify the definition of ''antique firearm''; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mrs. SHAHEEN):

S. 174. A bill to end offshore tax abuses, to preserve our national defense and protect American families and businesses from devastating cuts, and for other purposes; to the Committee on Finance.

By Mrs. BOXER:

S. 175. A bill to provide for certain land to be taken into trust for the benefit of Morongo Band of Mission Indians, and for other purposes; to the Committee on Indian Affairs.

By Mrs. BOXER:

S. 176. A bill to advance integrate water management and development through innovation, resiliency, conservation, and efficiency in the 21st century, and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON:

S. 177. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a breach of security; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN (for himself, Ms. KLOBUCHAR, Mr. WYDEN, Mr. KIRK, Mr. HATCH, Mr. GRAHAM, Mr. COONS, Mr. UDALL, Mr. COATS, Mr. CRAPO, Mr. HOEVEN, Mr. CASEY, and Mrs. FEINSTEIN):

S. 178. A bill to provide justice for the victims of trafficking; to the Committee on the Judiciary.

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

S. 179. A bill to designate the facility of the United States Postal Service located at 14 3rd Avenue, NW, in Chisholm, Minnesota, as the ''James L. Oberstar Memorial Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DURBIN (for himself, Mr. LEAHY, Mr. FLAKE, Mr. CARDIN, Ms. MIKULSKI, Mr. ENZI, Ms. COLLINS, Mr. BROWN, Mr. UDALL, and Mr. KAINE):

S. Res. 26. A resolution commending Pope Francis for his leadership in helping to secure the release of Alan Gross and for working with the Governments of the United States and Cuba to achieve a more positive relationship; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 30

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 30, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act.

S. 136

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 136, a bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service.

S. 139

At the request of Mr. WYDEN, the names of the Senator from California (Mrs. BOXER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 139, a bill to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 141

At the request of Mr. CORNYN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 141, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 143

At the request of Mr. WICKER, the name of the Senator from Arkansas

(Mr. BOOZMAN) was added as a cosponsor of S. 143, a bill to allow for improvements to the United States Merchant Marine Academy and for other purposes.

S. 145

At the request of Mr. FLAKE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 145, a bill to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown.

S. 146

At the request of Mr. FLAKE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 146, a bill to authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for the continued operation, in whole or in part, of public land, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, and for other purposes.

AMENDMENT NO. 3

At the request of Mr. PORTMAN, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Maine (Ms. COLLINS), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of amendment No. 3 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ISAKSON (for himself, Mrs. SHAHEEN, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. CRAPO, Ms. COLLINS, Mr. ENZI, Mrs. FISCHER, Mr. GRASSLEY, Mr. HEINRICH, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. MANCHIN, Mr. MCCAIN, Ms. MURKOWSKI, Mr. PERDUE, Mr. PORTMAN, Mr. VITTER, Mr. WARNER, Mr. JOHNSON, and Ms. HEITKAMP):

S. 150. A bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget.

Mr. ISAKSON. Mr. President, I am very pleased to announce today that the biennial budget proposal introduced by Senators ISAKSON and SHAHEEN has been dropped. There are 21 cosponsors, 15 Republicans, 6 Democrats, and 1 Independent, and the number is growing as we speak.

Senator SHAHEEN and I started this initiative 2 years ago and it received 68 votes and a test vote on the budget in 2013. We believe it will receive the necessary votes to become the law of the land in the United States of America.

You might ask why a biennial budget or you might ask yourself why an $18 trillion debt and why hundreds of billions of dollars in deficit. We don't have the oversight necessary with the spending that we do now to keep us from wasting money. It is time we ran our country like we run our home. It is time we held our agencies accountable. It is time our appropriations weren't just idle promises but our oversight was the rule of law in the United States Senate.

Twenty States out of fifty in the United States have biennial budgets. Countries around the world have biennial budgets. This Congress 3 years ago did a biennial budget for the Veterans' Administration just to ensure we wouldn't have a break in funding if the government shut down. Predictability of funding of government is critical, but the oversight of that funding is more critical.

Picture this. You get elected in an even-numbered year, 2014. Your first order of business in 2015 is to pass a 2-year appropriations act and a 2-year budget. But then in the even-numbered year that comes up when you are running for reelection, your job is not spending, your job is oversight. Wouldn't it be nice, instead of going home and promising you are bringing home the bacon, instead you are bringing home the savings to see to it that taxpayers' money is better spent?

The biennial budget is an idea whose time has come. It is the only way we are going to measurably and sustainably reduce the deficits and reduce the debt in the United States of America and hold our spending more accountable.

Just last night on the floor of the U.S. House of Representatives, the Clay bill was passed on suicide prevention, a new program in the VA, and the funding mechanism was existing funds and fungibility. We already know there is existing money in the appropriations to our agencies to pay for new ideas if we charge them to go find them. Some of the measures we have been funding for 40 or 50 years probably don't need to be done anymore and some of the things we are not doing probably need to be done. But the way to do it is not to spend more money and throw more money at the problem, but the way to do it is to do it the way the American taxpayers do it back home—sit around the kitchen table, set their priorities, make their funding predictable, and from time to time go back and look at where they are spending money and see if they can't improve it. This is an idea that will make America great.

Senator SHAHEEN is a former Governor of the State of New Hampshire. She had a biennial budget process in her State, and I wish to yield to her to describe her cosponsorship of this bill.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. I thank the Presiding Officer and I thank my colleague Senator ISAKSON, and I am pleased to join him on the floor today as we reintroduce this bipartisan legislation, the Biennial Budgeting and Appropriations Act. I want to start by recognizing the good work of Senator ISAKSON because he started working on this issue when he came to the Senate in 2005, and he has introduced this legislation in every Congress since then. I have been pleased to be able to join him in the last two Congresses.

I think we have an opportunity in this Congress to pass this commonsense bipartisan reform. As Senator ISAKSON pointed out, there is no question that the budget process in Washington is broken. Since 1980 there have been only two budgets that have been finished on time, according to the process. In that timeframe Congress has resorted to more than 150 short-term funding bills or continuing resolutions, and we all remember what it was like when the government shut down in October of 2013. It cost the economy $24 billion. It hurt small business. It hurt people across this country. That is no way to govern.

While we have made significant progress to reduce deficits in recent years, we need a new way to do business in Washington. Biennial budgeting won't fix everything, but as Senator ISAKSON said, it is an important reform that will allow us to work across the aisle not only to make more sense of the budget process but to be better stewards of taxpayer dollars.

We know that biennial budgeting works. I can attest to that personally, coming from the State of New Hampshire where we have a biennial budget. I served three terms as Governor. We were able in each of those bienniums to pass a budget that was balanced, that allowed us to get the budget done in the first year of the election cycle and in the second year to be able to have oversight. It works in New Hampshire, it works in 20 States around the country, and it can work in Washington.

Biennial budgeting offers a better process that encourages us to work together to pass budgets on time and to use taxpayer dollars more efficiently. As Senator ISAKSON says, in the first year congressional agencies would put together a 2-year budget. In the second year Congress would have time to conduct oversight to give agencies the ability to focus on achieving their missions.

As we all know, there are regular reports from the Government Accountability Office, GAO, that identify areas of waste, fraud, and duplicative programs within government.

For example, they have identified ways to reform the farm programs, to cut down on inefficiencies in defense, to reduce fraud in health programs, but the current budget process doesn't provide an effective mechanism to regularly review GAO's recommendations.

Under my annual budgeting, we would be able to take a close look at

those recommendations to implement savings in the second year which will allow us to figure out how we can more effectively provide programs to the American people and eliminate those that don't work and support those that do.

As we said, in 2013 we had a very strong vote with 68 Senators voting to endorse the concept of biannual budgeting. It was a very strong bipartisan vote. A similar biannual budget bill passed the House last year with a bipartisan bill vote. It is clear the momentum is growing for this concept because people understand we have to do something to reform our budget process.

The bill we are introducing today has 22 bipartisan cosponsors. I know we are both working to get more bipartisan sponsors on the bill, and we think we have a great shot, with support from this body, to pass biannual budgeting. We think there is support in the House to do that, and I look forward to working with Senator ISAKSON and my colleagues in the Senate to get this done.

Mr. ISAKSON. I thank the Senator for her support, and I urge the other Members of the Senate to join us in this reform effort for the spending of the taxpayer's dollars.

By Mr. ROBERTS (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. COATS, Mr. CRAPO, Mrs. FISCHER, Mr. GRASSLEY, Mr. HATCH, Mr. ISAKSON, Mr. JOHNSON, Ms. MURKOWSKI, Mr. RUBIO, Mr. SESSIONS, Mr. WICKER, Mr. TILLIS, and Mr. TOOMEY):

S. 168. A bill to codify and modify regulatory requirements of Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

Mr. ROBERTS. I rise today to talk about a problem that affects virtually every American, and that would be government regulations; to be more accurate, government overregulation.

Let me point out something. In 2014, the administration issued 3,541 rules in 1 year. That cost $181 billion. The first week of this new year brought us 35 new rules which added another 1,326 pages to the Federal Register. I would urge people back home in the business community or any other endeavor in which they are bothered by regulations to read the Federal Register as opposed to the CONGRESSIONAL RECORD. The CONGRESSIONAL RECORD deals with natural gas. The Federal Register deals with facts and regulations.

Yet just last night we learned that President Obama has threatened to veto a significant regulatory reform proposal now being considered by the House of Representatives. It is interesting to me that the President is now threatening to veto his own ideas. Back in January of 2011, President Obama issued an Executive Order. It was entitled ''Improve Regulation and Regulatory Review.'' That is in quotes. Unfortunately, despite claims otherwise, the Executive order has largely been ignored.

My bill takes this order and gives it the force of law. My bill would require that all regulations put forth by the current and future administrations consider the economic burden on American businesses and ensure stakeholder input during the regulatory process, thus promoting innovation and new jobs.

Just as the President said in his order, this egregious assault on our economy must stop; it must end.

Like many of my colleagues, I have had a longstanding concern with the regulatory process. Like other States, from every corner of Kansas, the No. 1 topic of concern for all businesses, including agriculture, energy, small shops on Main Street, healthcare, education, lending—virtually every enterprise is harmed by overly burdensome and costly regulations. Whether it is the EPA'S Waters of the United States proposed rule or listing of the infamous lesser prairie chicken as an endangered species, the public is losing faith in our government.

Obamacare is a prime example of this administration's vast regulatory overreach. The bill, as signed into law by the President, as most of us know, was no short read. It was over 2,000 pages. But as the rollout continues, the administration has now expanded Obamacare into over 24,000 pages of regulations in the Federal Register.

Here is one example of the overly intrusive regulations this administration used the Affordable Health Care Act to implement. It is Health and Human Services' mandate requiring religious institutions to provide insurance coverage for contraceptives and emergency contraceptives.

Last year the U.S. Supreme Court had to intervene and determine that the HHS mandate placed an excessive burden on the religious freedom of owners of family business.

Regrettably, costly and intrusive regulations are not limited to HHS and Obamacare and CMS and all of those regulations. Not to be outdone by HHS, the Environmental Protection Agency has its own set of overly burdensome regulations.

Let's take the proposed Waters of the United States rule. For example, as the distinguished Senator from Arkansas knows, this proposal has caused a firestorm of opposition all throughout farm country. The EPA claims that the proposed Waters of the United States rule simply clarifies their scope of jurisdiction.

Well, therein lies the problem.

Farmers and ranchers do not believe it. I don't believe it. They fear the rule would allow the EPA to further expand its control of private property under the guise of the Clean Water Act.

If finalized, this rule could have the EPA requiring a permit for ordinary field work, construction of a fence, or even planting crops near certain waters.

Kansans are justifiably worried the permits would be time consuming, costly, and that the EPA could ultimate deny the permits, even for longstanding and normal cropping practices.

This is another prime example of why many Kansans feel their way of life is under attack by the Federal Government's overreach and overregulation. Simply put, they feel ruled, not governed.

Let's not forget the burdensome carbon regulations now being proposed by the EPA. Over the last 6 years, this administration's EPA has pursued an agenda that can only be described as a war on fossil fuels and coal.

Just last week, in fact, the EPA announced that by June of this year it would finalize carbon reduction rules for both new and existing powerplants. That is going to be a move that will drive up the energy cost for all Kansans, all Americans, hoping to heat their homes during extremely cold winters or hot summers such as the ones we are experiencing now.

This decision, which the EPA itself admitted would do nothing to reduce global temperature if similar plans are not adopted by Russia, China, India and Brazil, will have unbelievable costs. According to a recent study about the American Action Forum which cites the administration's own estimates these rules are anticipated to cost industry $8.8 billion to comply. That translates into a 6-percent rise in electricity prices. Sadly, these regulations will hurt low-income individuals the most—folks who can least afford it and who spend a greater percentage of their income to heat their homes and feed their families.

Now let's look at what the Department of Labor is trying to do with President Obama's pen-and-paper dictates. Currently the Department of Labor has a regulation to eliminate the companion care exemption put forth by this body 40 years ago. This important exemption allows seniors and the disabled community access to affordable in-home care. If eliminated, those who need in-home care the most, and their families, would be forced to determine which hours are the most crucial in the day they receive assistance. In addition, caregivers who currently work over 40 hours would see their hours and paychecks cut because of this rule.

As the Department of Labor issued this rule and geared up for implementation on January 1 of this year, benefit recipients, individual States, and Members of this Chamber stood together to shine a light on the negative effects this would have on communities all across the Nation.

At the same time, a judge issued a partial determination on this regulation, and he stated the following:

The fact that the Department issued its Notice of Proposed Rulemaking after all six of these bills failed to move is nothing short of yet another thinly-veiled effort to do through regulation what could not be done

through legislation. Such conduct bespeaks an arrogance to not only disregard Congress's intent but seize unprecedented authority to impose overtime and minimum wage requirements in defiance of the plain language of Section 213. It cannot stand.

My legislation addresses these abuses. Far too often the good intentions of regulations lead to job loss and red-tape that strangles business. Worse still, the agenda of bureaucrats drives bad policies and stifles economy.

I have a solution. My comprehensive bill requires agencies to promote economic growth and job creation by ensuring the benefits outweigh the cost of regulations. It is as simple as that.

We need to be listening to the folks as well who have to live with and pay for the effects of these rules. I am hearing from stakeholders that they are weighing the time and expense of responding to regulations against the fact that this administration keeps giving them the minimum allowable time and then doesn't even consider their input. Bottom line, fewer Americans are bothering to participate in the comment period process.

Stakeholder input is crucial and needs to be considered. Right now, time varies on how long the comment period stays open. Sometimes it is as little as 2 weeks. My bill would ensure the period stay open for at least 60 days. My colleagues, as we all well know, sometimes the people who are most affected by these rules don't even know they are subject to the changes.

My bill would mandate that agencies provide warnings, appropriate default rules, and disclosure requirements to the public. Right now, just the opposite takes place. The administration skirts stakeholder input by issuing interim final rules—called IFRs—and they become effective immediately upon publication. My bill allows delay of implementation if that rule is challenged in court and until the court makes a decision. All too often new regulations are proposed and finalized while existing regulations are not being enforced.

I have heard from a lot of folks in Kansas that the problems these new regulations claim to fix could be solved if the current regulations were properly monitored. Simply put, the solution is not more rules and regulations; it is considering the existing ones.

My bill mandates an ongoing review of regulatory actions to identify those outmoded, ineffective, insufficient, or excessively burdensome rules—or, as the President himself once put it, ''rules that are just plain dumb''—and allows agencies to streamline, expand, or repeal those regulations.

We need regulatory reform. My bill codifies the President's Executive order while closing the loopholes and gives it the rule of law. I do not know how the President could disagree with that.

The U.S. Chamber, the National Federation of Independent Business, the Farm Bureau, and the Competitive Enterprise Institute have all endorsed my bill.

Last year I had 35 cosponsors. We have about thirteen. I urge my colleagues to support this legislation and stay engaged as this process continues.

By Mr. LEAHY:

S. 169. A bill to amend the Internal Revenue Code of 1986 to disallow any deduction for punitive damages, and for other purposes; to the Committee on Finance.

Mr. LEAHY. Mr. President, today I am introducing legislation that will close a tax loophole that allows companies to write off the punishment they receive for corporate wrongdoing. Under current law, a corporation or individual business owner may deduct the cost of court-ordered punitive damages paid to victims as an ''ordinary'' business expense. For the victims of extreme corporate misconduct, there is nothing ordinary about this. It is simply wrong. This tax loophole allows corporations to wreak havoc and then write it off as a cost of doing business. That undermines the whole point of punitive damages.

Punitive damage awards are designed to punish the wrongdoers and to correct dangerous or unfair practices. These awards are reserved for the most extreme and harmful misconduct. Sadly, our country's history is replete with examples of serious corporate misconduct that resulted in injury and death to American citizens, but through our civil justice system and the thoughtful deliberations of our Nations' juries, this misconduct is not only punishable by assessing punitive damages, it has led to broad changes to improve the safety and security of American consumers. Unfortunately, our current tax laws shield the worst corporate misconduct. The No Tax Write-Offs for Corporate Wrongdoers Act would change that by making a simple fix to our tax code.

In 2010, the Deepwater Horizon drilling rig exploded and 11 Americans were killed in the worst oil spill in American history. That same year, an explosion in the Upper Big Branch Mine in West Virginia claimed the lives of 29 miners. In 2009 and 2010, Toyota recalled more than 10 million vehicles because of a faulty acceleration system that has been linked to at least 31 accidents and 12 deaths, and recently admitted to misleading the public about these dangers. Let us also not forget Exxon's misconduct in 1989, which led to an ecological and human disaster that affects Alaskans even today. Vermonters and all Americans deserve to have companies such as these held accountable for their actions. Why should hard-working taxpayers subsidize corporations who deserve to be punished?

In 1994, a jury awarded $5 billion in punitive damages against Exxon for its actions which caused the Valdez spill that devastated an entire region, the livelihoods of its people, and destroyed a way of life. The role of the jury is enshrined in our Constitution, and nothing is more fundamental to the American justice system than our trust in the judgment of those who serve on them. Rather than accept this reality, Exxon paid its cadre of lawyers to fight the jury's measure of accountability all the way to the Supreme Court. In 2008, after 14 years of appeals, an activist majority on the Court invented a novel rule and held that in maritime cases, punitive damage awards could not exceed twice the amount of compensatory damages, reducing Exxon's punitive damages to $500 million. Adding insult to injury to the victims of the oil spill, Exxon was then able to use the federal tax code to write-off the punitive damages as an ''ordinary'' business expense. This is not how the system should work and it is long past time for Congress to fix it.

I have previously supported legislation by Senator WHITEHOUSE to overturn the Supreme Court's decision in Exxon, and I am disappointed that not a single Republican joined this commonsense effort. If we cannot get bipartisan support to ensure corporations pay the highest possible price for actions that cause serious harm to health and public safety, I hope we can at least agree that American taxpayers should not have to subsidize their misconduct once a jury has determined they should be punished.

The Obama administration requested eliminating this tax deduction in its 2014 budget proposal. The Joint Committee on Taxation has estimated that ending this deduction loophole will result in increased revenues of $355 million over 10 years. Members who have devoted so much of their focus to reducing the Federal deficit should support my legislation. Anyone who cares about protecting consumers should agree that extreme corporate misconduct should not be treated in our tax code simply as a cost of doing business.

Right now, the new Republican majority in Congress is pushing legislation to approve the Keystone XL Pipeline. Despite being billed as the safest pipeline in history, the existing Keystone pipeline has spilled 12 times in its first year of operation. This has a familiar ring: Before the Valdez spill in Alaska, Exxon executives told us their oil tankers were safe. I do not support Congress bypassing the environmental appeal process to fast-track further construction of the Keystone pipeline, which poses considerable safety and environmental risks. But anyone who does want this pipeline should at a minimum consider the communities and families who would be affected by its construction, and in the event of a spill, they should make sure taxpayers are not subsidizing the damage. This speaks to our basic notions of justice and fair play.

I hope all Senators will join me to end tax write-offs for corporate wrongdoers. When companies can write off a

significant portion of the financial impact of punitive damages, the incentives in our justice system that promote responsible business practices lose their force. Corporate misconduct should no longer be treated as a cost of doing business.

By Mr. CORNYN (for himself, Ms. KLOBUCHAR, Mr. WYDEN, Mr. KIRK, Mr. HATCH, Mr. GRAHAM, Mr. COONS, Mr. UDALL, Mr. COATS, Mr. CRAPO, Mr. HOEVEN, Mr. CASEY, and Mrs. FEINSTEIN):

S. 178. A bill to provide justice for the victims of trafficking; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 178

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Justice for Victims of Trafficking Act of 2015''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Domestic trafficking victims' fund.
Sec. 3. Official recognition of American victims of human trafficking.
Sec. 4. Victim-centered child human trafficking deterrence block grant program.
Sec. 5. Direct services for victims of child pornography.
Sec. 6. Increasing compensation and restitution for trafficking victims.
Sec. 7. Streamlining human trafficking investigations.
Sec. 8. Enhancing human trafficking reporting.
Sec. 9. Reducing demand for sex trafficking.
Sec. 10. Using existing task forces and components to target offenders who exploit children.
Sec. 11. Targeting child predators.
Sec. 12. Monitoring all human traffickers as violent criminals.
Sec. 13. Crime victims' rights.
Sec. 14. Combat Human Trafficking Act.
Sec. 15. Grant accountability.

SEC. 2. DOMESTIC TRAFFICKING VICTIMS' FUND.

(a) IN GENERAL.—Chapter 201 of title 18, United States Code, is amended by adding at the end the following:

''§ 3014. Additional special assessment

''(a) IN GENERAL.—In addition to the assessment imposed under section 3013, the court shall assess an amount of $5,000 on any non-indigent person or entity convicted of an offense under—

''(1) chapter 77 (relating to peonage, slavery, and trafficking in persons);

''(2) chapter 109A (relating to sexual abuse);

''(3) chapter 110 (relating to sexual exploitation and other abuse of children);

''(4) chapter 117 (relating to transportation for illegal sexual activity and related crimes); or

''(5) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324) (relating to human smuggling), unless the person induced, assisted, abetted, or aided only an individual who at the time of such action was the alien's spouse, parent, son, or daughter (and no other individual) to enter the United States in violation of law.

''(b) SATISFACTION OF OTHER COURT-ORDERED OBLIGATIONS.—An assessment under subsection (a) shall not be payable until the person subject to the assessment has satisfied all outstanding court-ordered fines and orders of restitution arising from the criminal convictions on which the special assessment is based.

''(c) ESTABLISHMENT OF DOMESTIC TRAFFICKING VICTIMS' FUND.—There is established in the Treasury of the United States a fund, to be known as the 'Domestic Trafficking Victims' Fund' (referred to in this section as the 'Fund'), to be administered by the Attorney General, in consultation with the Secretary of Homeland Security and the Secretary of Health and Human Services.

''(d) DEPOSITS.—Notwithstanding section 3302 of title 31, or any other law regarding the crediting of money received for the Government, there shall be deposited in the Fund an amount equal to the amount of the assessments collected under this section, which shall remain available until expended.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—From amounts in the Fund, in addition to any other amounts available, and without further appropriation, the Attorney General, in coordination with the Secretary of Health and Human Services shall, for each of fiscal years 2016 through 2020, use amounts available in the Fund to award grants or enhance victims' programming under—

''(A) sections 202, 203, and 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a, 14044b, and 14044c);

''(B) subsections (b)(2) and (f) of section 107 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105); and

''(C) section 214(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13002(b)).

''(2) GRANTS.—Of the amounts in the Fund used under paragraph (1), not less than $2,000,000 shall be used for grants to provide services for child pornography victims under section 214(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13002(b)).

''(3) LIMITATIONS.—Amounts in the Fund, or otherwise transferred from the Fund, shall be subject to the limitations on the use or expending of amounts described in sections 506 and 507 of division H of the Consolidated Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 409) to the same extent as if amounts in the Fund were funds appropriated under division H of such Act.

''(f) TRANSFERS.—

''(1) IN GENERAL.—Effective on the day after the date of enactment of the Justice for Victims of Trafficking Act of 2015, on September 30 of each fiscal year, all unobligated balances in the Fund shall be transferred to the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601).

''(2) AVAILABILITY.—Amounts transferred under paragraph (1)—

''(A) shall be available for any authorized purpose of the Crime Victims Fund; and

''(B) shall remain available until expended.

''(g) COLLECTION METHOD.—The amount assessed under subsection (a) shall, subject to subsection (b), be collected in the manner that fines are collected in criminal cases.

''(h) DURATION OF OBLIGATION.—The obligation to pay an assessment imposed on or after the date of enactment of the Justice for Victims of Trafficking Act of 2015 shall not cease until the assessment is paid in full.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 201 of title 18, United States Code, is amended by inserting after the item relating to section 3013 the following:

''3014. Additional special assessment.''.

SEC. 3. OFFICIAL RECOGNITION OF AMERICAN VICTIMS OF HUMAN TRAFFICKING.

Section 107 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105) is amended—

(1) by redesignating subsection (f) (as originally enacted), as subsection (h); and

(2) in subsection (f) (as added by section 213(a)(1) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457)), by adding at the end the following:

''(4) OFFICIAL RECOGNITION OF AMERICAN VICTIMS OF HUMAN TRAFFICKING.—

''(A) IN GENERAL.—Upon receiving credible information that establishes, by a preponderance of the evidence, that a covered individual is a victim of a severe form of trafficking and at the request of the covered individual, the Secretary of Health and Human Services shall promptly issue a determination that the covered individual is a victim of a severe form of trafficking. The Secretary shall have exclusive authority to make such a determination.

''(B) COVERED INDIVIDUAL DEFINED.—In this subsection, the term 'covered individual' means—

''(i) a citizen of the United States; or

''(ii) an alien lawfully admitted for permanent residence (as defined in section 101(20) of the Immigration and Nationality Act (8 U.S.C. 1101(20))).

''(C) PROCEDURE.—For purposes of this paragraph, in determining whether a covered individual has provided credible information that the covered individual is a victim of a severe form of trafficking, the Secretary of Health and Human Services shall consider all relevant and credible evidence, and if appropriate, consult with the Attorney General, the Secretary of Homeland Security, or the Secretary of Labor.

''(D) PRESUMPTIVE EVIDENCE.—For purposes of this paragraph, the following forms of evidence shall receive deference in determining whether a covered individual has established that the covered individual is a victim of a severe form of trafficking:

''(i) A sworn statement by the covered individual or a representative of the covered individual if the covered individual is present at the time of such statement but not able to competently make such sworn statement.

''(ii) Police, government agency, or court records or files.

''(iii) Documentation from a social services, trafficking, or domestic violence program, child welfare or runaway and homeless youth program, or a legal, clinical, medical, or other professional from whom the covered individual has sought assistance in dealing with the crime.

''(iv) A statement from any other individual with knowledge of the circumstances that provided the basis for the claim.

''(v) Physical evidence.

''(E) REGULATIONS REQUIRED.—Not later than 18 months after the date of enactment of the Justice for Victims of Trafficking Act of 2015, the Secretary of Health and Human Services shall adopt regulations to implement this paragraph.

''(F) RULE OF CONSTRUCTION; OFFICIAL RECOGNITION OPTIONAL.—Nothing in this paragraph may be construed to require a covered individual to obtain a determination under this paragraph in order to be defined or classified as a victim of a severe form of trafficking under this section.''.

SEC. 4. VICTIM-CENTERED CHILD HUMAN TRAFFICKING DETERRENCE BLOCK GRANT PROGRAM.

(a) IN GENERAL.—Section 203 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044b) is amended to read as follows:

"SEC. 203. VICTIM-CENTERED CHILD HUMAN TRAFFICKING DETERRENCE BLOCK GRANT PROGRAM.

''(a) GRANTS AUTHORIZED.—The Attorney General may award block grants to an eligible entity to develop, improve, or expand domestic child human trafficking deterrence programs that assist law enforcement officers, prosecutors, judicial officials, and qualified victims' services organizations in collaborating to rescue and restore the lives of victims, while investigating and prosecuting offenses involving child human trafficking.

''(b) AUTHORIZED ACTIVITIES.—Grants awarded under subsection (a) may be used for—

''(1) the establishment or enhancement of specialized training programs for law enforcement officers, first responders, health care officials, child welfare officials, juvenile justice personnel, prosecutors, and judicial personnel to—

''(A) identify victims and acts of child human trafficking;

''(B) address the unique needs of child victims of human trafficking;

''(C) facilitate the rescue of child victims of human trafficking;

''(D) investigate and prosecute acts of human trafficking, including the soliciting, patronizing, or purchasing of commercial sex acts from children, as well as training to build cases against complex criminal networks involved in child human trafficking;

''(E) use laws that prohibit acts of child human trafficking, child sexual abuse, and child rape, and to assist in the development of State and local laws to prohibit, investigate, and prosecute acts of child human trafficking; and

''(F) implement and provide education on safe harbor laws enacted by States, aimed at preventing the criminalization and prosecution of child sex trafficking victims for prostitution offenses;

''(2) the establishment or enhancement of dedicated anti-trafficking law enforcement units and task forces to investigate child human trafficking offenses and to rescue victims, including—

''(A) funding salaries, in whole or in part, for law enforcement officers, including patrol officers, detectives, and investigators, except that the percentage of the salary of the law enforcement officer paid for by funds from a grant awarded under this section shall not be more than the percentage of the officer's time on duty that is dedicated to working on cases involving child human trafficking;

''(B) investigation expenses for cases involving child human trafficking, including—

''(i) wire taps;

''(ii) consultants with expertise specific to cases involving child human trafficking;

''(iii) travel; and

''(iv) other technical assistance expenditures;

''(C) dedicated anti-trafficking prosecution units, including the funding of salaries for State and local prosecutors, including assisting in paying trial expenses for prosecution of child human trafficking offenders, except that the percentage of the total salary of a State or local prosecutor that is paid using an award under this section shall be not more than the percentage of the total number of hours worked by the prosecutor that is spent working on cases involving child human trafficking;

''(D) the establishment of child human trafficking victim witness safety, assistance, and relocation programs that encourage cooperation with law enforcement investigations of crimes of child human trafficking by leveraging existing resources and delivering child human trafficking victims' services through coordination with—

''(i) child advocacy centers;

''(ii) social service agencies;

''(iii) State governmental health service agencies;

''(iv) housing agencies;

''(v) legal services agencies; and

''(vi) non-governmental organizations and shelter service providers with substantial experience in delivering wrap-around services to victims of child human trafficking; and

''(E) the establishment or enhancement of other necessary victim assistance programs or personnel, such as victim or child advocates, child-protective services, child forensic interviews, or other necessary service providers; and

''(3) the establishment or enhancement of problem solving court programs for trafficking victims that include—

''(A) mandatory and regular training requirements for judicial officials involved in the administration or operation of the court program described under this paragraph;

''(B) continuing judicial supervision of victims of child human trafficking who have been identified by a law enforcement or judicial officer as a potential victim of child human trafficking, regardless of whether the victim has been charged with a crime related to human trafficking;

''(C) the development of a specialized and individualized, court-ordered treatment program for identified victims of child human trafficking, including—

''(i) State-administered outpatient treatment;

''(ii) life skills training;

''(iii) housing placement;

''(iv) vocational training;

''(v) education;

''(vi) family support services; and

''(vii) job placement;

''(D) centralized case management involving the consolidation of all of each child human trafficking victim's cases and offenses, and the coordination of all trafficking victim treatment programs and social services;

''(E) regular and mandatory court appearances by the victim during the duration of the treatment program for purposes of ensuring compliance and effectiveness;

''(F) the ultimate dismissal of relevant non-violent criminal charges against the victim, where such victim successfully complies with the terms of the court-ordered treatment program; and

''(G) collaborative efforts with child advocacy centers, child welfare agencies, shelters, and non-governmental organizations with substantial experience in delivering wrap-around services to victims of child human trafficking to provide services to victims and encourage cooperation with law enforcement.

''(c) APPLICATION.—

''(1) IN GENERAL.—An eligible entity shall submit an application to the Attorney General for a grant under this section in such form and manner as the Attorney General may require.

''(2) REQUIRED INFORMATION.—An application submitted under this subsection shall—

''(A) describe the activities for which assistance under this section is sought;

''(B) include a detailed plan for the use of funds awarded under the grant;

''(C) provide such additional information and assurances as the Attorney General determines to be necessary to ensure compliance with the requirements of this section; and

''(D) disclose—

''(i) any other grant funding from the Department of Justice or from any other Federal department or agency for purposes similar to those described in subsection (b) for which the eligible entity has applied, and which application is pending on the date of the submission of an application under this section; and

''(ii) any other such grant funding that the eligible entity has received during the 5-year period ending on the date of the submission of an application under this section.

''(3) PREFERENCE.—In reviewing applications submitted in accordance with paragraphs (1) and (2), the Attorney General shall give preference to grant applications if—

''(A) the application includes a plan to use awarded funds to engage in all activities described under paragraphs (1) through (3) of subsection (b); or

''(B) the application includes a plan by the State or unit of local government to continue funding of all activities funded by the award after the expiration of the award.

''(d) DURATION AND RENEWAL OF AWARD.—

''(1) IN GENERAL.—A grant under this section shall expire 3 years after the date of award of the grant.

''(2) RENEWAL.—A grant under this section shall be renewable not more than 2 times and for a period of not greater than 2 years.

''(e) EVALUATION.—The Attorney General shall—

''(1) enter into a contract with a non-governmental organization, including an academic or nonprofit organization, that has experience with issues related to child human trafficking and evaluation of grant programs to conduct periodic evaluations of grants made under this section to determine the impact and effectiveness of programs funded with grants awarded under this section; and

''(2) submit the results of any evaluation conducted pursuant to paragraph (1) to—

''(A) the Committee on the Judiciary of the Senate; and

''(B) the Committee on the Judiciary of the House of Representatives.

''(f) MANDATORY EXCLUSION.—An eligible entity awarded funds under this section that is found to have used grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the block grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.

''(g) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if within the 5 fiscal years before submitting an application for a grant under this section, the grantee has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

''(h) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 5 percent of the total amount expended to carry out this section.

''(i) FEDERAL SHARE.—The Federal share of the cost of a program funded by a grant awarded under this section shall be—

''(1) 70 percent in the first year;

''(2) 60 percent in the second year; and

''(3) 50 percent in the third year, and in all subsequent years.

''(j) AUTHORIZATION OF FUNDING; FULLY OFFSET.—For purposes of carrying out this section, the Attorney General, in consultation with the Secretary of Health and Human Services, is authorized to award not more than $7,000,000 of the funds available in

the Domestic Trafficking Victims' Fund, established under section 3014 of title 18, United States Code, for each of fiscal years 2016 through 2020.

''(k) DEFINITIONS.—In this section—

''(1) the term 'child' means a person under the age of 18;

''(2) the term 'child advocacy center' means a center created under subtitle A of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.);

''(3) the term 'child human trafficking' means 1 or more severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)) involving a victim who is a child; and

''(4) the term 'eligible entity' means a State or unit of local government that—

''(A) has significant criminal activity involving child human trafficking;

''(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing child human trafficking;

''(C) has developed a workable, multi-disciplinary plan to combat child human trafficking, including—

''(i) the establishment of a shelter for victims of child human trafficking, through existing or new facilities;

''(ii) the provision of trauma-informed, gender-responsive rehabilitative care to victims of child human trafficking;

''(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of human trafficking, with a focus on domestic child human trafficking;

''(iv) prevention, deterrence, and prosecution of offenses involving child human trafficking, including soliciting, patronizing, or purchasing human acts with children;

''(v) cooperation or referral agreements with organizations providing outreach or other related services to runaway and homeless youth;

''(vi) law enforcement protocols or procedures to screen all individuals arrested for prostitution, whether adult or child, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

''(vii) cooperation or referral agreements with State child welfare agencies and child advocacy centers; and

''(D) provides an assurance that, under the plan under subparagraph (C), a victim of child human trafficking shall not be required to collaborate with law enforcement officers to have access to any shelter or services provided with a grant under this section.

''(l) GRANT ACCOUNTABILITY; SPECIALIZED VICTIMS' SERVICE REQUIREMENT.—No grant funds under this section may be awarded or transferred to any entity unless such entity has demonstrated substantial experience providing services to victims of human trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of human trafficking victims.''.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7101 note) is amended by striking the item relating to section 203 and inserting the following:

''Sec. 203. Victim-centered child human trafficking deterrence block grant program.''.

SEC. 5. DIRECT SERVICES FOR VICTIMS OF CHILD PORNOGRAPHY.

The Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(1) in section 212(5) (42 U.S.C. 13001a(5)), by inserting '', including human trafficking and the production of child pornography'' before the semicolon at the end; and

(2) in section 214 (42 U.S.C. 13002)—

(A) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

(B) by inserting after subsection (a) the following:

''(b) DIRECT SERVICES FOR VICTIMS OF CHILD PORNOGRAPHY.—The Administrator, in coordination with the Director and with the Director of the Office of Victims of Crime, may make grants to develop and implement specialized programs to identify and provide direct services to victims of child pornography.''.

SEC. 6. INCREASING COMPENSATION AND RESTITUTION FOR TRAFFICKING VICTIMS.

(a) AMENDMENTS TO TITLE 18.—Section 1594 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''that was used or'' and inserting ''that was involved in, used, or'';

(ii) by inserting '', and any property traceable to such property'' after ''such violation''; and

(B) in paragraph (2), by inserting '', or any property traceable to such property'' after ''such violation'';

(2) in subsection (e)(1)(A)—

(A) by striking ''used or'' and inserting ''involved in, used, or''; and

(B) by inserting '', and any property traceable to such property'' after ''any violation of this chapter'';

(3) by redesignating subsection (f) as subsection (g); and

(4) by inserting after subsection (e) the following:

''(f) TRANSFER OF FORFEITED ASSETS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Attorney General shall transfer assets forfeited pursuant to this section, or the proceeds derived from the sale thereof, to satisfy victim restitution orders arising from violations of this chapter.

''(2) PRIORITY.—Transfers pursuant to paragraph (1) shall have priority over any other claims to the assets or their proceeds.

''(3) USE OF NON-FORFEITED ASSETS.—Transfers pursuant to paragraph (1) shall not reduce or otherwise mitigate the obligation of a person convicted of a violation of this chapter to satisfy the full amount of a restitution order through the use of non-forfeited assets or to reimburse the Attorney General for the value of assets or proceeds transferred under this subsection through the use of non-forfeited assets.''.

(b) AMENDMENT TO TITLE 28.—Section 524(c)(1)(B) of title 28, United States Code, is amended by inserting ''chapter 77 of title 18,'' after ''criminal drug laws of the United States or of''.

(c) AMENDMENTS TO TITLE 31.—

(1) IN GENERAL.—Chapter 97 of title 31, United States Code, is amended—

(A) by redesignating section 9703 (as added by section 638(b)(1) of the Treasury, Postal Service, and General Government Appropriations Act, 1993 (Public Law 102–393; 106 Stat. 1779)) as section 9705; and

(B) in section 9705(a), as redesignated—

(i) in paragraph (1)—

(I) in subparagraph (I)—

(aa) by striking ''payment'' and inserting ''Payment''; and

(bb) by striking the semicolon at the end and inserting a period; and

(II) in subparagraph (J), by striking ''payment'' and inserting ''Payment''; and

(ii) in paragraph (2)—

(I) in subparagraph (B)—

(aa) in clause (iii)—

(AA) in subclause (I), by striking ''or'' and inserting ''of''; and

(BB) in subclause (III), by striking ''and'' at the end;

(bb) in clause (iv), by striking the period at the end and inserting ''; and''; and

(cc) by inserting after clause (iv) the following:

''(v) U.S. Immigration and Customs Enforcement with respect to a violation of chapter 77 of title 18 (relating to human trafficking);'';

(II) in subparagraph (G), by adding ''and'' at the end; and

(III) in subparagraph (H), by striking ''; and'' and inserting a period.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) CROSS REFERENCES.—

(i) TITLE 28.—Section 524(c) of title 28, United States Code, is amended—

(I) in paragraph (4)(C), by striking ''section 9703(g)(4)(A)(ii)'' and inserting ''section 9705(g)(4)(A)'';

(II) in paragraph (10), by striking ''section 9703(p)'' and inserting ''section 9705(p)''; and

(III) in paragraph (11), by striking ''section 9703'' and inserting ''section 9705''.

(ii) TITLE 31.—Title 31, United States Code, is amended—

(I) in section 312(d), by striking ''section 9703'' and inserting ''section 9705''; and

(II) in section 5340(1), by striking ''section 9703(p)(1)'' and inserting ''section 9705(p)(1)''.

(iii) TITLE 39.—Section 2003(e)(1) of title 39, United States Code, is amended by striking ''section 9703(p)'' and inserting ''section 9705(p)''.

(B) TABLE OF SECTIONS.—The table of sections for chapter 97 of title 31, United States Code, is amended to read as follows:

''9701. Fees and charges for Government services and things of value.
''9702. Investment of trust funds.
''9703. Managerial accountability and flexibility.
''9704. Pilot projects for managerial accountability and flexibility.
''9705. Department of the Treasury Forfeiture Fund.''.

SEC. 7. STREAMLINING HUMAN TRAFFICKING INVESTIGATIONS.

Section 2516 of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (a), by inserting a comma after ''weapons)'';

(B) in subparagraph (c)—

(i) by inserting ''section 1581 (peonage), section 1584 (involuntary servitude), section 1589 (forced labor), section 1590 (trafficking with respect to peonage, slavery, involuntary servitude, or forced labor),'' before ''section 1591'';

(ii) by inserting ''section 1592 (unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor),'' before ''section 1751'';

(iii) by inserting a comma after ''virus)'';

(iv) by striking '',, section'' and inserting a comma;

(v) by striking ''or'' after ''misuse of passports),''; and

(vi) by inserting ''or'' before ''section 555'';

(C) in subparagraph (j), by striking ''pipeline,)'' and inserting ''pipeline),''; and

(D) in subparagraph (p), by striking ''documents, section 1028A (relating to aggravated identity theft))'' and inserting ''documents), section 1028A (relating to aggravated identity theft)''; and

(2) in paragraph (2), by inserting ''human trafficking, child sexual exploitation, child pornography production,'' after ''kidnapping''.

SEC. 8. ENHANCING HUMAN TRAFFICKING REPORTING.

(a) IN GENERAL.—Section 505 of title I of the Omnibus Crime Control and Safe Streets

Act of 1968 (42 U.S.C. 3755) is amended by adding at the end the following:

''(i) PART 1 VIOLENT CRIMES TO INCLUDE HUMAN TRAFFICKING.—For purposes of this section, the term 'part 1 violent crimes' shall include severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).''.

(b) CRIME CONTROL ACT AMENDMENTS.—Section 3702 of the Crime Control Act of 1990 (42 U.S.C. 5780) is amended—

(1) in paragraph (2), by striking ''and'' at the end; and

(2) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by striking ''paragraph (2)'' and inserting ''paragraph (3)'';

(B) in subparagraph (A), by inserting ''and a photograph taken within the previous 180 days'' after ''dental records'';

(C) in subparagraph (B), by striking ''and'' at the end;

(D) by redesignating subparagraph (C) as subparagraph (D); and

(E) by inserting after subparagraph (B) the following:

''(C) notify the National Center for Missing and Exploited Children of each report received relating to a child reported missing from a foster care family home or childcare institution; and''.

SEC. 9. REDUCING DEMAND FOR SEX TRAFFICKING.

(a) IN GENERAL.—Section 1591 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by striking ''or maintains'' and inserting ''maintains, patronizes, or solicits'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''or obtained'' and inserting ''obtained, patronized, or solicited''; and

(B) in paragraph (2), by striking ''or obtained'' and inserting ''obtained, patronized, or solicited''; and

(3) in subsection (c)—

(A) by striking ''or maintained'' and inserting '', maintained, patronized, or solicited''; and

(B) by striking ''knew that the person'' and inserting ''knew, or recklessly disregarded the fact, that the person''.

(b) DEFINITION AMENDED.—Section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(10)) is amended by striking ''or obtaining'' and inserting ''obtaining, patronizing, or soliciting''.

(c) PURPOSE.—The purpose of the amendments made by this section is to clarify the range of conduct punished as sex trafficking.

SEC. 10. USING EXISTING TASK FORCES AND COMPONENTS TO TARGET OFFENDERS WHO EXPLOIT CHILDREN.

Not later than 180 days after the date of enactment of this Act, the Attorney General shall ensure that—

(1) all task forces and working groups within the Innocence Lost National Initiative engage in activities, programs, or operations to increase the investigative capabilities of State and local law enforcement officers in the detection, investigation, and prosecution of persons who patronize, or solicit children for sex; and

(2) all components and task forces with jurisdiction to detect, investigate, and prosecute cases of child labor trafficking engage in activities, programs, or operations to increase the capacity of such components to deter and punish child labor trafficking.

SEC. 11. TARGETING CHILD PREDATORS.

(a) CLARIFYING THAT CHILD PORNOGRAPHY PRODUCERS ARE HUMAN TRAFFICKERS.—Section 2423(f) of title 18, United States Code, is amended—

(1) by striking ''means (1) a'' and inserting the following: ''means—

''(1) a'';

(2) by striking ''United States; or (2) any'' and inserting the following: ''United States;

''(2) any''; and

(3) by striking the period at the end and inserting the following: ''; or

''(3) production of child pornography (as defined in section 2256(8)).''.

(b) HOLDING SEX TRAFFICKERS ACCOUNTABLE.—Section 2423(g) of title 18, United States Code, is amended by striking ''a preponderance of the evidence'' and inserting ''clear and convincing evidence''.

SEC. 12. MONITORING ALL HUMAN TRAFFICKERS AS VIOLENT CRIMINALS.

Section 3156(a)(4)(C) of title 18, United States Code, is amended by inserting ''77,'' after ''chapter''.

SEC. 13. CRIME VICTIMS' RIGHTS.

(a) IN GENERAL.—Section 3771 of title 18, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

''(9) The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement.

''(10) The right to be informed of the rights under this section and the services described in section 503(c) of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607(c)) and provided contact information for the Office of the Victims' Rights Ombudsman of the Department of Justice.'';

(2) in subsection (d)(3), in the fifth sentence, by inserting '', unless the litigants, with the approval of the court, have stipulated to a different time period for consideration'' before the period; and

(3) in subsection (e)—

(A) by striking ''this chapter, the term'' and inserting the following: ''this chapter:

''(1) COURT OF APPEALS.—The term 'court of appeals' means—

''(A) the United States court of appeals for the judicial district in which a defendant is being prosecuted; or

''(B) for a prosecution in the Superior Court of the District of Columbia, the District of Columbia Court of Appeals.

''(2) CRIME VICTIM.—

''(A) IN GENERAL.—The term'';

(B) by striking ''In the case'' and inserting the following:

''(B) MINORS AND CERTAIN OTHER VICTIMS.—In the case''; and

(C) by adding at the end the following:

''(3) DISTRICT COURT; COURT.—The terms 'district court' and 'court' include the Superior Court of the District of Columbia.''.

(b) CRIME VICTIMS FUND.—Section 1402(d)(3)(A)(i) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)(A)(i)) is amended by inserting ''section'' before ''3771''.

(c) APPELLATE REVIEW OF PETITIONS RELATING TO CRIME VICTIMS' RIGHTS.—

(1) IN GENERAL.—Section 3771(d)(3) of title 18, United States Code, as amended by subsection (a)(2) of this section, is amended by inserting after the fifth sentence the following: ''In deciding such application, the court of appeals shall apply ordinary standards of appellate review.''.

(2) APPLICATION.—The amendment made by paragraph (1) shall apply with respect to any petition for a writ of mandamus filed under section 3771(d)(3) of title 18, United States Code, that is pending on the date of enactment of this Act.

SEC. 14. COMBAT HUMAN TRAFFICKING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Combat Human Trafficking Act of 2015''.

(b) DEFINITIONS.—In this section:

(1) COMMERCIAL SEX ACT; SEVERE FORMS OF TRAFFICKING IN PERSONS; STATE.—The terms ''commercial sex act'', ''severe forms of trafficking in persons'', and ''State'' have the meanings given those terms in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(2) COVERED OFFENDER.—The term ''covered offender'' means an individual who obtains, patronizes, or solicits a commercial sex act involving a person subject to severe forms of trafficking in persons.

(3) COVERED OFFENSE.—The term ''covered offense'' means the provision, obtaining, patronizing, or soliciting of a commercial sex act involving a person subject to severe forms of trafficking in persons.

(4) FEDERAL LAW ENFORCEMENT OFFICER.—The term ''Federal law enforcement officer'' has the meaning given the term in section 115 of title 18, United States Code.

(5) LOCAL LAW ENFORCEMENT OFFICER.—The term ''local law enforcement officer'' means any officer, agent, or employee of a unit of local government authorized by law or by a local government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(6) STATE LAW ENFORCEMENT OFFICER.—The term ''State law enforcement officer'' means any officer, agent, or employee of a State authorized by law or by a State government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(c) DEPARTMENT OF JUSTICE TRAINING AND POLICY FOR LAW ENFORCEMENT OFFICERS, PROSECUTORS, AND JUDGES.—

(1) TRAINING.—

(A) LAW ENFORCEMENT OFFICERS.—The Attorney General shall ensure that each anti-human trafficking program operated by the Department of Justice, including each anti-human trafficking training program for Federal, State, or local law enforcement officers, includes technical training on—

(i) effective methods for investigating and prosecuting covered offenders; and

(ii) facilitating the provision of physical and mental health services by health care providers to persons subject to severe forms of trafficking in persons.

(B) FEDERAL PROSECUTORS.—The Attorney General shall ensure that each anti-human trafficking program operated by the Department of Justice for United States attorneys or other Federal prosecutors includes training on seeking restitution for offenses under chapter 77 of title 18, United States Code, to ensure that each United States attorney or other Federal prosecutor, upon obtaining a conviction for such an offense, requests a specific amount of restitution for each victim of the offense without regard to whether the victim requests restitution.

(C) JUDGES.—The Federal Judicial Center shall provide training to judges relating to the application of section 1593 of title 18, United States Code, with respect to ordering restitution for victims of offenses under chapter 77 of such title.

(2) POLICY FOR FEDERAL LAW ENFORCEMENT OFFICERS.—The Attorney General shall ensure that Federal law enforcement officers are engaged in activities, programs, or operations involving the detection, investigation, and prosecution of covered offenders.

(d) MINIMUM PERIOD OF SUPERVISED RELEASE FOR CONSPIRACY TO COMMIT COMMERCIAL CHILD SEX TRAFFICKING.—Section 3583(k) of title 18, United States Code, is amended by inserting ''1594(c),'' after ''1591,''.

(e) BUREAU OF JUSTICE STATISTICS REPORT ON STATE ENFORCEMENT OF HUMAN TRAFFICKING PROHIBITIONS.—The Director of the Bureau of Justice Statistics shall—

(1) prepare an annual report on—

(A) the rates of—

(i) arrest of individuals by State law enforcement officers for a covered offense;

(ii) prosecution (including specific charges) of individuals in State court systems for a covered offense; and

(iii) conviction of individuals in State court systems for a covered offense; and

(B) sentences imposed on individuals convicted in State court systems for a covered offense; and

(2) submit the annual report prepared under paragraph (1) to—

(A) the Committee on the Judiciary of the House of Representatives;

(B) the Committee on the Judiciary of the Senate;

(C) the Task Force;

(D) the Senior Policy Operating Group established under section 105(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(g)); and

(E) the Attorney General.

SEC. 15. GRANT ACCOUNTABILITY.

(a) DEFINITION.—In this section, the term ''covered grant'' means a grant awarded by the Attorney General under section 203 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044b), as amended by section 4.

(b) ACCOUNTABILITY.—All covered grants shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) IN GENERAL.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of a covered grant to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(B) DEFINITION.—In this paragraph, the term ''unresolved audit finding'' means a finding in the final audit report of the Inspector General that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(C) MANDATORY EXCLUSION.—A recipient of a covered grant that is found to have an unresolved audit finding shall not be eligible to receive a covered grant during the following 2 fiscal years.

(D) PRIORITY.—In awarding covered grants the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a covered grant.

(E) REIMBURSEMENT.—If an entity is awarded a covered grant during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and covered grants, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General may not award a covered grant to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a covered grant and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts transferred to the Department of Justice under this Act, or the amendments made by this Act, may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, or the amendments made by this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(ii) all mandatory exclusions required under paragraph (1)(C) have been issued;

(iii) all reimbursements required under paragraph (1)(E) have been made; and

(iv) includes a list of any grant recipients excluded under paragraph (1) from the previous year.

(4) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts awarded under this Act, or any amendments made by this Act, may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a covered grant has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another covered grant for not less than 5 years.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 26—COMMENDING POPE FRANCIS FOR HIS LEADERSHIP IN HELPING TO SECURE THE RELEASE OF ALAN GROSS AND FOR WORKING WITH THE GOVERNMENTS OF THE UNITED STATES AND CUBA TO ACHIEVE A MORE POSITIVE RELATIONSHIP

Mr. DURBIN (for himself, Mr. LEAHY, Mr. FLAKE, Mr. CARDIN, Ms. MIKULSKI, Mr. ENZI, Ms. COLLINS, Mr. BROWN, Mr. UDALL, and Mr. KAINE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 26

Whereas Archbishop Jorge Mario Bergoglio of Buenos Aires, Argentina, was elected Supreme Pontiff of the Catholic Church on March 13, 2013;

Whereas his election marked the first time a Pope from the Americas and a Jesuit has been selected, as well as the first time a pope took the papal name of Francis, after St. Francis of Assisi;

Whereas Pope Francis has been recognized for his humility, dedication to the poor, and commitment to dialogue and reconciliation;

Whereas United States citizen and former United States Agency for International Development subcontractor Alan Phillip Gross traveled to Cuba five times in 2009, working to establish wireless networks and improve Internet and Intranet access and connectivity for the Cuban people;

Whereas Mr. Gross was arrested in Havana, Cuba, on December 3, 2009, charged with ''actions against the independence or the territorial integrity of the state'' in February 2011, and sentenced to 15 years in prison;

Whereas, on November 21, 2013, 66 United States Senators wrote to President Barack Obama urging him ''to act expeditiously to take whatever steps are in the national interest to obtain [Alan Gross's] release,'' and pledging ''to support [the] Administration in pursuit of this worthy goal'';

Whereas during Mr. Gross's five years in prison, his health seriously deteriorated and his mother Evelyn Gross passed away;

Whereas Mr. Gross's family remained tirelessly committed to ensuring his well-being and return to the United States;

Whereas, over the course of several years, the United States Government used a variety of channels to encourage the Government of Cuba to release Mr. Gross;

Whereas, in March 2012, during his visit to Cuba, then-Pope Benedict raised Mr. Gross's detention with President Raul Castro;

Whereas, in 2013, the Governments of the United States and Cuba began 18 months of closed door talks on Mr. Gross's detention and on improving the relations between the two countries;

Whereas, in October 2014, Pope Francis played a key role in the negotiations between the United States and Cuba, making personal appeals to both President Obama and President Raul Castro, pushing for reconciliation between the two countries, and hosting a diplomatic meeting at the Vatican between the United States and Cuba;

Whereas, on December 17, 2014, the Government of Cuba released Alan Gross on humanitarian grounds and allowed him to return to the United States;

Whereas, on December 17, 2014, President Obama also announced the reestablishment of diplomatic ties with Cuba;

Whereas, in this announcement, President Obama thanked Pope Francis for his involvement and the example he provides to the international community; and

Whereas, on December 18, 2014, Pope Francis said, ''The work of an ambassador lies in small steps, small things, but they always end up making peace, bringing closer the hearts of people, sowing brotherhood among people.'': Now, therefore, be it

Resolved, That the Senate—

(1) extends its gratitude to Pope Francis for his extraordinary efforts in helping to secure the release of Alan Gross;

(2) commends His Holiness for his role in encouraging an improved relationship between the United States and Cuba; and

(3) warmly welcomes the return to the United States of Alan Gross.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table.

SA 5. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 6. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 7. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 8. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 9. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 10. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 11. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 12. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 13. Mr. MARKEY (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra.

SA 14. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 15. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 16. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 17. Mr. FRANKEN (for himself, Ms. STABENOW, and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra.

SA 18. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 19. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 20. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 21. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 22. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 23. Mr. SANDERS (for himself, Mr. MENENDEZ, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 24. Mr. SANDERS (for himself, Mr. BENNET, Mr. CARPER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 25. Mr. MARKEY (for himself, Mr. WYDEN, Mr. WHITEHOUSE, Mr. DURBIN, Mr. MERKLEY, Mr. BOOKER, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 26. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 27. Mr. WYDEN (for himself, Mr. BENNET, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CASEY, Mr. NELSON, Ms. STABENOW, Mr. MENENDEZ, Mr. SCHUMER, Mr. MARKEY, Mr. MERKLEY, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 28. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 29. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 30. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 31. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 32. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 33. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table.

SA 34. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr.

CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. 3. REPEAL OF CERTAIN LIMITATIONS ON COASTWISE TRADE.

(a) IN GENERAL.—Section 12112(a) of title 46, United States Code, is amended to read as follows:

''(a) IN GENERAL.—A coastwise endorsement may be issued for a vessel that qualifies under the laws of the United States to engage in the coastwise trade.''.

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Commandant of the United States Coast Guard shall issue regulations to implement the amendment made by subsection (a) that require all vessels permitted to engage in the coastwise trade to meet all appropriate safety and security requirements.

(c) CONFORMING AMENDMENTS.—

(1) TANK VESSEL CONSTRUCTION STANDARDS.—Section 3703a(c)(1)(C) of title 46, United States Code, is amended by striking ''and is qualified for documentation as a wrecked vessel under section 12112 of this title''.

(2) LIQUIFIED GAS TANKERS.—Section 12120 of such title is amended by striking '', if the vessel—'' and all that follows and inserting a period.

(3) SMALL PASSENGER VESSELS.—Section 12121(b) of such title is amended by striking ''12112,''.

(4) LOSS OF COASTWISE TRADE PRIVILEGES.—Section 12132 of such title is repealed.

(5) CLERICAL AMENDMENT.—The table of sections for chapter 121 of title 46, United States Code, is amended by striking the item relating to section 12132.

SEC. 4. EFFECTIVE DATE.

SA 5. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ___. REPORT TO CONGRESS ON AFFECTED LANDOWNERS.

Not less frequently than once each year for the duration of the construction of the pipeline described in section 2(a), the Secretary of State, in consultation with the Secretary of Energy and the Governors of the States in which the pipeline described in section 2(a) is constructed, shall submit to Congress a report that describes—

(1) the number of individual private landowners (referred to in this section as the ''landowners'') whose land is located in the planned path of the pipeline;

(2) the acreage of land located in the planned path of the pipeline that is held by each of the landowners;

(3) the amount of property of the landowners that has been transferred to TransCanada Corporation or TransCanada Keystone Pipeline, L.P.; and

(4) the means TransCanada Corporation and TransCanada Keystone Pipeline, L.P. used to acquire the land described in paragraph (3).

SA 6. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING CLIMATE CHANGE.

It is the sense of the Senate that climate change—

(1) is real;

(2) is caused by humans;

(3) is urgent; and

(4) is solvable.

SA 7. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 3. FINDINGS; SENSE OF THE SENATE.

(a) FINDINGS.—Congress finds that—

(1) the combined average temperature over global land and ocean surfaces of the earth has increased over the past 150 years, and the increase is mostly due to human activities, such as burning fossil fuels;

(2) known as climate change, this increase in temperature has already begun affecting the weather in the United States;

(3) fighting climate change requires transitioning to clean energy, such as solar and wind power, and away from dirty energy, such as oil and coal; and

(4) stopping climate change will strengthen the health of families by reducing local air and water pollution.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should—

(1) take action to reduce greenhouse gas emissions; and

(2) encourage other countries to reduce greenhouse gas emissions.

SA 8. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ___. SENSE OF CONGRESS REGARDING CLIMATE CHANGE.

(a) FINDINGS.—Congress finds that—

(1) climate change is solvable and urgent;

(2) stopping climate change will improve the health of all the people of the United States, especially children, the elderly, and people with chronic illnesses, by reducing air pollution and water pollution;

(3) families in the United States will benefit economically from transitioning to clean energy, such as solar and wind, and away from dirty energy, such as oil and coal, as soon as possible; and

(4) climate change—

(A) is real;

(B) is mostly due to human activities; and

(C) has already begun affecting the weather in the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress should—

(1) take action to reduce heat-trapping pollution; and

(2) encourage other countries to reduce heat-trapping pollution.

SA 9. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ___. RENEWABLE ENERGY.

Notwithstanding any other provision of this Act, the pipeline and facilities referred to in section 2(a) may not continue operation unless each year during the 10-year period beginning on commencement of operation of the pipeline referred to in section 2(a), the annual amount of non-hydro renewable energy capacity that is built in the United States is equal to or greater than the maximum annual capacity of the pipeline on an energy content basis.

SA 10. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ___. FINES FOR TRESPASS AND DRILLING WITHOUT APPROVAL.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of the Bureau of Land Management.

(2) TRESPASS OR DRILLING WITHOUT APPROVAL.—The term ''trespass or drilling without approval'' has the meaning given the term in the report of the Office of Inspector General of the Department of the Interior entitled ''Inspection Report—BLM Federal Onshore Oil and Gas Trespass and Drilling Without Approval'' and dated September 29, 2014.

(b) SHUT DOWN OF WELLS.—

(1) IN GENERAL.—The Director shall conduct a due process hearing for any owner or operator of a well who has been detected as potentially committing trespass or drilling without approval.

(2) SHUT DOWN.—After providing the due process hearing under paragraph (1), the Director shall shut down any well the owner or operator of which has been found to have intentionally committed trespass or drilling without approval.

(c) FINES; ROYALTY RATE PAYMENT.—

(1) IN GENERAL.—An owner or operator of a well that has been found to have committed trespass or drilling without approval (intentional or unintentional) under subsection (b) shall be subject to the following fines:

(A) MONETARY FINE.—The owner or operator shall be fined an amount equal to the cost the owner or operator incurred to drill and complete the well.

(B) ROYALTY RATE.—The owner or operator shall be fined an amount equal to the royalty rate the owner or operator would have paid to the Federal Government had the owner or operator secured approval to drill the well from the Bureau of Land Management.

(2) USE OF FINES.—

(A) IN GENERAL.—The Director shall use 25 percent of the revenues raised from the imposition of monetary fines under paragraph (1)(A) to fund programs in the Bureau of Land Management that increase prevention and enforcement of trespass or drilling without approval on Federal land.

(B) MONITORING AND ENFORCEMENT STANDARDS.—

(i) IN GENERAL.—In carrying out subparagraph (A), the Director shall standardize the monitoring and enforcement policies of the Bureau of Land Management, to be implemented across the regional offices of the Bureau of Land Management, to increase monitoring of drilling on Federal land.

(ii) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director shall submit to Congress a report on the efforts of the Director in carrying out clause (i).

(d) LIABILITY.—The owner or operator, including any subcontractor of the owner or operator, shall be liable for any claim or cause of action arising from the trespass or drilling without approval.

SA 11. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ___. SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds that—

(1) rural communities are critical to the food supply and recreation opportunities of the United States;

(2) farming, fishing, forestry, and recreation in the rural communities of the United States are particularly vulnerable to changes in climate;

(3) the overwhelming majority of the scientific community agrees that global warming is real and predominantly attributable to human activity;

(4) climate change is already having devastating impacts to the rural communities of the United States;

(5) winter snow pack is decreasing, impacting agricultural producers who depend on irrigation;

(6) ocean acidity levels are increasing and ocean water temperatures are rising, impacting coastal fishermen; and

(7) the fire season in the Western United States is growing longer, impacting loggers and mill owners.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) climate change is real;

(2) the rural communities of the United States are and will be significantly impacted by climate change; and

(3) the United States should make it a priority to protect the rural communities and natural resources from the worst impacts of climate change.

SA 12. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ___. SENSE OF CONGRESS REGARDING THE SCIENTIFIC CONSENSUS ON CLIMATE CHANGE.

(a) FINDINGS.—Congress finds that—

(1) the National Oceanic and Atmospheric Administration (NOAA) and the National Aeronautics and Space Administration (NASA) agree that global warming is real and due to human activity;

(2) the National Academy of Sciences agrees that global warming is real and due to human activity;

(3) the American Association for the Advancement of Science agrees that global warming is real and due to human activity;

(4) the American Chemical Society agrees that global warming is real and due to human activity;

(5) the American Geophysical Union agrees that global warming is real and due to human activity;

(6) the American Medical Association agrees that global warming is real and due to human activity;

(7) the American Meteorological Society agrees that global warming is real and due to human activity;

(8) the American Physical Society agrees that global warming is real and due to human activity; and

(9) the Geological Society of America agrees that global warming is real and due to human activity.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress should take under due consideration advice from the leading scientific institutions in the United States; and

(2) global warming is real and due to human activity.

SA 13. Mr. MARKEY (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; as follows:

At the end of section 2, add the following:

(f) LIMITATION.—

(1) IN GENERAL.—Subject to paragraph (2), none of the crude oil and bitumen transported into the United States by the operation of the Keystone XL pipeline under the authority provided by subsection (a), and none of the refined petroleum fuel products originating from that crude oil or bitumen, may be exported from the United States.

(2) WAIVERS AUTHORIZED.—The President may waive the limitation described in paragraph (1) if—

(A) the President determines that a waiver is in the national interest because it—

(i) will not lead to an increase in domestic consumption of crude oil or refined petroleum products obtained from countries hostile to United States' interests or with political and economic instability that compromises energy supply security;

(ii) will not lead to higher costs to refiners who purchase the crude oil than the refiners would pay for crude oil in the absence of the waiver; and

(iii) will not lead to higher gasoline costs to consumers than consumers would pay in the absence of the waiver;

(B) an exchange of crude oil or refined product provides for no net loss of crude oil or refined product consumed domestically; or

(C) a waiver is necessary under the Constitution, a law, or an international agreement.

SA 14. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. CRUDE OIL EXPORTS.

(a) REPEAL OF PRESIDENTIAL AUTHORITY TO RESTRICT OIL EXPORTS.—

(1) IN GENERAL.—Section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) Section 12 of the Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719j) is amended—

(i) by striking ''and section 103 of the Energy Policy and Conservation Act''; and

(ii) by striking ''such Acts'' and inserting ''that Act''.

(B) The Energy Policy and Conservation Act is amended—

(i) in section 251 (42 U.S.C. 6271)—

(I) by striking subsection (d); and

(II) by redesignating subsection (e) as subsection (d); and

(ii) in section 523(a)(1) (42 U.S.C. 6393(a)(1)), by striking ''(other than section 103 thereof)''.

(b) REPEAL OF LIMITATIONS ON EXPORTS OF OIL.—

(1) IN GENERAL.—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended—

(A) by striking subsection (u); and

(B) by redesignating subsections (v) through (y) as subsections (u) through (x), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 1107(c) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3167(c)) is amended by striking ''(u) through (y)'' and inserting ''(u) through (x)''.

(B) Section 23 of the Deep Water Port Act of 1974 (33 U.S.C. 1522) is repealed.

(C) Section 203(c) of the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1652(c)) is amended in the first sentence by striking ''(w)(2), and (x))'' and inserting ''(v)(2), and (w))''.

(D) Section 509(c) of the Public Utility Regulatory Policies Act of 1978 (43 U.S.C. 2009(c)) is amended by striking ''subsection (w)(2)'' and inserting ''subsection (v)(2)''.

(c) REPEAL OF LIMITATIONS ON EXPORT OF OCS OIL OR GAS.—Section 28 of the Outer Continental Shelf Lands Act (43 U.S.C. 1354) is repealed.

(d) TERMINATION OF LIMITATION ON EXPORTATION OF CRUDE OIL.—Section 7(d) of the Export Administration Act of 1979 (50 U.S.C. App. 2406(d)) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) shall have no force or effect.

(e) CLARIFICATION OF CRUDE OIL REGULATION.—

(1) IN GENERAL.—Section 754.2 of title 15, Code of Federal Regulations (relating to crude oil) shall have no force or effect.

(2) CRUDE OIL LICENSE REQUIREMENTS.—The Bureau of Industry and Security of the Department of Commerce shall grant licenses to export to a country crude oil (as the term is defined in subsection (a) of the regulation referred to in paragraph (1)) (as in effect on

the date that is 1 day before the date of enactment of this Act) unless—

(A) the country is subject to sanctions or trade restrictions imposed by the United States; or

(B) the President or Congress has designated the country as subject to exclusion for reasons of national security.

SA 15. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXPEDITED APPROVAL OF EXPORTATION OF NATURAL GAS TO WORLD TRADE ORGANIZATION MEMBER COUNTRIES.

(a) IN GENERAL.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by striking ''(c) For purposes'' and inserting the following:

''(c) EXPEDITED APPLICATION AND APPROVAL PROCESS.—

''(1) DEFINITION OF WORLD TRADE ORGANIZATION MEMBER COUNTRY.—In this subsection, the term 'World Trade Organization member country' has the meaning given the term 'WTO member country' in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

''(2) EXPEDITED APPLICATION AND APPROVAL PROCESS.—For purposes''; and

(2) in paragraph (2) (as so designated), by inserting ''or to a World Trade Organization member country'' after ''trade in natural gas''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to applications for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) that are pending on, or filed on or after, the date of enactment of this Act.

SA 16. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE II—NORTH AMERICAN ENERGY INFRASTRUCTURE

SEC. 201. SHORT TITLE.

This title may be cited as the ''North American Energy Infrastructure Act''.

SEC. 202. FINDING.

Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of oil and natural gas pipelines and electric transmission facilities for the import and export of oil and natural gas and the transmission of electricity to and from Canada and Mexico, in pursuit of a more secure and efficient North American energy market.

SEC. 203. AUTHORIZATION OF CERTAIN ENERGY INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.

(a) AUTHORIZATION.—Except as provided in subsection (c) and section 207, no person may construct, connect, operate, or maintain a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico without obtaining a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment under this section.

(b) CERTIFICATE OF CROSSING.—

(1) REQUIREMENT.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment for which a request is received under this section, the Secretary of Energy, in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the national security interest of the United States.

(2) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—In the case of a request for a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing for the request under paragraph (1), that the cross-border segment of the electric transmission facility be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(A) the Electric Reliability Organization and the applicable regional entity; and

(B) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(c) EXCLUSIONS.—This section shall not apply to any construction, connection, operation, or maintenance of a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico—

(1) if the cross-border segment is operating for such import, export, or transmission as of the date of enactment of this Act;

(2) if a permit described in section 206 for such construction, connection, operation, or maintenance has been issued;

(3) if a certificate of crossing for such construction, connection, operation, or maintenance has previously been issued under this section; or

(4) if an application for a permit described in section 206 for such construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—

(A) the date on which such application is denied; or

(B) July 1, 2016.

(d) EFFECT OF OTHER LAWS.—

(1) APPLICATION TO PROJECTS.—Nothing in this section or section 207 shall affect the application of any other Federal statute to a project for which a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment is sought under this section.

(2) NATURAL GAS ACT.—Nothing in this section or section 207 shall affect the requirement to obtain approval or authorization under sections 3 and 7 of the Natural Gas Act for the siting, construction, or operation of any facility to import or export natural gas.

SEC. 204. IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.

Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: ''No order is required under subsection (a) to authorize the export or import of any natural gas to or from Canada or Mexico.''.

SEC. 205. TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.

(a) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking ''insofar as such State regulation does not conflict with the exercise of the Commission's powers under or relating to subsection 202(e)''.

(2) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–4(b)) is amended by striking ''the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act'' and all that follows through the period at the end and inserting ''the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary.''.

SEC. 206. NO PRESIDENTIAL PERMIT REQUIRED.

No Presidential permit (or similar permit) required under Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, Executive Order No. 12038, Executive Order No. 10485, or any other Executive order shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any cross-border segment thereof.

SEC. 207. MODIFICATIONS TO EXISTING PROJECTS.

No certificate of crossing under section 203, or permit described in section 206, shall be required for a modification to the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of this Act;

(2) for which a permit described in section 206 for such construction, connection, operation, or maintenance has been issued; or

(3) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 203.

SEC. 208. EFFECTIVE DATE; RULEMAKING DEADLINES.

(a) EFFECTIVE DATE.—Sections 203 through 207, and the amendments made by such sections, shall take effect on January 1, 2016.

(b) RULEMAKING DEADLINES.—Each relevant official described in section 203(b)(2) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 203; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 203.

SEC. 209. DEFINITIONS.

In this title—

(1) the term ''cross-border segment'' means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with either Canada or Mexico;

(2) the term ''modification'' includes a reversal of flow direction, change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term ''natural gas'' has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a);

(4) the term ''oil'' means petroleum or a petroleum product;

(5) the terms ''Electric Reliability Organization'' and ''regional entity'' have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and

(6) the terms ''Independent System Operator'' and ''Regional Transmission Organization'' have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

SA 17. Mr. FRANKEN (for himself, Ms. STABENOW, and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; as follows:

After section 2, insert the following:

SEC. ___. USE OF UNITED STATES IRON, STEEL, AND MANUFACTURED GOODS.

(a) LIMITATION.—Subject to subsection (b), to the maximum extent consistent with the obligations of the United States under international trade agreements, none of the iron, steel, or manufactured goods used in the construction of the Keystone XL Pipeline and facilities approved by this Act may be produced outside of the United States.

(b) NONAPPLICATION.—Subsection (a) shall not apply to the extent that the President finds that—

(1) iron, steel, and the applicable manufactured goods are not produced in the United States in sufficient and reasonably available quantities with a satisfactory quality; or

(2) inclusion of iron, steel, or any manufactured good produced in the United States will increase the cost of the iron, steel, or any manufactured good used in the Pipeline and facilities by more than 25 percent.

SA 18. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ___. LIMITATION ON DESIGNATION OF NEW FEDERALLY PROTECTED LAND.

(a) DEFINITION OF FEDERALLY PROTECTED LAND.—In this section, the term ''federally protected land'' means any area designated or acquired by the Federal Government for the purpose of conserving historic, cultural, environmental, scenic, recreational, developmental, or biological resources.

(b) FINDINGS REQUIRED.—New federally protected land shall not be designated unless the Secretary, prior to the designation, publishes in the Federal Register—

(1) a finding that the addition of the new federally protected land would not have a negative impact on the administration of existing federally protected land; and

(2) a finding that, as of the date of the finding, sufficient resources are available to effectively implement management plans for existing units of federally protected land.

SA 19. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ___. CONSIDERATION OF GREENHOUSE GAS EMISSIONS IN NEPA REVIEWS.

In completing an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), a Federal agency shall not take into consideration greenhouse gas emissions.

SA 20. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FUNDS FOR CERTAIN CONSERVATION AREAS.

The Secretary of the Interior shall not use Federal funds to acquire any land or interests in land for the Niobrara Confluence and Ponca Bluffs Conservation Areas unless the Secretary of the Interior solicits input from, and receives the consent of, the Governor and legislature of the State in which the land is located with respect to the acquisition.

SA 21. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ___. REGULATION OF PETROLEUM COKE AS A HAZARDOUS WASTE.

(a) IN GENERAL.—Section 3001(e) of the Solid Waste Disposal Act (42 U.S.C. 6921(e)) is amended by adding at the end the following:

''(3) PETROLEUM COKE.—As soon as practicable after the date of enactment of this paragraph and notwithstanding any other provision of this Act, the Administrator shall list as a hazardous waste under subsection (b)(1) petroleum coke.''.

(b) REQUIREMENTS FOR HANDLING AND TRANSPORTATION OF PETROLEUM COKE.—Section 3003 of the Solid Waste Disposal Act (42 U.S.C. 6923) is amended by adding at the end the following:

''(d) HANDLING AND TRANSPORTATION OF PETROLEUM COKE.—As soon as practicable after the date of enactment of this subsection, the Administrator, in consultation with the Secretary of Transportation, shall promulgate regulations to ensure that any handler or transporter of petroleum coke stores the petroleum coke at all times in an enclosed building or container.''.

(c) DEFINITION OF HAZARDOUS SUBSTANCE.—Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(14)) is amended in the second sentence by inserting ''(other than petroleum coke)'' after ''petroleum''.

SA 22. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

In section 2, strike subsection (e) and insert the following:

(e) PRIVATE PROPERTY SAVINGS CLAUSE.—

(1) IN GENERAL.—Nothing in this Act authorizes the use of condemnation to acquire land or an interest in land for the pipeline and cross-border facilities described in subsection (a).

(2) WILLING SELLERS.—Land or an interest in land for the pipeline and cross-border facilities described in subsection (a) may only be acquired from willing sellers.

SA 23. Mr. SANDERS (for himself, Mr. MENENDEZ, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. _____. REBATES FOR PURCHASE AND INSTALLATION OF PHOTOVOLTAIC SYSTEMS.

(a) DEFINITIONS.—In this section:

(1) PHOTOVOLTAIC SYSTEM.—The term ''photovoltaic system'' includes—

(A) solar panels;

(B) roof support structures;

(C) inverters;

(D) an energy storage system, if the energy storage system is integrated with the photovoltaic system; and

(E) any other hardware necessary for the installation of a photovoltaic system.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) REBATES FOR PURCHASE AND INSTALLATION OF PHOTOVOLTAIC SYSTEMS.—

(1) IN GENERAL.—The Secretary shall establish a program under which the Secretary shall provide rebates to eligible individuals or entities for the purchase and installation of photovoltaic systems for residential and commercial properties in order to install, over the 10-year period beginning on the date of enactment of this Act, not less than an additional 10,000,000 photovoltaic systems in the United States (as compared to the number of photovoltaic systems installed in the United States as of the date of enactment of this Act) with a cumulative capacity of not less than 60,000 megawatts.

(2) ELIGIBILITY.—

(A) IN GENERAL.—To be eligible for a rebate under this subsection—

(i) the recipient of the rebate shall be a homeowner, business, nonprofit entity, or State or local government that purchased and installed a photovoltaic system for a property located in the United States; and

(ii) the recipient of the rebate shall meet such other eligibility criteria as are determined to be appropriate by the Secretary.

(B) OTHER ENTITIES.—After public review and comment, the Secretary may identify other individuals or entities located in the United States that qualify for a rebate under this subsection.

(3) AMOUNT.—Subject to paragraph (4)(B) and the availability of appropriations under subsection (c), the amount of a rebate provided to an eligible individual or entity for the purchase and installation of a photovoltaic system for a property under this subsection shall be equal to the lesser of—

(A) 15 percent of the initial capital costs for purchasing and installing the photovoltaic system, including costs for hardware,

permitting and other ''soft costs'', and installation; or

(B) $10,000.

(4) INTERMEDIATE REPORT.—As soon as practicable after the end of the 5-year period beginning on the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress, and publish on the website of the Department of Energy, a report that describes—

(A) the number of photovoltaic systems for residential and commercial properties purchased and installed with rebates provided under this subsection; and

(B) any steps the Secretary will take to ensure that the goal of the installation of an additional 10,000,000 photovoltaic systems in the United States is achieved by 2025.

(5) RELATIONSHIP TO OTHER LAW.—The authority provided under this subsection shall be in addition to any other authority under which credits or other types of financial assistance are provided for installation of a photovoltaic system for a property.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 24. Mr. SANDERS (for himself, Mr. BENNET, Mr. CARPER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. _____. SENSE OF CONGRESS REGARDING CLIMATE CHANGE.

It is the sense of Congress that Congress is in agreement with the opinion of virtually the entire worldwide scientific community that—

(1) climate change is real;

(2) climate change is caused by human activities;

(3) climate change has already caused devastating problems in the United States and around the world;

(4) a brief window of opportunity exists before the United States and the entire planet suffer irreparable harm; and

(5) it is imperative that the United States transform its energy system away from fossil fuels and toward energy efficiency and sustainable energy as rapidly as possible.

SA 25. Mr. MARKEY (for himself, Mr. WYDEN, Mr. WHITEHOUSE, Mr. DURBIN, Mr. MERKLEY, Mr. BOOKER, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INCLUSION OF OIL DERIVED FROM TAR SANDS AS CRUDE OIL.

This Act shall not take effect prior to the date that diluted bitumen and other bituminous mixtures derived from tar sands or oil sands are treated as crude oil for purposes of section 4612(a)(1) of the Internal Revenue Code of 1986, which may be established either by an Act of Congress or any regulations, rules, or guidance issued by the Commissioner of the Internal Revenue Service or the Secretary of the Treasury (or the Secretary's delegate).

SA 26. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ___. FINDINGS; SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds that—

(1) the oil and gas found on Federal land is a national resource that belongs to the American public;

(2) the Government Accountability Office has found that significant volumes of public resources are wasted unnecessarily through the venting, flaring, and leaking of natural gas in the production of oil and gas on Federal land;

(3) the Government Accountability Office has found that approximately 40 percent of that vented, flared, and leaked natural gas is economically recoverable with available technologies;

(4) the Department of the Interior does not, in general, require royalties to be paid on vented, flared, and leaked natural gas from oil and gas production on Federal land;

(5) the Government Accountability Office has estimated that about $23,000,000 in revenue is lost annually because of royalties not paid to the Federal Government on vented, flared, and leaked natural gas; and

(6) methane is a greenhouse gas 86 times more potent than carbon dioxide when measured over a 20-year period.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the oil and gas produced on Federal land should be produced with minimal waste and air pollution; and

(2) taxpayers should receive full value for the use of public oil and gas resources.

SA 27. Mr. WYDEN (for himself, Mr. BENNET, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CASEY, Mr. NELSON, Ms. STABENOW, Mr. MENENDEZ, Mr. SCHUMER, Mr. MARKEY, Mr. MERKLEY, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLARIFICATION OF TAR SANDS AS CRUDE OIL FOR EXCISE TAX PURPOSES.

(a) IN GENERAL.—Paragraph (1) of section 4612(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) CRUDE OIL.—The term 'crude oil' includes crude oil condensates, natural gasoline, synthetic petroleum, any bitumen or bituminous mixture, any oil derived from a bitumen or bituminous mixture, and any oil derived from kerogen-bearing sources.''.

(b) TECHNICAL AMENDMENT.—Paragraph (2) of section 4612(a) of such Code is amended by striking ''from a well located''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to oil and petroleum products received, entered, used, or exported during calendar quarters beginning more than 60 days after the date of the enactment of this Act.

SA 28. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. CAMPAIGN FINANCE DISCLOSURES BY THOSE PROFITING FROM TAR SANDS DEVELOPMENT.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1974 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

''(j) DISCLOSURE BY TAR SANDS BENEFICIARIES.—

''(1) IN GENERAL.—

''(A) INITIAL DISCLOSURE.—Every covered entity which has made covered disbursements and received covered transfers in an aggregate amount in excess of $10,000 during the period beginning on January 1, 2013, and ending on the date that is 165 days after the date of the enactment of this subsection shall file with the Commission a statement containing the information described in paragraph (2) not later than the date that is 180 days after the date of the enactment of this subsection.

''(B) SUBSEQUENT DISCLOSURES.—Every covered entity which makes covered disbursements (other than covered disbursement reported under subparagraph (A))and received covered transfers (other than a covered transfer reported under subparagraph (A)) in an aggregate amount in excess of $10,000 during any calendar year shall, within 48 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement or receiving the transfer, of any person sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement or receiving the transfer.

''(B) The principal place of business of the person making the disbursement or receiving the transfer, if not an individual.

''(C) The amount of each disbursement or transfer of more than $200 during the period covered by the statement and the identification of the person to whom the disbursement was made or from whom the transfer was received.

''(D) The elections to which the disbursements or transfers pertain and the names (if known) of the candidates involved.

''(E) If the disbursements were paid out of a segregated bank account which consists of funds contributed solely by individuals who are United States citizens or nationals or lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) directly to this account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of $1,000 or more to that account during—

''(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

''(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

Nothing in this subparagraph is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than covered disbursements.

''(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of $1,000 or more to the person making the disbursement during—

''(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

''(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(3) COVERED ENTITY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'covered entity' means—

''(i) any person who is described in subparagraph (B), and

''(ii) any person who owns 5 percent or more of any person described in subparagraph (B).

''(B) PERSON DESCRIBED.—A person is described in this subparagraph if such person—

''(i) holds one or more tar sands leases, or

''(ii) has received revenues or stands to receive revenues of $1,000,000 or greater from tar sands production, including revenues received in connection with—

''(I) exploration of tar sands;

''(II) extraction of tar sands;

''(III) processing of tar sands;

''(IV) building, maintaining, and upgrading the Keystone XL pipeline and other related pipelines used in connection with tar sands;

''(V) expanding refinery capacity or building, expanding, and retrofitting import and export terminals in connection with tar sands;

''(VI) transportation by pipeline, rail, and barge of tar sands;

''(VII) refinement of tar sands;

''(VIII) importing crude, refined oil, or byproducts derived from tar sands crude;

''(IX) exporting crude, byproducts, or refined oil derived from tar sands crude; and

''(X) use of production byproducts from tar sands, such as petroleum coke for energy generation.

''(C) TAR SANDS.—For purposes of this paragraph, the term 'tar sands' means bitumen from the West Canadian Sedimentary Basin.

''(4) COVERED DISBURSEMENT.—For purposes of this subsection, the term 'covered disbursement' means a disbursement for any of the following:

''(A) An independent expenditure.

''(B) A broadcast, cable, or satellite communication (other than a communication described in subsection (f)(3)(B)) which—

''(i) refers to a clearly identified candidate for Federal office;

''(ii) is made—

''(I) in the case of a communication which refers to a candidate for an office other than President or Vice President, during the period beginning on January 1 of the calendar year in which a general or runoff election is held and ending on the date of the general or runoff election (or in the case of a special election, during the period beginning on the date on which the announcement with respect to such election is made and ending on the date of the special election); or

''(II) in the case of a communication which refers to a candidate for the office of President or Vice President, is made in any State during the period beginning 120 days before the first primary election, caucus, or preference election held for the selection of delegates to a national nominating convention of a political party is held in any State (or, if no such election or caucus is held in any State, the first convention or caucus of a political party which has the authority to nominate a candidate for the office of President or Vice President) and ending on the date of the general election; and

''(iii) in the case of a communication which refers to a candidate for an office other than President or Vice President, is targeted to the relevant electorate (within the meaning of subsection (f)(3)(C)).

''(C) A transfer to another person for the purposes of making a disbursement described in subparagraph (A) or (B).

''(5) COVERED TRANSFER.—For purposes of this subsection, the term 'covered transfer' means any amount received by a covered entity for the purposes of making a covered disbursement.

''(6) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of $10,000; and

''(B) any other date during such calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of $10,000 since the most recent disclosure date for such calendar year.

''(7) CONTRACTS TO DISBURSE; COORDINATION WITH OTHER REQUIREMENTS; ETC,.—Rules similar to the rules of paragraphs (5), (6), and (7) of subsection (f) shall apply for purposes of this subsection.''.

SA 29. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

On page 3, between lines 19 and 20, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING CLIMATE CHANGE.

It is the sense of the Senate that climate change is real and not a hoax.

SA 30. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

Beginning on page 2, strike line 24 and all that follows through page 3, line 10, and insert the following:

(d) PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing

SA 31. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ___. SENSE OF THE SENATE ON GLOBAL CLIMATE CHANGE.

It is the sense of the Senate that—

(1) human activity significantly contributes to climate change; and

(2) economically reasonable steps should be taken to generate energy with less carbon pollution.

SA 32. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. APPLICATIONS FOR PERMITS TO DRILL REFORM AND PROCESS.

Section 17(p) of the Mineral Leasing Act (30 U.S.C. 226(p)) is amended by striking paragraph (2) and inserting the following:

''(2) APPLICATIONS FOR PERMITS TO DRILL REFORM AND PROCESS.—

''(A) TIMELINE.—

''(i) IN GENERAL.—The Secretary shall decide whether to issue a permit to drill not later than 30 days after receiving an application for the permit.

''(ii) EXTENSION.—The Secretary may extend the period in clause (i) for up to 2 periods of 15 days each, if the Secretary has given written notice of the delay to the applicant.

''(iii) NOTICE REQUIREMENTS.—Written notice under clause (ii) shall—

''(I) be in the form of a letter from the Secretary or a designee of the Secretary; and

''(II) include the names and titles of the persons processing the application, the specific reasons for the delay, and a specific date a final decision on the application is expected.

''(B) NOTICE OF REASONS FOR DENIAL.—If the application is denied, the Secretary shall provide the applicant—

''(i) in writing, clear and comprehensive reasons why the application was not accepted and detailed information concerning any deficiencies; and

''(ii) an opportunity to remedy any deficiencies.

''(C) APPLICATION CONSIDERED APPROVED.—

''(i) IN GENERAL.—If the Secretary has not made a decision on the application by the end of the 60-day period beginning on the date the application is received by the Secretary, the application is considered approved, except in cases in which existing reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) are incomplete.

''(ii) ENVIRONMENTAL REVIEWS.—Existing reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall be completed not later than 180 days after receiving an application for the permit.

''(iii) FAILURE TO COMPLETE.—If all existing reviews are not completed during the 180-day period described in clause (ii), the project subject to the application shall be considered to have no significant impact in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) and section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) and that classification shall be considered to be a final agency action.

''(D) DENIAL OF PERMIT.—If the Secretary decides not to issue a permit to drill in accordance with subparagraph (A), the Secretary shall—

''(i) provide to the applicant a description of the reasons for the denial of the permit;

''(ii) allow the applicant to resubmit an application for a permit to drill during the 10-day period beginning on the date the applicant receives the description of the denial from the Secretary; and

''(iii) issue or deny any resubmitted application not later than 10 days after the date the application is submitted to the Secretary.

''(E) FEE.—

''(i) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall collect a single $6,500 permit processing fee per application from each applicant at the time the final decision is made whether to issue a permit under subparagraph (A).

''(ii) RELATIONSHIP TO RESUBMITTED APPLICATIONS.—A fee collected under clause (i) shall not apply to any resubmitted application.

''(iii) TREATMENT OF PERMIT PROCESSING FEE.—Of the total amount of fees collected under this subparagraph, 50 percent shall be

transferred to the field office at which the fees are collected and used by the field offices to process protests, leases, and permits under this Act subject to appropriation.

''(F) JUDICIAL REVIEW.—Actions of the Secretary carried out in accordance with this paragraph shall not be subject to judicial review.''.

SA 33. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AWARD OF LITIGATION COSTS TO PREVAILING PARTIES IN ACCORDANCE WITH EXISTING LAW.

Section 11(g)(4) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)(4)) is amended by striking ''to any'' and all that follows through the end of the sentence and inserting ''to any prevailing party in accordance with section 2412 of title 28, United States Code.''.

SA 34. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISCLOSURE OF EXPENDITURES UNDER ENDANGERED SPECIES ACT OF 1973.

(a) REQUIREMENT TO DISCLOSE.—Section 13 of the Endangered Species Act of 1973 (87 Stat. 902; relating to conforming amendments which have executed) is amended to read as follows:

''SEC. 13. DISCLOSURE OF EXPENDITURES.

''(a) REQUIREMENT.—The Secretary of the Interior, in consultation with the Secretary of Commerce, shall—

''(1) not later than 90 days after the end of each fiscal year, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report detailing Federal Government expenditures for covered suits during the preceding fiscal year (including the information described in subsection (b)); and

''(2) make publicly available through the Internet a searchable database of the information described in subsection (b).

''(b) INCLUDED INFORMATION.—The report shall include—

''(1) the case name and number of each covered suit, and a hyperlink to the record or decision for each covered suit (if available);

''(2) a description of the claims in each covered suit;

''(3) the name of each covered agency whose actions gave rise to a claim in a covered suit;

''(4) funds expended by each covered agency (disaggregated by agency account) to receive and respond to notices referred to in section 11(g)(2) or to prepare for litigation of, litigate, negotiate a settlement agreement or consent decree in, or provide material, technical, or other assistance in relation to, a covered suit;

''(5) the number of full-time equivalent employees that participated in the activities described in paragraph (4); and

''(6) attorneys fees and other expenses (disaggregated by agency account) awarded in covered suits, including any consent decrees or settlement agreements (regardless of whether a decree or settlement agreement is sealed or otherwise subject to nondisclosure provisions), including the bases for such awards.

''(c) REQUIREMENT TO PROVIDE INFORMATION.—The head of each covered agency shall provide to the Secretary in a timely manner all information requested by the Secretary to comply with the requirements of this section.

''(d) LIMITATION ON DISCLOSURE.—Notwithstanding any other provision of this section, this section shall not affect any restriction in a consent decree or settlement agreement on the disclosure of information that is not described in subsection (b).

''(e) DEFINITIONS.—

''(1) COVERED AGENCY.—The term 'covered agency' means any agency of the Department of the Interior, the Forest Service, the National Marine Fisheries Service, the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration, or the Southeastern Power Administration.

''(2) COVERED SUIT.—The term 'covered suit' means any civil action containing a claim against the Federal Government, in which the claim arises under this Act and is based on the action of a covered agency.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by striking the item relating to such section and inserting the following:

''Sec. 13. Disclosure of expenditures.''.

(c) PRIOR AMENDMENTS NOT AFFECTED.—This section shall not be construed to affect the amendments made by section 13 of such Act, as in effect before the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 13, 2015, at 2 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Joseph Majkut, who is an American Association for the Advancement of Science fellow in my office, be granted floor privileges for the remainder of this Congress.

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

Mrs. MURRAY. Mr. President, on behalf of the Democratic leader, I ask unanimous consent that Neysa Call, a fellow in Senator REID's office, be granted floor privileges for the remainder of the 114th Congress.

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

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 7, which was received from the House.

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

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 7) providing for a joint session of Congress to receive a message from the President.

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

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table.

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

The concurrent resolution (H. Con. Res. 7) was agreed to.

MEASURE READ THE FIRST TIME—H.R. 33

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 33) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

DISCHARGE AND REFERRAL—S. 32

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill S. 32 be discharged from the Committee on Finance and that it be referred to the Committee on the Judiciary.

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

ORDERS FOR FRIDAY, JANUARY 16, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Friday, January 16; 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; and the Senate resume consideration of S. 1 as under the previous order.

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

PROGRAM

Mr. MCCONNELL. We were able to reach an agreement to proceed to the Keystone bill this afternoon and start processing amendments to this bipartisan jobs and infrastructure bill. There are several amendments pending from Senators on both sides of the aisle, and I would encourage everyone to work with Senator MURKOWSKI and Senator CANTWELL to get in the queue for consideration.

The next votes will occur on Tuesday, January 20, following the weekly conference meetings.

ADJOURNMENT UNTIL FRIDAY, JANUARY 16, 2015, AT 9:30 A.M.

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:36 p.m., adjourned until Friday, January 16, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

ALISSA M. STARZAK, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY, VICE BRAD CARSON, RESIGNED.

FEDERAL DEPOSIT INSURANCE CORPORATION

JAY NEAL LERNER, OF ILLINOIS, TO BE INSPECTOR GENERAL, FEDERAL DEPOSIT INSURANCE CORPORATION, VICE JON T. RYMER, RESIGNED.

FEDERAL MARITIME COMMISSION

MARIO CORDERO, OF CALIFORNIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2019. (REAPPOINTMENT)

DEPARTMENT OF TRANSPORTATION

DANIEL R. ELLIOTT III, OF OHIO, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2018. (REAPPOINTMENT)

CARLOS A. MONJE, JR., OF LOUISIANA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE POLLY TROTTENBERG, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

JOYCE A. BARR, OF WASHINGTON
ROBERT F. GODEC, JR., OF VIRGINIA
PATRICIA M. HASLACH, OF VIRGINIA
PAUL WAYNE JONES, OF NEW YORK
SCOT ALAN MARCIEL, OF VIRGINIA
NANCY E. MCELDOWNEY, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER-MINISTER:

KAREN L. FREEMAN, OF VIRGINIA
RICHARD S. GREENE, OF VIRGINIA
JOHN GROARKE, OF THE DISTRICT OF COLUMBIA
THOMAS CHRISTOPHER MILLIGAN, OF THE DISTRICT OF COLUMBIA
MONICA STEIN-OLSON, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

JEFFREY N. BAKKEN, OF MINNESOTA
DAVID J. BARTH, OF VIRGINIA
JERRY PAUL BISSON, OF VIRGINIA
ALEXANDRE DEPREZ, OF FLORIDA
AZZA EL-ABD, OF THE DISTRICT OF COLUMBIA
SUSAN KOSINSKI FRITZ, OF THE DISTRICT OF COLUMBIA
STEPHANIE A. FUNK, OF FLORIDA
R. DAVID HARDEN, OF MARYLAND
STEPHEN M. HAYKIN, OF WASHINGTON
KAREN LOUISE RUFFING HILLIARD, OF FLORIDA
SARAH-ANN LYNCH, OF MARYLAND
PETER R. NATIELLO, OF FLORIDA
DIANA B. PUTMAN, OF CONNECTICUT
JAMES E. WATSON II, OF VIRGINIA
MARK ANTHONY WHITE, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

R. DOUGLASS ARBUCKLE, OF FLORIDA
CHRISTIAN D. BARRATT, OF WASHINGTON
CAROLYN B. BRYAN, OF VIRGINIA
FERNANDO COSSICH, OF FLORIDA
AMAN S. DJAHANBANI, OF MARYLAND
BRUCE GELBAND, OF VIRGINIA
ERIN HOLLERAN, OF MISSOURI
F. CATHERINE JOHNSON, OF VIRGINIA
SEAN M. JONES, OF FLORIDA
ANDREW JAMES KARAS, OF FLORIDA
DANIEL CHADWICK MOORE II, OF CALIFORNIA
JO LESSER-OLTHETEN, OF THE DISTRICT OF COLUMBIA
JOHN A. PENNELL, OF FLORIDA
NEIL GERARD PRICE, OF VIRGINIA
LAWRENCE M. RUBEY, OF MARYLAND
JOEL B. SANDEFUR, OF CALIFORNIA
JOHN H. SEONG, OF FLORIDA
MONICA SMITH, OF NEW YORK
JOHN DIXON SMITH–SREEN, OF FLORIDA
JAMES IRWIN STEIN, OF VIRGINIA
KATHRYN DAVIS STEVENS, OF VIRGINIA
JENE CLARK THOMAS, OF TEXAS
SARA R. WALTER, OF KANSAS
ELLEN MARIE ZEHR, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

GREGORY ADAMS, OF VIRGINIA
LARRY EDWARD ANDRE, JR., OF TEXAS
ELIZABETH MOORE AUBIN, OF MARYLAND
CHARLES EDWARD BENNETT, OF WASHINGTON
GLORIA F. BERBENA, OF CALIFORNIA
RENA BITTER, OF THE DISTRICT OF COLUMBIA
CHARLES KEVIN BLACKSTONE, OF FLORIDA
JAMES A. BOUGHNER, OF WASHINGTON
MICHAEL B. BRETZ, OF VIRGINIA
DUANE CLEMENS BUTCHER, JR., OF VIRGINIA
WILLIAM BRENT CHRISTENSEN, OF VIRGINIA
SANDRA ELIANE CLARK, OF VIRGINIA
MARK J. DAVIDSON, OF THE DISTRICT OF COLUMBIA
JOHN PAUL DESROCHER, OF THE DISTRICT OF COLUMBIA
BENJAMIN BEARDSLEY DILLE, OF MINNESOTA
BRUCE E. DONAHUE, OF VIRGINIA
WILLIAM H. DUNCAN, OF TEXAS
JOHN MARTIN EUSTACE, JR., OF VIRGINIA
CHRISTOPHER FITZGERALD, OF IOWA
LAWRENCE W. GERNON, OF TEXAS
THOMAS B. GIBBONS, OF VIRGINIA
WILLIAM KEVIN GRANT, OF VIRGINIA
KRISTIN M. HAGERSTROM, OF LOUISIANA
MATTHEW TRACY HARRINGTON, OF GEORGIA
BRENT R. HARTLEY, OF MARYLAND
DEBRA P. HEIEN, OF HAWAII
SIMON HENSHAW, OF VIRGINIA
CHRISTOPHER PAUL HENZEL, OF NEW YORK
L. VICTOR HURTADO, OF COLORADO
MAKILA JAMES, OF THE DISTRICT OF COLUMBIA
KATHY A. JOHNSON, OF TEXAS
PATRICIA K. KABRA, OF THE DISTRICT OF COLUMBIA
STEVEN B. KASHKETT, OF FLORIDA
GLEN C. KEISER, OF CALIFORNIA
LAURA JEAN KIRKCONNELL, OF FLORIDA
JOHN M. KUSCHNER, OF NEW HAMPSHIRE
PATRICIA A. LACINA, OF CALIFORNIA
ALEXANDER MARK LASKARIS, OF MARYLAND
TIMOTHY LENDERKING, OF THE DISTRICT OF COLUMBIA
EARLE D. LITZENBERGER, OF CALIFORNIA
NAOMI EMERSON LYEW, OF VIRGINIA
MATTHEW JOHN MATTHEWS, OF VIRGINIA
MICHAEL MCCARTHY, OF VIRGINIA
ELISABETH INGA MILLARD, OF VIRGINIA
JUDITH A. MOON, OF VIRGINIA
RICHARD WALTER NELSON, OF CALIFORNIA
HILARY S. OLSIN–WINDECKER, OF NEW YORK
JOSEPH S. PENNINGTON, OF FLORIDA
ANN E. PFORZHEIMER, OF NEW YORK
H. DEAN PITTMAN, OF THE DISTRICT OF COLUMBIA
JOAN POLASCHIK, OF VIRGINIA
JOSEPH M. POMPER, OF CONNECTICUT
MICHAEL A. RATNEY, OF MASSACHUSETTS
THOMAS G. ROGAN, OF NEW HAMPSHIRE
CHRISTOPHER JOHN ROWAN, OF PENNSYLVANIA
ERIC N. RUMPF, OF WASHINGTON
MICHAEL R. SCHIMMEL, OF MICHIGAN
JEFFREY R. SEXTON, OF FLORIDA
LAWRENCE ROBERT SILVERMAN, OF VIRGINIA
SUSAN N. STEVENSON, OF VIRGINIA
KEVIN KING SULLIVAN, OF VIRGINIA
LYNNE M. TRACY, OF OHIO
BRUCE IRVIN TURNER, OF FLORIDA
CONRAD WILLIAM TURNER, OF VIRGINIA
KAREN L. WILLIAMS, OF FLORIDA
BRIAN WILLIAM WILSON, OF WASHINGTON
CHARLES E. WRIGHT, OF CALIFORNIA
HOYT B. YEE, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

ANGELA PRICE AGGELER, OF THE DISTRICT OF COLUMBIA
STEFANIE AMADEO, OF MARYLAND
COURTNEY E. AUSTRIAN, OF TEXAS
MARY RUTH AVERY, OF FLORIDA
DAVID A. BEAM, OF FLORIDA
RICHARD K. BELL, OF PENNSYLVANIA
DOUGLASS R. BENNING, OF MARYLAND
JOSEPH A. BOOKBINDER, OF NEW YORK
MARTINA T. BOUSTANI, OF CALIFORNIA
KENT C. BROKENSHIRE, OF MARYLAND
ROXANNE J. CABRAL, OF VIRGINIA
JULIE J. CHUNG, OF CALIFORNIA
DOUGLAS PAUL CLIMAN, OF CALIFORNIA
ERIC SCOTT COHAN, OF FLORIDA
SHAWN P. CROWLEY, OF TEXAS
DARIA LEIGH DARNELL, OF VIRGINIA
KAREN KASKA DAVIDSON, OF VIRGINIA
JAMES PATRICK DEHART, OF VIRGINIA
PUSHPINDER S. DHILLON, OF OREGON
MICHAEL S. DIXON, OF IOWA
STEVEN H. FAGIN, OF THE DISTRICT OF COLUMBIA
JULIE DAVIS FISHER, OF TENNESSEE
ELIZABETH ANNE NOSEWORTHY FITZSIMMONS, OF VIRGINIA
ELLEN JACQUELINE GERMAIN, OF NEW YORK
NICHOLAS JOSEPH GIACOBBE, JR., OF VIRGINIA
ROBIN LORENE HAASE, OF FLORIDA
LISA L. HELLING, OF COLORADO
ROBERT BUTLER HILTON, OF NEW YORK
COLLEEN ANNE HOEY, OF CALIFORNIA
DERECK JAMAL HOGAN, OF NEW JERSEY
GEORGE HAMILL HOGEMAN, OF VIRGINIA
ERIK ANDERS HOLM–OLSEN, OF NEW JERSEY
JOEY ROBERT HOOD, OF NEW HAMPSHIRE
PAUL HOROWITZ, OF VIRGINIA
STEPHEN A. HUBLER, OF PENNSYLVANIA
SHARON HUDSON-DEAN, OF THE DISTRICT OF COLUMBIA
J. BAXTER HUNT, OF VIRGINIA
CHARLES J. JESS, OF COLORADO
EDGARD DANIEL KAGAN, OF VIRGINIA
HARRY RUSSELL KAMIAN, OF CALIFORNIA
KAREN D. KELLEY, OF HAWAII
RAYMOND J. KENGOTT, OF FLORIDA
ELISE H. KLEINWAKS, OF FLORIDA
JOHN MICHAEL KOWALSKI, OF WISCONSIN
KRISTINA A. KVIEN, OF CALIFORNIA
PHILIP G. LAIDLAW, OF FLORIDA
WILLIAM SCOTT LAIDLAW, OF WASHINGTON
KARIN MELKA LANG, OF VIRGINIA
JESSICA E. LAPENN, OF THE DISTRICT OF COLUMBIA
KAYE-ANNE LEE, OF VIRGINIA
MARK W. LIBBY, OF VIRGINIA
PAUL RAMSEY MALIK, OF CALIFORNIA
NICHOLAS JORDAN MANRING, OF WASHINGTON
ERVIN JOSE MASSINGA, OF WASHINGTON
PAUL OVERTON MAYER, OF VIRGINIA
DEBORAH RUTLEDGE MENNUTI, OF VIRGINIA
THOMAS ELEUTERIO MESA, OF FLORIDA
BENJAMIN WARD MOELING, OF VIRGINIA
VIRGINIA E. MURRAY, OF NEW JERSEY
JENNIFER W. NORONHA, OF THE DISTRICT OF COLUMBIA
RICHARD CARLTON PASCHALL III, OF VIRGINIA
THOMAS JOSEPH NICHOLAS PIERCE, OF NEW YORK
KARYN ALLISON POSNER–MULLEN, OF FLORIDA
WOODWARD CLARK PRICE, OF PENNSYLVANIA
VANGALA S. RAM, OF VIRGINIA
HOWARD VERNE REED, OF MARYLAND
SONJA KAY RIX, OF NEBRASKA
TIMOTHY P. ROCHE, OF VIRGINIA
KAREN H. SASAHARA, OF MASSACHUSETTS
NORMAN THATCHER SCHARPF, OF THE DISTRICT OF COLUMBIA
JULIE LYN SCHECHTER-TORRES, OF MARYLAND
TIMOTHY MARTIN SCHERER, OF VIRGINIA
ROBERT KENNETH SCOTT, OF MARYLAND
NICOLE DAYAN SHAMPAINE, OF CALIFORNIA
BRIAN WESLEY SHUKAN, OF MASSACHUSETTS
ROBERT SILBERSTEIN, OF VIRGINIA
WILLIAM RYON SILKWORTH, OF VIRGINIA
MARCO AURELIO RIBERIO SIMS, OF NEW YORK
ANTON KURT SMITH, OF NEW HAMPSHIRE
TIMOTHY M. STATER, OF FLORIDA
MARK TESONE, OF CALIFORNIA
HOWARD ANDREE VAN VRANKEN, OF CALIFORNIA
HALE COLBURN VANKOUGHNETT, OF RHODE ISLAND
STEVEN CRAIG WALKER, OF HAWAII
JAN LIAM WASLEY, OF NEW JERSEY
SCOTT D. WEINHOLD, OF VIRGINIA
STACY ELIZABETH WHITE, OF TEXAS
ANDREW TOWNSEND WIENER, OF TEXAS
SAU CHING YIP, OF VIRGINIA
ANDREW ROBERT YOUNG, OF CALIFORNIA
DAVID J. YOUNG, OF VIRGINIA
RICARDO F. ZUNIGA, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

RICARDO COLON CIFREDO, OF VIRGINIA
DANIEL SYLVESTER CRONIN, OF VIRGINIA
CHAYAN C. DEY, OF FLORIDA
PETER T. GUERIN, OF NEW MEXICO
DAVID W. HALL, OF MASSACHUSETTS
JAMES O. INDER, OF FLORIDA
JEANNE PERSCHY KINNETT, OF MARYLAND

BRIAN J. MCCARTHY, OF VIRGINIA
ERIC N. MILSTEAD, OF VIRGINIA
MICHAEL J. MORRIS, OF VIRGINIA
KAREN E. MUMMAW, OF VIRGINIA
MICHAEL J. OLSON, OF VIRGINIA
ALEXANDER L. RALEY, OF VIRGINIA
DOMINIC A. SABRUNO, OF FLORIDA
JOANNE RIZZO SILVA, OF FLORIDA
SUSAN M. WELSBY, OF THE DISTRICT OF COLUMBIA
K. ANDREW WROBLEWSKI, OF VIRGINIA
STEPHEN ARTHUR YOUNG, OF FLORIDA
TODD R. ZICCARELLI, OF NEW YORK

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE APRIL 15, 2014:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DOUGLAS A. KONEFF, OF MARYLAND

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE JANUARY 1, 2012:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DANIEL MENCO HIRSCH, OF MARYLAND

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RODRICK A. KOCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAMES F. RICHEY

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

CYNTHIA AITAHOLMES
ANN BEHRENDS
STEPHANIE CALHOUNJAMISON
MYUNGSOOK CHO
KENNETH J. ERLEY
TINA R. JONESFAISON
STACY L. LARSEN
ADAM J. MCKISSOCK
NEIL E. MOREY
JASON C. STRANGE
MICHAEL S. TROUT
RYAN J. WANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

DONALD W. ALGEO
DOUGLAS A. BADZIK
RICARDO M. BURGOS
MARK G. CARMICHAEL
MARIO CAYCEDO
MATTHEW A. CODY
JAMES V. CRAWFORD
SCOTT R. DALTON
COLIN Y. DANIELS
KEPLER A. DAVIS
ROBERT W. DAVIS
ALAN J. DEANGELO
RHONDA DEEN
JAMES A. DICKERSON II
JESS D. EDISON
MICHAEL W. ELLIS
LISA M. FOGLIA
JASON A. FRIEDMAN
DAVID Y. GAITONDE
VINAYA A. GARDE
STEVEN J. GAYDOS
RODNEY S. GONZALEZ
SCOTT R. GRIFFITH
DAVID D. HAIGHT
KATRINA D. HALL
MARLA R. HEMPHILL
DUANE R. HENNION
DAVID S. HEPPNER
MARC E. HUNT
ANTHONY E. JOHNSON
JEREMIAH J. JOHNSON
ANDREW C. KIM
CHRISTINE E. LANG
CHRISTOPHER J. LETTIERI
FELISA S. A. LEWIS
PETER A. LINDENBERG
YINCE LOH
ROBERT L. MABRY
MARSHALL J. MALINOWSKI
JAMES D. MANCUSO
BRYANT G. MARCHANT
STEWART C. MCCARVER
COLIN A. MEGHOO
JOHN S. OH
ROBERT C. OH
ERIK C. OSBORN
JOHN J. OSBORN
BRETT D. OWENS
LAURA A. PACHA
MAUREEN M. PETERSEN
SCOTT M. PETERSEN
ROBERT C. PRICE
TRAVIS B. RICHARDSON
MARK A. ROBINSON
RICHARD C. RUCK II
SCOTT A. SALMON
RICHARD R. SMITH
TIMOTHY M. STRAIGHT
JONATHAN C. TAYLOR
CHRISTOPHER E. TEBROCK
SIMON H. TELIAN
BRIGILDA C. TENEZA
CREIGHTON C. TUBB
TODD C. VILLINES
WENDI M. WAITS
CHRISTOPHER H. WARNER
CHRISTOPHER E. WHITE
AMY L. H. YOUNG

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSHUA B. ROBERTS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MORRIS A. DESIMONE III
RONALD J. ROSTEK, JR.
ANDREW R. STRAUSS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STEVEN P. HULSE
ANTHONY C. LYONS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

HENRY C. BODDEN

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BRIAN L. WHITE

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WILLIAM E. LANHAM

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STEVEN R. LUCAS
JAMES N. SHELSTAD

EXTENSIONS OF REMARKS

ANNOUNCEMENT OF THE 2014 CONGRESS-BUNDESTAG/BUNDESRAT EXCHANGE

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. BOEHNER. Mr. Speaker, since 1983, the U.S. Congress and the German Bundestag and Bundesrat have conducted an annual exchange program for staff members from both countries. The program gives professional staff the opportunity to observe and learn about each other's political institutions and interact on issues of mutual interest.

A staff delegation from the U.S. Congress will be selected to visit Germany for ten days from Friday, June 26–Sunday, July 5, 2015. During this ten day exchange, the delegation will attend meetings with Bundestag/Bundesrat Members, Bundestag and Bundesrat party staff members, and representatives of numerous political, business, academic, and media agencies.

A comparable delegation of German staff members will visit the United States for ten days Saturday, May 9–Sunday, May 17, 2015. They will attend similar meetings here in Washington. The U.S. delegation is expected to organize and facilitate these meetings.

The Congress-Bundestag/Bundesrat Exchange is highly regarded in Germany and the United States, and is one of several exchange programs sponsored by public and private institutions in the United States and Germany to foster better understanding of the politics and policies of both countries. This exchange is funded by the U.S. Department of State's Bureau of Educational and Cultural Affairs.

The U.S. delegation should consist of experienced and accomplished Hill staff who can contribute to the success of the exchange on both sides of the Atlantic. The Bundestag reciprocates by sending senior staff professionals to the United States.

Applicants should have a demonstrable interest in events in Europe. Applicants need not be working in the field of foreign affairs, although such a background can be helpful. The composite U.S. delegation should exhibit a range of expertise in issues of mutual concern to the United States and Germany such as, but not limited to, trade, security, the environment, economic development, health care, and other social policy issues. This year's delegation should be familiar with transatlantic relations within the context of recent world events.

In addition, U.S. participants are expected to plan and implement the program for the Bundestag/Bundesrat staff members when they visit the United States.

Participants are selected by a committee composed of personnel from the Bureau of Educational and Cultural Affairs of the Department of State and past participants of the exchange.

Members of the House and Senate who would like a member of their staff to apply for participation in this year's program should direct them to submit a resume and cover letter in which they state their qualifications, the contributions they can make to a successful program and some assurances of their ability to participate during the time stated.

Applications should be sent to the Office of Interparliamentary Affairs, HC–4, the Capitol, by 5 p.m. on Friday, February 27, 2015.

KEYSTONE XL PIPELINE ACT

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2015

Ms. ESHOO. Mr. Speaker, today the House will vote for the tenth time to bypass a process established by law and instead, move to approve an oil pipeline that will harm the climate, do nothing to enhance our energy security, and create 35 permanent jobs. In the process, the legislation before us disregards the Endangered Species Act, the National Environmental Policy Act, and the more than 2.5 million Americans who submitted comments to the State Department on the Keystone XL pipeline proposal.

Keystone XL is a proposed 2,000-mile pipeline to carry up to 830,000 barrels per day of tar sands oil from Alberta, Canada to the Gulf Coast. Because the pipeline crosses the U.S.-Canadian border, existing law requires that a Presidential Permit be obtained to ensure that the project is in the interest of the United States. TransCanada, the Canadian company planning to build the pipeline, was initially denied a Presidential Permit in early 2012. The company then split the project into two sections and reapplied for a Presidential Permit for the 1,200-mile section of pipeline from Alberta to Steele City, Nebraska. This section has undergone an environmental review process and the State Department is currently reviewing the public comments to determine if the project is in the national interest. This bill ends that review and deems the project immediately approved.

As a member of the Energy and Commerce Committee, I have participated in the hearings on this issue since 2011, and it is clear to me that Keystone XL is not in the nation's interest. It will provide an export route for one of the dirtiest fuels on earth, putting the U.S. at risk of a spill and unleashing billions of tons of future greenhouse gas emissions. Beyond the environmental impacts, TransCanada has acknowledged that this project will create very few permanent U.S. jobs and that most of the oil will be exported overseas rather than remaining in the U.S. market. In my view, this is a bad deal for the American people and should not be given a special legislative exemption in the form of this bill.

Construction of Keystone XL is also incompatible with our long-term climate goals and would put millions of Americans at risk of a catastrophic oil spill. Tar sands oil produces up to 40 percent more carbon pollution than conventional oil on a life-cycle basis and is much harder to clean up in the event of a spill. In Michigan, a 2010 tar sands oil spill in the Kalamazoo River took over four years to clean up at a cost of over $1.2 billion.

Despite claims from its backers, Keystone XL will not improve U.S. energy security or reduce our dependence on oil from the Middle East. A study commissioned by the Department of Energy found that U.S. oil imports from Canada will grow at ''almost identical'' rates with or without Keystone XL. The State Department's review of the Keystone XL proposal estimated that a majority of the oil that travels through the pipeline will be exported overseas. In fact, contrary to the company's claims in promotional materials, TransCanada has refused to guarantee that any of the oil will remain in the U.S. In 2011, I participated in an Energy and Commerce Committee hearing where TransCanada's President of Energy and Oil pipelines, Alex Pourbaix, acknowledged under questioning that his company was not willing to guarantee in law or in shipping contracts that oil from Keystone XL will remain in the U.S. market. Several attempts to insert language ensuring that a portion of the oil remains in the U.S. have been rejected by the House Republican leadership.

Supporters of Keystone XL have widely touted the job-creation benefits of this pipeline, but in reality this project will provide less than three dozen permanent jobs. The projections in the State Department's environmental impact statement, made in consultation with TransCanada, reveal that up to 42,100 direct and indirect temporary jobs will be supported during construction of the pipeline. I do not diminish this factor. However, when construction is completed in less than two years, Keystone XL is expected to support only 35 permanent jobs.

Rather than investing in renewable energy technologies and infrastructure updates that would benefit millions of Americans, the House has chosen as its first order of business in the 114th Congress to provide a special deal to a Canadian company, without any guarantee that a single drop of the oil will remain in the United States. For this reason and the others I've stated, I urge my colleagues to oppose this legislation and any further attempts to short-circuit the Keystone XL review process.

TRIBUTE TO RAY MONCRIEF

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to one of the most astute business leaders and job creators in southern and eastern Kentucky, Ray Moncrief, upon his retirement from the Kentucky Highlands Investment Corporation.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

For generations, southern and eastern Kentucky has relied upon the coal mining industry for good paying jobs; however, primarily in the last decade, we have witnessed a debilitating decline in our Appalachian coalfields. To help diversify our business portfolio, I have long relied upon the expertise of my dear friend Ray Moncrief. In fact, he helped form the cornerstones of one of the region's largest job creating organizations, the Southeast Kentucky Economic Development Corporation (SKED).

Knowing the challenges of entrepreneurship in his own startup companies, Ray has dedicated countless hours to small business owners and local developers, providing technical and managerial training, guiding them through loan opportunities, development costs and contracts, and advocating for community partnerships and investments. He has taught numerous innovative individuals how to start, operate and expand successful companies and organizations in our region and across the country.

Ray's finite business sense has been sought out by countless businesses and nonprofit organizations. His resume includes Executive Vice President and Chief Operating Officer of Kentucky Highlands Investment Corporation, President and Chief Executive Officer (CEO) of Mountain Ventures, Inc., and Fund Manager for both the Southern Appalachian Fund and Meritus Venture. He was previously a member of the NASBIC Board of Governors, and is currently a member of the Boards of Directors of the Community Development Financial Institution Coalition, the New Markets Tax Credit Coalition, the National Consumer Cooperative Bank, and NCB Capital Impact. He is also a founding director and the founding Chairman of Appalachian Community Capital, Inc. Topping off his long list of credibility, Ray is also a founding member of the Community Development Venture Capital Alliance (CDVCA) and is credited for designing the community development venture capital.

As noted in his biography, Ray is a nationally and internationally recognized speaker and writer on the use of equity as an economic development strategy, and has provided testimony to the U.S. Congress on various economic topics. President George W. Bush appointed Ray to the Community Development Advisory Fund in 2008. He has also received Lifetime Achievement Awards from CDVCA and the National Association of Seed and Venture Funds.

I ask my colleagues to join me in applauding Ray Moncrief for manifesting the spirit of entrepreneurship that helps run America. His investment into the practices of small business owners across southern and eastern Kentucky will undoubtedly continue to create jobs for generations to follow. I wish Ray the very best in his retirement.

KEYSTONE XL PIPELINE ACT

SPEECH OF

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2015

Ms. ROYBAL-ALLARD. Mr. Speaker, I oppose H.R. 3, which grants approval to build the TransCanada Keystone XL pipeline. The public has been misled by the pipeline's advocates, who have played down the pipeline's potentially devastating effects on our nation's environment and on the American people.

For starters, this bill allows a foreign company to take property from U.S. landowners through eminent domain. The taking of private land for public purposes has always been for local government or local interests. We cannot allow a foreign company to take our private property to feed its corporate profits.

In addition, the bill exempts TransCanada Corp. and any other company producing, shipping, or refining tar sands oil for this project, from paying into the Oil Spill Liability Trust Fund, which helps to finance the federal government's response to spills. This exemption essentially reduces the companies' liability for spills from the pipeline and makes the U.S. taxpayers pay to clean up those spills. That's outrageous, especially when you consider the pipeline will go over the underground water supply for eight of our states.

The legislation also gives this project special regulatory treatment by exempting the pipeline from all federal permitting requirements. Our federal permitting process exists to ensure worker safety, and to provide health safeguards and environmental protections for the American people. It is irresponsible to give this project a blanket exemption from these critical safety measures.

This is particularly true given that the tar sands oil to be transported is more destructive than any other oil in the world. Converting a barrel of tar sands into synthetic crude oil emits three times more greenhouse gas emissions than are emitted by producing a barrel of conventional crude oil. If this pipeline leaks, the health of thousands of Americans will be at risk—and Americans, not the Canadian company, will be held responsible for the cost of the clean-up.

Considering this foreign-built pipeline takes private property and poses serious economic and safety risks, I stand in firm opposition to this bill.

PERSONAL EXPLANATION

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. WELCH. Mr. Speaker, because of flight cancellations due to inclement weather, I was unable to vote on Roll Call 2, Election of the Speaker. Had I been present, I would have voted for Representative NANCY PELOSI for Speaker of the House of Representatives.

IN RECOGNITION OF THE 113TH ANNIVERSARY OF KOREAN AMERICAN DAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. RANGEL. Mr. Speaker, it is with great pleasure that I join the nation in celebrating the 113th Anniversary of Korean American Day this January 13, 2015. The Korean American community has been an integral part of our American fabric, and I am honored to recognize their vital role in shaping communities throughout our great Nation.

Since the first Koreans arrived on the shores of Honolulu, Hawaii, on this date in 1903, they have excelled and shown that the American Dream is alive. Whether in military, education, science, business, sports or the arts, Korean Americans proved that with hard work, dedication and zeal for education, they can thrive and help make America even greater.

My time fighting in the Korean War gave me an enduring personal connection to Korea and its people. Since returning home from my service over six decades ago, I have witnessed South Korea's rise from a war-torn nation to becoming the world's 13th-largest economy, a transformation which has been largely driven by the resilience and industriousness of the Korean people. Here in America, Koreans have inspired us with the same entrepreneurialism and perseverance toward building success and wealth for their communities.

As a native and longtime Congressman of New York City, I am proud of its Korean American community and the greatness they contribute to our City and State. I applaud the services provided by many Korean American organizations to the Greater New York region, including free legal and medical help, immigration workshops, scholarship opportunities, and various cultural events. Koreans raise strong families and build successful businesses, active civic associations, churches, and charities that enhance our local economy and culture.

I am proud to serve as Honorary Chairman of the Congressional Caucus on Korea, and join my Colleagues and Korean American friends in celebrating their many milestones and triumphs. The Korean people will always have a very special place in my heart. I look forward to the continued friendship I cherish so much.

COMMEMORATING MARIO CUOMO

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mrs. LOWEY. Mr. Speaker, I wish to submit the text of an op-ed in The Journal News I wrote commemorating former New York Governor Mario Cuomo.

[From The Journal News, Jan. 2, 2015]

REP. LOWEY: MARIO CUOMO WAS MY MENTOR AND INSPIRATION

(By Nita Lowey)

Mario and Matilda Cuomo and their five children were our neighbors in Holliswood, Queens. Mario's parents, Andrea and Immaculata, lived around the corner.

When Mario, an attorney and law professor who gained prominence by successfully mediating thorny housing disputes in Corona and Forest Hills, first ran for Lieutenant Governor of New York in 1974, Steve and I promptly jumped into his campaign. He lost. But Gov. Hugh Carey, recognizing Mario's extraordinary talents, appointed him as Secretary of State. (His parents famously asked: ''Mario—you're a lawyer and a teacher. How come you took a job as a secretary?'')

My first job in public service was in 1975 as an assistant to Mario Cuomo, working as a

community relations officer in the New York metropolitan region. I worked closely with Mario, as he took charge of New York's anti-poverty programs following their devolution by the federal government through block grants to the states. He pursued housing, education, health, community development, and senior citizen initiatives, among others.

He was indefatigable and inspirational. A profound thinker and eloquent speaker, no wonder that he was elected lieutenant governor in 1978 and then governor three times.

Nobody articulated the ideals and values of public service better than Mario Cuomo. He aptly captured the essence of his brilliant career: ''You campaign in poetry, but govern in prose.''

During an event in 1984, when I was a New York state assistant secretary of state and Mario Cuomo was governor, Mario told me, ''Now listen to me and you'll be OK.'' I listened, I learned, and I am doing OK.

I was honored when Gov. Cuomo spoke on my behalf at a ceremony celebrating my election to Congress in 1988. As we mourn his loss, I am confident that Mario Cuomo's legacy will continue and endure with the re-election of Gov. Andrew Cuomo.

TRIBUTE TO A.L. SINCLAIR

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a long-time friend and leader in southern and eastern Kentucky, Mr. A.L. Sinclair, upon his retirement from the Eastern Kentucky PRIDE Board of Directors.

In 1997, A.L. participated in a historic meeting at the Hazard Community and Technical College during which southern and eastern Kentucky's local elected officials joined forces to combat our region's troubles with pollution and illegal dumps. The late General James Bickford, former Secretary of the Kentucky Natural Resources and Environmental Protection Cabinet, and I presented a battle plan to the group, declaring ''war against pollution'' in our beautiful region. Together, we launched the Eastern Kentucky PRIDE organization to promote ''Personal Responsibility In a Desirable Environment'' and A.L. immediately became a general in the war.

Since then, A.L. has volunteered as his hometown, Adair County's PRIDE Coordinator and a member of the regional PRIDE Board of Directors that now serves 42 counties.

A.L.'s passion for cleaning up our Appalachian hillsides and streams was truly driven by his many years of dedicated work with the U.S. Forest Service, and his tireless efforts as Adair County's Solid Waste Coordinator. He went above and beyond the call of duty, spearheading a variety of cleanup activities, including roadside dump cleanups, tire amnesty programs, white-goods buy-back opportunities and free tipping at the transfer station. Almost daily, he foraged the hillsides for illegal dumpsites and acted quickly to get them cleaned up and pushed for accountability and justice for those who marred our cherished land.

Due to A.L.'s deep pride in our region and courageous efforts to educate students, community leaders and families in southern and eastern Kentucky, he has been recognized with several prestigious awards, including the Kentucky Environmental Quality Commission's Earth Day Award and PRIDE's Rogers-Bickford Environmental Leadership Award.

A.L. has inspired an entire generation to take pride in our region by keeping our hillsides and waterways clean, by creating innovative energy-saving projects in our schools, and bringing access to clean water and sanitary sewer to thousands of families over the last two decades.

''Great achievement is usually born of great sacrifice, and is never the result of selfishness.'' Those words, written by Napoleon Hill, a motivational American author, define A.L.'s heart of service and commitment to work for a better future in our region.

I ask my colleagues to join me applauding the diligent work this great advocate for a cleaner, more beautiful place in America. We deeply appreciate A.L. Sinclair and he will be greatly missed, but his torch will be carried forward by the thousands of PRIDE volunteers who have joined the mission across southern and eastern Kentucky.

GARY FRONTIERS SERVICE CLUB DR. MARTIN LUTHER KING JR. MEMORIAL BREAKFAST

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. VISCLOSKY. Mr. Speaker, as we celebrate the birth of Dr. Martin Luther King Jr. and reflect on his life and work, we are reminded of the challenges that democracy poses to us and the delicate nature of liberty. Dr. King's life, and, unfortunately, his untimely death, reminds us that we must continually work to secure and protect our freedoms. In his courage to act, his willingness to meet challenges, and his ability to achieve, Dr. King embodied all that is good and true in the battle for liberty.

The spirit of Dr. King lives on in the citizens of communities throughout our nation. It lives on in the people whose actions reflect the spirit of resolve and achievement that will help move our country into the future. I am honored to rise today to recognize several individuals from Indiana's First Congressional District who will be recognized during the 36th Annual Dr. Martin Luther King Jr. Memorial Breakfast on Saturday, January 17, 2015, at the Genesis Convention Center in Gary, Indiana. The Gary Frontiers Service Club, which was founded in 1952, sponsors this annual breakfast.

The Gary Frontiers Service Club will pay tribute to local individuals who have for decades selflessly contributed to improving the quality of life for the people of Gary. This year, Reverend Dwight Gardner and Deborah McCullough, M.D., will be honored with the prestigious Dr. Martin Luther King Jr. Drum Major Award for 2015. Additionally, several individuals will be recognized as Dr. Martin Luther King Jr. Marchers at this year's breakfast, including Judy Ball, Ph.D., James Henley III, Eugene Johnson, and Reverend Mary Watkins. Finally, Sam Frazier was selected as the 2014 Yokefellow of the Year.

Though very different in nature, the achievements of each of these individuals reflect many of the same attributes that Dr. King possessed, as well as the values he advocated. Like Dr. King, these individuals saw challenges and faced them with unwavering strength and determination. Each one of the honored guests' greatness has been found in their willingness to serve with ''a heart full of grace and a soul generated by love.'' They set goals and work selflessly to make them a reality.

Mr. Speaker, I urge you and my other distinguished colleagues to join me in commending these honorees, as well as the Gary Frontiers Service Club officers, President Oliver J. Gilliam, Vice President James Piggee, Recording Secretary Linnal Ford, Financial Secretary Sam Frazier, and Treasurer/Seventh District Director Floyd Donaldson, along with Clorius L. Lay, who has served as Breakfast Chairman for fifteen years, and all other members of the service club for their initiative, determination, and dedication to serving the people of Northwest Indiana.

RECOGNIZING CAROLYN CRNICH ON THE OCCASION OF HER RETIREMENT

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today to congratulate Carolyn Crnich, longtime recorder and registrar of voters for Humboldt County, on her retirement.

Carolyn's service to Humboldt County and the regional community has been exemplary. A fifth generation Humboldt County native, she began her work with the county in 1976 as a drafting supervisor in the Humboldt County Auditor's Office. Carolyn served as county recorder beginning in 1990. Carolyn was re-elected and served unopposed in 1994, 1998, 2002, 2006 and 2010, as the recorder, county clerk and registrar of voters offices were merged.

Carolyn was certified as a California Registered Elections Official by The Election Center in Houston, Texas, and by the California Association of Clerks and Election Officials. Her work was also recognized by the American Association of University Women, which named her Women's History Month honoree in 2009. Carolyn was a key founding member of the Humboldt Election Transparency Project, which has been recognized by the National Association of Secretaries of State, the Lori Grace Foundation for Election Integrity, the Election Verification Network, and the American Civil Liberties Union.

Mr. Speaker, Carolyn Crnich's commitment to county government and the vital role of elections in the community is commendable and worthy of recognition. I urge my colleagues to join me in extending our congratulations to her.

IN HONOR OF LOU CALCAGNO

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. FARR. Mr. Speaker, I rise today to draw the attention of the House to the remarkable

public service career of Lou Calcagno. I have had the distinct honor and pleasure of working with Lou for nearly 40 years in many capacities ranging from local land use questions to federal farm policy. Today is his last meeting as a Monterey County Supervisor and I wanted to take a moment to recognize his record and example.

Lou was born in 1937 on his family's ranch in Moss Landing, California, the youngest son of Italian immigrant parents Pietro and Clara Calcagno. He grew up in his family's dairy operation and attended Monterey County schools. Hoping to take the family business to the next level, Lou left home to study dairy husbandry and manufacturing at Cal-Poly, San Luis Obispo. He then returned to put his expertise to use and built a career as a highly successful dairyman, which included service as: Chairman of the California Milk Advisory Board, Chairman of the National Dairy Promotion and Research Board and Chairman of the California Co-Operative Creamery, and co-founder of the California Milk Advisory Board.

As Lou was building his successful dairy career, he married Carol Lanini. Together, Carol and Lou raised two children: Louis Franklyn (Carolyn) Calcagno and Debbie Calcagno Soares; and, they have three grandchildren: Adam (Colleen) Soares, Lauren Soares, and Jennifer Calcagno and one great-grandson, Bradley Franklyn Soares.

Lou's work in the dairy industry and agriculture more broadly pulled him into the world of public policy. Lou quickly became involved in local and state government and many other public service efforts, including leadership positions with the Monterey County Planning Commission, the Ag Land Trust, the Monterey County Fair, the Monterey Regional Water Pollution Control Agency, the Fort Ord Reuse Authority, the Salinas Valley Solid Waste Authority, the North County Water Issues Advisory Committee, LAFCO, the Pajaro River Watershed Flood Prevention Authority, the Monterey Regional Waste Management District, TAMC, and is the only Republican to chair the California Coastal Commission, just to name a few.

The culmination of Lou's public service was the 16 years he spent as a member of the Monterey County Board of Supervisors. As one of his predecessors on that board myself, I know first-hand how much difference you can make in the lives of the people of your community. Lou's service was definitive proof of that truth. He amassed a dynamic record of pragmatic leadership and problem solving that including turning around the finances of Monterey County's public hospital, prioritizing the preservation of prime ag land in local land use planning, and many more accomplishments than I have time to list now. Lou's retirement will diminish a voice leadership in Monterey County has known and relied on for half a century.

Mr. Speaker, in closing, I want to extend the gratitude of the House to Lou and his family for his leadership and vision and for the countless hours devoted to the minutia of local democracy and governance. It is the service of people like Lou Calcagno that make America the world's greatest democracy.

PERSONAL EXPLANATION

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. KINZINGER of Illinois. Mr. Speaker, on January 12, 2015 I missed recorded votes #17–19. I would like to reflect how I would have voted if I were present.

On Roll Call #17, I would have voted YEA (Passage of H.R. 203).

On Roll Call #18, I would have voted YEA (Passage of H.R. 33).

On Roll Call #19, I would have voted YEA (Approval of the Journal).

PERSONAL EXPLANATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. YOUNG of Alaska. Mr. Speaker, during the week of January 6, 2015 I missed recorded votes #1–#16. I was unavoidably detained due to the death of my brother in California.

I would like to reflect how I would have voted if I were here and sworn into office:

On Roll Call #1 I would have voted present (Quorum Call).

On Roll Call #2 I would have voted for JOHN BOEHNER for Speaker.

On Roll Call #3 I would have voted yes (Motion to Table).

On Roll Call #4 I would have voted yes (Previous Question).

On Roll Call #5 I would have voted no (Motion to Recommit).

On Roll Call #6 I would have voted yes (Passage of House Rules Package).

On Roll Call #7 I would have voted yes (Passage of H.R. 22, the Hire More Heroes Act of 2015).

On Roll Call #8 I would have voted yes (Passage of H.R. 26, the Terrorism Risk Insurance Program Reauthorization Act).

On Roll Call #9 I would have voted yes (Passage of H.R. 37, the Promoting Job Creation and Reducing Small Business Burdens Act).

On Roll Call #10 I would have voted yes (Passage of H.R. 23, the National Windstorm Impact Reduction Act Reauthorization).

On Roll Call #11 I would have voted yes (Previous Question).

On Roll Call #12 I would have voted yes (Rule for H.R. 3 and H.R. 30).

On Roll Call #13 I would have voted no (Motion to Recommit).

On Roll Call #14 I would have voted yes (Passage of H.R. 30, the Save American Workers Act).

On Roll Call #15 I would have voted no (Motion to Recommit).

On Roll Call #16 I would have voted yes (Passage of H.R. 3, the Keystone XL Pipeline Act).

HONORING LARRY BLAKENEY FOR HIS EXCEPTIONAL CONTRIBUTION TO ALABAMA ATHLETICS

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mrs. ROBY. Mr. Speaker, I rise today to honor Mr. Larry Blakeney, an exceptional Alabamian who has made an enormous contribution to athletics and the development of young people in my state.

Coach Blakeney is best known as the head coach of the Troy University Trojan football team, a position he held for 24 years, retiring this past December. During that time, Coach Blakeney built a little-known Southeast Alabama team into a conference powerhouse and a nationally-competitive program. His remarkable career at Troy has included six 10-win seasons, five Sunbelt Conference championships, and 178 wins—a total that places him among the top three Alabama college coaches, behind the legendary Paul ''Bear'' Bryant and just ahead of his mentor and winningest Auburn coach Ralph ''Shug'' Jordan.

Among the defining characteristics of Larry Blakeney-coached teams was the fearless attitude they took into competition. ''Any team, anytime, anywhere'' was Troy's motto, never phased or intimidated by traditional college football powers. And the Trojans would not just compete against the best, they would win. Simply put, Larry Blakeney has personified Troy Football, so much so that the field on which the Trojans play bears his name.

Larry Blakeney's impact on the game of football in Alabama started as a player in high school, when he led the Gordo Green Wave to a record of 24–2–2 and three-straight Warrior Conference championships. He enrolled at Auburn University, where he became the first sophomore to start at quarterback under Coach Ralph ''Shug'' Jordan, a distinction that shows the extraordinary trust the legendary coach placed in him.

Blakeney began his coaching career in the high school ranks, first at Southern Academy, then Walker High School and Vestavia Hills High School. He was then hired at his beloved alma mater, Auburn, where he served as an assistant coach for 14 seasons. Auburn would experience one of its most successful runs ever with Coach Blakeney calling plays, including three-straight SEC championships in 1987, 1988 and 1989. Coach Blakeney's success and championship drive made him the perfect choice to lead Troy's burgeoning football program beginning in 1991.

His success on the gridiron has led to many accolades, including multiple ''Coach of the Year'' honors and placement in the Alabama Sports Hall of Fame. However, Coach Blakeney's impact goes far beyond the playing field.

From Gordo to Auburn to Troy, he has maintained close, warm relationships with his teammates, fellow coaches, and players. The Auburn Creed, which outlines how Auburn men and women are supposed to live, emphasizes ''the human touch,'' which cultivates love, understanding and sympathy with your fellow man. Larry Blakeney personifies and embodies that ''human touch'' to a great and rare degree.

Hundreds and perhaps thousands of once-young men are, today, better husbands, fathers, and citizens because of the positive influence of Coach Blakeney; a good man who used the game of football to teach integrity, character, and perseverance throughout his entire career.

Mr. Speaker, it is my privilege to acknowledge Coach Blakeney's positive impact on young people in Alabama, to celebrate his remarkable career, and to honor his place among the greatest college football coaches to walk the sidelines in my state.

IN RECOGNITION OF JIMMY CATES

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. BURGESS. Mr. Speaker, I rise today to recognize Jimmy Cates who is retiring as Public Works Manager of the City of North Richland Hills after a 30 year career with the City's Public Works Department. As Manager of Public Works, Mr. Cates was responsible for the operations of the city's streets, transportation, water distribution, and wastewater systems. These responsibilities include the duties assigned to the Divisions of Streets and Drainage, Transportation and Water/Sewer Maintenance and Repair. Ultimately, Mr. Cates ensured that the citizens of North Richland Hills had an efficient, effective and safe transportation system, water supply, sewer and stormwater system which would meet the needs of current and future residents.

A graduate of Indiana University, he is a member of the Institute of Transportation Engineers (ITE), American Public Works Association (APWA), International Municipal Signal Association (IMSA), Texas Water Utilities Association, and the American Water Works Association (AWWA).

I am honored to represent Mr. Cates and the City of North Richland Hills in the U.S. House of Representatives, and I gladly join the City and the appreciative citizens of the 26th Congressional District, whom he has dutifully served throughout his career.

RECOGNIZE THE SERVICE OF KUO–YU HANS CHIAO

HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. ROSS. Mr. Speaker, I rise to recognize the service of Kuo-yu Hans Chiao. Mr. Chiao is the outgoing Senior Officer in the Congressional Liaison Division of the Taipei Economic and Cultural Representative office, TECRO. Mr. Chiao is returning to Taiwan for his next assignment in the Department of North American Affairs, Ministry of Foreign Affairs of the Republic of China (Taiwan). During his service as the TECRO contact for my office, as well as the Senate Committee on Foreign Relations, Senate Committee on Finance, and House Committee on Ways and Means, Mr. Chiao has served as an invaluable resource for my staff and me.

In 2009, Mr. Chiao was hand-picked to serve as a congressional liaison for TECRO. During his 6 year tenure in this position, Mr. Chiao developed a strategy that pro-actively expanded partnerships with key U.S. congressional offices to enhance Taiwan's impact and credibility in Washington. Mr. Chiao worked tirelessly to garner support for S. 1683 that would allow the transfer of naval vessels to Taiwan. This legislation passed the Senate and the House, and was signed into law in December 2014. Mr. Chiao was also part of the TECRO team that worked toward the passage of H.R. 1151, which directs the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly (ICAO). This became public law in July 2013. Additionally, Mr. Chiao organized and oversaw many Congressional Member and Staff Delegation visits to Taiwan, forging solid ties between our two countries.

Mr. Chiao has served in Taiwan's Ministry of Foreign Affairs since 2005. Early in his diplomatic career, he served in Department of North American Affairs. Mr. Chiao received a Bachelor of Arts degree from National Taiwan University, majored in Foreign Languages and Literatures and minored in Political Science.

Though Mr. Chiao secured many legislative victories for Taiwan while he served in Washington, D.C., he made even more long-lasting relationships. My colleagues and our staff are proud to call him a friend, and we hope to see him back in Washington, D.C. one day.

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained and was not present for three roll call votes on Monday, January 12, 2015. Had I been present, I would have voted in this manner:

Roll Call Vote #17—Clay Hunt SAV Act—YES.

Roll Call Vote #18—Protecting Volunteer Firefighters and Emergency Responders Act—YES.

Roll Call Vote #19—Journal Vote—YES.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,085,826,074,241.57. We've added $7,458,949,025,328.49 to our debt in 5 years. This is over $7.4 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CELEBRATING THE 45TH ANNIVERSARY OF THE MARTIN LUTHER KING OBSERVANCE COMMITTEE

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Martin Luther King Observance Committee, located in Morristown, New Jersey as it celebrates its 45th Anniversary.

Since 1970, the Committee, under the leadership of Dr. Felicia B. Jamison, has engaged the involvement of the whole Morris County community in programs and services that commemorate the extraordinary life and accomplishments of the Reverend Dr. Martin Luther King, Jr. Each year, the Committee encourages the community to join together in celebrating the birth of Dr. King by promoting and preserving his legacy.

January 19, 2015 marks the 30th year that Dr. King's birthday will be commemorated as a National Holiday. Dr. King would have turned 86 this year, calling all Americans to remember his incredible life, and the impact his legacy has had on the course of American history. Fifty-two years ago, Dr. King stood on the steps of the Lincoln Memorial, here in our nation's capital, to deliver his famous "I Have a Dream" speech to those participating in the March on Washington. In his speech, which proved to be a defining moment in the Civil Rights Movement, Dr. King charged Americans, "As we walk, we must make the pledge that we shall always march ahead." In celebrating the life of Dr. King as a holiday each year, we renew our pledge to continue in his legacy and promote the complete equality of all people in this nation.

Though it has only been a National Holiday for 30 years, the Martin Luther King Observance Committee has celebrated the birth of Dr. King for 45 years under the direction of Dr. Felicia B. Jamison. This year, to celebrate their anniversary in conjunction with Martin Luther King, Jr. Day, the Committee will hold two events on January 19th. First, their 30th Annual Interfaith Breakfast will begin the day by gathering all members of the community in celebration, as well as reflection on the legacy left by Dr. King. Following the breakfast, the committee will hold their 45th Annual Service of Celebration, properly honoring the life accomplishments of Dr. King and his influence in the Civil Rights Movement.

The Morris County community of all ages or economic status, of all religious persuasions, and of all political affiliations have recognized and acknowledged the invaluable contributions Dr. King has made to each and every American. That is why the theme of the Committee's celebration this year is appropriately titled "The Dream is Freedom; The Outcome is A Community of Persons." Regardless of the various differences that define us, all Americans can recognize and celebrate the influential legacy of a great American, Dr. Martin Luther King, Jr.

Just last year, we celebrated the 50th Anniversary of the Civil Rights Act, which you, Mr. Speaker, called possibly "the most consequential piece of legislation" in history. At the ceremony, Dr. King and Mrs. Coretta Scott King posthumously received a Congressional Gold Medal for their accomplishments. The

Martin Luther King Observance Committee has expressed renewed encouragement in celebrating their 45th Anniversary, due to these awards recently presented to the Kings.

I commend the members of the Martin Luther King Observance Committee, especially committee chair Dr. Felicia B. Jamison, for their dedication to promoting the rich legacy of the life and works of the Dr. King. Through the annual celebration of Dr. King's birth, the Committee has consistently demonstrated a dedication and commitment to advancing his philosophy and teachings.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Martin Luther King Observance Committee as it celebrates its 45th Anniversary.

INTRODUCTION OF THE NEW COLUMBIA ADMISSION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Ms. NORTON. Mr. Speaker, I rise today to introduce the New Columbia Admission Act with 93 original cosponsors, a record number. I am introducing the District of Columbia statehood bill as my first bill for the 114th Congress, an indication of its importance to the residents of the District of Columbia. This bill got its first-ever Senate hearing last Congress, ensuring that statehood is on the congressional agenda. Residents were so encouraged by the prospect of the first Senate hearing on our bill that more DC residents attended than had come to any DC hearing in memory. Their enthusiasm reflects that residents of our nation's capital have always been citizens of the United States but remain the only taxpaying Americans who do not have full and equal citizenship rights. The denial of local control of local matters and of equal representation in the Congress of the United States can be remedied only by statehood.

Therefore, I am introducing the New Columbia Admission Act to create a state from essentially the eight home-town wards of the District of Columbia. This 51st state, of course, would have no jurisdiction over the federal territory or enclave that now consists of the Washington that Members of Congress and visitors associate with the capital of our country. The U.S. Capitol premises, the principal federal monuments, federal buildings and grounds, the National Mall, and other federal property here would remain under federal jurisdiction. Our bill provides that the State of New Columbia would be equal to the other fifty states in all respects, as is always required, and the residents of New Columbia would have all the rights of citizenship as taxpaying American citizens, including two senators and, initially, one House member. The District of Columbia recognizes that it can enter the Union only on an equal basis and is prepared to do so.

The New Columbia Admission Act was the first bill I introduced after I was first sworn in as a Member of Congress in the 102nd Congress in 1991. Our first try for statehood received significant support in the House. In 1993, we got the first and only vote on statehood for the District, with nearly 60% of Democrats and one Republican voting for the New Columbia Admission Act. The Senate held a hearing on various approaches to representation, but the committee of jurisdiction did not proceed further. In the 113th Congress, our statehood bill got unprecedented momentum with the Senate's first-ever hearing on statehood, which was the first congressional hearing held on statehood in more than 20 years, since the House held its hearing on statehood in 1993, and obtained a record number of cosponsors in the House and Senate, including Senate Majority Leader HARRY REID, as well as the other top three Democratic leaders in the Senate. In addition, President Obama endorsed DC statehood in a public forum before the statehood hearing was held.

Statehood is the only alternative for the citizens of the District of Columbia. To be content with less than statehood is to concede the equality of citizenship that is the birthright of our residents as citizens of the United States. That is a concession no American citizen has ever made, and one DC residents will not make as they approach the 214th year in their fight for equal treatment in their country. This bill reaffirms our determination to obtain each and every right enjoyed by citizens of the United States, by becoming the 51st State in the Union.

CLAY HUNT SUICIDE PREVENTION FOR AMERICAN VETERANS ACT

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 12, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 203, the Clay Hunt Suicide Prevention for American Veterans (SAV) Act, which will help stem the epidemic of veteran suicide.

Tragically, an estimated 22 veterans commit suicide each day—more than 8,000 each year.

Of the more than 2 million Americans who have served in combat in Afghanistan and Iraq, it is estimated that one-third, roughly 600,000 men and women, have traumatic brain injury, PTSD or Depression.

Mr. Speaker, combatting the epidemic of veteran suicide must be one of the nation's highest priorities.

The bill before us is important to our nation and critically important to my home state of Texas, which has one of the highest rates of veteran suicide in the country.

According to an analysis conducted by the Houston Chronicle, suicides among Texans under the age of 35 who had served in the military ''jumped from 47 in 2006 to 66 in 2009—an increase of 40 percent.''

According to that same analysis, ''last year, suicides made up nearly 25 percent of the deaths of Texans younger than 35 who served in the military. That percentage is more than twice the rate of suicide in the comparable civilian population.''

Mr. Speaker, H.R. 203 expands access to mental health services for our nation's veterans and increases the capacity and efficiency of VA care to deal with the more than one million veterans returning from war.

Our veterans deserve to have our support. These individuals put their lives on the line for our country to stay safe.

Specifically, H.R. 203, which enjoys broad and deep bipartisan support:

1. Establishes a peer support and community outreach pilot program to assist transitioning service members with accessing VA mental health care services.

2. Requires the VA to create a one-stop, interactive website to serve as a centralized information source regarding all mental health services for veterans.

3. Takes steps to address the shortage of mental health care professionals by authorizing the VA to conduct a student loan repayment pilot program aimed at recruiting and retaining psychiatrists.

4. Requires yearly evaluations—with interim reports due in the first two years and a final report due the third year and every year after—conducted by a third party, of all mental health care and suicide prevention practices and programs at the VA to find out what is working and what's not working and to make recommendations to improve care.

Passing H.R. 203 is an essential first step in ensuring that our veterans are receiving the help and care they need.

I strongly support this legislation and urge all Members to join me in voting to pass H.R. 203.

HONORING THE LIFE OF SERGEANT WILLIAM J. ROSSMAN JR.

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. RYAN of Wisconsin. Mr. Speaker, I am submitting this statement to honor the extraordinary life of a proud Wisconsinite, an American hero, and a friend: Sergeant William J. Rossman Jr. Sergeant Rossman recently passed away at the age of 91. He was a husband and father, a decorated military veteran, and an outstanding member of his community. And despite his storied military career and numerous accolades, those who were fortunate enough to meet Sergeant Rossman know he preferred to go by the much more modest title of ''Bill.''

Bill was your typical World War II Veteran. He was proud of his service, but never one to boast or brag of his accomplishments. He understood the true meaning of service: that you put others ahead yourself. And he practiced this throughout his entire life, whether it was with his family, his work, or his community. But it was nearly 71 years ago, during his time fighting in the war, that Bill performed an act of service that still leaves me in awe to this day.

On February 14, 1944, after bombing the marshalling yards at Verona, Italy, Bill's B–24 Liberator was hit by a fierce concentration of flak that knocked out two of its engines. Unable to keep up with the bomber formation, six Messerschmitt ME–109s attacked the bomber, knocking out a third engine and starting a fire. The pilot, Lt. Robert Gernand, rang the alarm bell and ordered the crew to bail out of the aircraft. The bomber was in flames and falling in a tight spiral, quickly losing altitude. Under these dire circumstances, it would have made sense for Bill to follow the orders of Lt. Gernand and immediately do what was necessary to protect his own life. But that's not

what happened. Bill noticed that his crew member Sgt. Louis Vasquez, the aircraft's radioman, was wounded and immobile. With complete disregard for his own life, Bill attended to Vasquez, removing his helmet and flak suit and securing his parachute before finally pushing him out of the camera hatch. Finally, Bill, who was also severely wounded, secured his out parachute and exited the aircraft.

Bill's story does not end there. After touching down, he was discovered by Italian resistance fighters who gave him medical care and transferred him to a monastery, where he posed as a wounded French civilian and remained silent to avoid being discovered by the Germans. But after ten days, Bill was identified as an American and taken away by German forces. He spent the next 15 months in various POW camps in different countries. Throughout his imprisonment, he was starved, his life was threatened, and received no medical attention for his wounds. He was marched from camp to camp, and faced numerous near-death experiences. Finally, in April 1945, Bill and his fellow prisoners in Bavaria were liberated by the Thirteenth Armored Division, led by a name familiar to all Americans: General George Patton.

Amazingly, Bill continued his career in the military after returning home to America. He remained in the Air Force and married his wife, Alice, in 1947 while attending Officer Candidate School. In 1949, he was discharged from the service after six years with the Army Air Corps and the U.S. Air Force. He returned to Racine, Wisconsin, where he and Alice raised their daughter, Pamela, and Bill worked in the private sector for 36 years until his retirement in 1986. In 2002, I had the privilege of presenting Bill with the Distinguished Flying Cross, America's oldest military aviation award. In addition to this and many other honors, Bill was also a recipient of a POW medal and the Purple Heart.

Bill was a true American patriot. I am submitting this statement for the record to honor his incredible life and help ensure that his story is remembered for years to come. His legacy sets a standard of what it truly means to serve. My thoughts and prayers are with his wife Alice, his daughter Pamela, and his son-in-law Michael. He will be greatly missed by his friends, his family, the state of Wisconsin, and the United States of America.

CLAY HUNT SUICIDE PREVENTION FOR AMERICAN VETERANS ACT

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 12, 2015

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to express my support of the bipartisan H.R. 203, the Clay Hunt Suicide Prevention for American Veterans Act. The bill will reiterate our commitment towards our courageous veterans who have fought to defend this country. Statistics of the Department of Veteran Affairs say an average of 22 veterans commit suicide every day, meaning that this tragic news occurs every 65 minutes. The cases account for 20 percent of suicides in the U.S. These brave men and women suffer with Post-Traumatic Stress Disorder (PTSD), depression, anxiety, and other types of mental injuries. Mental illness can also lead to other issues, including homelessness and substance abuse. The issue is of national importance, and more needs to be done. Their well-being deserves our highest priority and we have to ensure that their illness is adequately addressed. With this legislation, Congress can prevent further tragedies and ensure our veterans have the mental health services they deserve.

HONORING REV. JOHN WOOD

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. DUNCAN of Tennessee. Mr. Speaker, this past Sunday, Rev. John Wood was honored for his 25 years as Pastor of the Cedar Springs Presbyterian Church in Knoxville.

Almost everyone who has heard John Wood speak believes he is one of the greatest preachers this Nation has ever produced.

He is not loud or flashy or flamboyant, but he preaches the Gospel in a sincere, intelligent, humble way that relates well to all types of people.

I think he is one of the most brilliant men I have ever known, and I have felt that way since I first met him in one of his early days in Knoxville.

Under his leadership, Cedar Springs has become one of the largest Presbyterian churches in the Nation. His sermons are both enjoyable and thought-provoking, and, most importantly, Biblically-based.

He somehow has the ability to teach the Bible in a way that is helpful to Biblical scholars as well as to beginning Christians. He preaches in a kind, down-to-earth manner that gives his listeners the feeling he is preaching to himself as well as to everyone who is listening.

John has been a true friend and an inspiration to me and my family. He has been with us through good times and bad, and I am very fortunate to have known him and have him as a part of my life for these last 25 years.

Much more important than the help he has been to me, however, is the fact that he has touched thousands of lives in a good and positive way.

He has brought the Christian message to churches and meetings through the U.S. and to many countries around the world.

I want to congratulate John Wood on his 25 years at Cedar Springs and encourage all my Colleagues and other readers of the RECORD to listen to one of his sermons on the internet or hopefully someday in person.

I would also like to call attention to the article that appeared in the Knoxville News Sentinel on January 13, 2013, entitled ''Pastor John Wood: Best leaders are servants.''

PASTOR JOHN WOOD: BEST LEADERS ARE SERVANTS

(By Josh Flory)

Legendary University of Tennessee football coach Robert Neyland was famous for his seven maxims of winning football. In that spirit, the News Sentinel offers a series that highlights maxims for the 21st century—not about football, but about effective leadership.

On one Sunday every month, the Business section will highlight an East Tennessean from spheres including athletics, the arts, religion or the public sector, speaking about their ''leadership maxims'' for the 21st century.

John Wood, senior pastor, Cedar Springs Presbyterian Church: ''The best leaders are those who help people accomplish good things, not by ruling over them, but by serving alongside them.''

Q: Tell me about your philosophy of leadership as a pastor and a minister.

A: I think ''leader''—just at its rawest, most basic definition—a leader is someone who gets other people to follow them and to get something done.

But a good leader is someone who encourages and motivates people to get something good or something necessary done. A great leader, the best leaders, are those who accomplish that—who encourage, who motivate, who really get people excited about being a part of something that they're doing—not by ruling but rather, as Jesus said, by serving.

It's servant leadership. And it's not just Jesus' word, it's really the whole picture of leadership, positive picture of leadership in the Bible. And (it) often contrasts between the very good leaders and very bad leaders, those who ruled and those who served. . . .

To me, the ultimate example of servant leadership, integrity in the Bible is John 13, where just the night before he was crucified, Jesus, having loved his disciples, loved them to the end and took off his robes, put a towel around his waist and did the one thing that no Jewish family could force another Jew who served them to do, and that was wash feet. . . .

And so Jesus lays aside His robes, puts a towel around His waist and crawls from one set of dirty feet to the next, washes feet, and then when He resumes his place He says: ''Do you understand what I've told you? You call me Lord and master, I am. I'm your master, I'm your teacher. And if I, your master and teacher, have washed your feet, how much more ought you?'' This is servant leadership. This is what it looks like.''

Q: You mentioned the service aspect of leadership. At the same time . . . you mentioned this issue of mastery and being a master. In some sense your role involves challenging and confronting people at certain times, I would imagine. How do you balance those competing demands of confronting at times but also serving and being humble?

A: When Jack Kennedy was inaugurated as president, he asked Robert Frost to write a poem and read a poem for him, which Frost agreed to do. When Frost's friends heard that he had agreed to participate in Jack Kennedy's inauguration, they said how could you do this, you've always hated liberals?

And he said, Kennedy's no liberal. And they said, what do you mean, what's your definition of a liberal? And he said, a liberal is a man who cannot even pick his own side in an argument.

Now I always tell our people, Christ was never, in calling us to be humble, telling us that we can't have principled views—hopefully biblically formed and shaped—for which we are willing to stand and passionately take a position and debate it, but debate it charitably without demonizing people who hold a different view.

Being a leader means that you're going to have to go to people, often if you see them working what you think is outside of their own gifting, and say: ''Look, you know, you have so many really wonderful gifts, and I want to help you use those gifts. We need for you to be using your gifts. We've got you in the wrong place. This is our fault. We asked you to do something that is outside of your gifting.

Or it's something that you clearly have no interest in. I think you could do it, but you've got no interest. Now let's help you get in a place where you can really be fulfilled and be, in our context, serving Christ and serving others by using your gifts. And let's deploy you rightly. . . . '' But also as a pastor, and a pastor who believes that the Bible is God's word written, there's often the responsibility of confronting—hopefully gently, lovingly but firmly—someone who's simply wanting to go along and be part of the family of Christ and yet wanting to live way outside clear teaching of God's word. And that doesn't mean on secondary and tertiary issues, but on things where the Bible is clear, where Christians have always everywhere believed these things.

You have to be able to go in love and say: ''Look, I love you too much to watch you on a destructive course. And this isn't an option for you. How can I help you get out of this thing? And I'm willing to walk with you or we'll find somebody who will walk with you.''

And again, I think too often as pastors we want so much for everybody to like us and for the numbers to keep increasing and for the money to keep coming in, and so we don't want to say the hard things. We say hard things that we know everybody agrees with. . . . We preach to the choir and they (say) ''Oh yeah, go get 'em.'' And I don't want to preach to the people that are out there; I want to preach to the people that are here by preaching first to my own heart, confronting my own idols, my own demons, my own brokenness.''

WE MUST FIGHT THE PRESIDENT'S UNILATERAL AMNESTY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. MARCHANT. Mr. Speaker, we must fight to defund and reverse the president's unilateral amnesty.

Last summer, our nation experienced the consequences of the president's refusal to enforce the law. His unilateral actions enticed tens of thousands to unlawfully enter the country. According to the statistics, a vast majority of them remain in the U.S. today.

The president is now going around the legislative process again to grant amnesty to millions more. He wants hard-working American taxpayers to fund this disastrous plan. My constituents will not stand for it.

The president's unilateral amnesty must be completely defunded. Americans' tax dollars should be used to secure the border and keep this nation safe—not to reward those who have broken the law.

PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 12, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 33, the ''Protecting Volunteer Firefighters and Emergency Responders Act,'' which clarifies that volunteer firefighters and first responders are not to be counted towards an employer's calculation of its full-time employees for the purposes of determining if the employer falls under the ACA's employer responsibility requirement.

I support this bill because it protects fire departments from being required to pay for the insurance of their volunteers.

If they were required to pay, it is likely that many fire companies would be forced out of business.

This bill is identical to H.R. 3979, reported in the 113th Congress by the Ways and Means Committee by a 37–0 vote, and passed on the House floor by a bipartisan 410–0 vote.

The only reason this bill was never delivered to the President's desk was that the Senate ran out of time in their effort to pass the FY 2015 National Defense Authorization Act, preventing the Federal government from shutting down.

Within the state of Texas, nearly 85% of fire departments are operated entirely on a volunteer or mostly basis.

Failure to pass this bill would mean dire consequences for the future of these volunteer fire departments.

As this bill was passed unanimously in the previous House, I see no reason why it should not do the same in this one.

I ask that my colleagues to join me in protecting our nation's fire departments by voting for the passage of this bill.

IN HONOR OF THE 35TH ANNIVERSARY OF VOICES FOR CHILDREN

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. VARGAS. Mr. Speaker, I rise today to honor Voices for Children for their outstanding commitment and dedication to foster youth in San Diego.

This year, Voices for Children will celebrate its 35th year of operation since its founding in San Diego County. There are 5,100 children and youth living in the San Diego County foster care system. Voices for Children is fighting to ensure those children are placed in a safe and permanent home. Voices for Children recruits, trains, and supervises 1,400 Court Appointed Special Advocate volunteers (CASAs) each year. CASAs are exemplary role models and volunteer mentors for the abused, neglected, and abandoned children and youth in San Diego's foster care system. These volunteers advocate for the best interests of foster children, provide vital information to judges in Juvenile Court and speak up for San Diego's foster youth in courts, schools, and the community.

I commend Voices for Children for their contributions and ongoing dedication to providing safe and permanent homes for every child in foster care, as well as, their commitment to changing the lives of thousands of abused, neglected, or abandoned children in foster care.

SAYING GOOD-BYE TO AMBASSADOR ABDALLAH BAALI OF THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Ms. MCCOLLUM. Mr. Speaker, it is with great sadness that I say good-bye to a distinguished member of the Washington diplomatic corps—His Excellency Abdallah Baali of the People's Democratic Republic of Algeria. During his six years in Washington, Ambassador Baali has made a tremendous effort to engage with Congress and strengthen the U.S.-Algeria bilateral relationship. A man of calm demeanor and wise insights, the ambassador not only represented his government with honor and great ability, he worked hard to educate and inform Congress about Algeria's important role in the Maghreb-Sahel region, as well as the economic, human rights, and democratic progress being made by his country.

During the 113th Congress it was my honor to serve as the Democratic co-chair of the Congressional Algeria Caucus, along with my Wisconsin colleague Representative SEAN DUFFY. The work of Ambassador Baali and his staff was critical to re-establishing the caucus and I am deeply grateful for all of his efforts.

During his visits to my office I listened to Ambassador Baali's words closely as we discussed the relationship between our two nations and the need for a partnership in the Maghreb-Sahel region to combat extremism, promote security, and guarantee self-determination and freedom for the people of the Western Sahara. Algeria's role in regional security is critical and I greatly appreciated Ambassador Baali's wise counsel and valuable insights.

I wish to thank President Bouteflika and the people of Algeria for sending my nation such a capable, professional, and trusted diplomat. Ambassador Baali shall always be welcome in my office and I wish him much success and happiness as he returns home to Algeria.

IN RECOGNITION OF MR. LEE ROY ''TEX'' KEITH

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. BURGESS. Mr. Speaker, I rise today to posthumously honor Mr. Lee Roy ''Tex'' Keith, who passed away December 23, 2014 at the age of 96, leaving behind a proud legacy.

In 2010, it was my privilege to present the 26th District of Texas Congressional Veteran Commendation to Lee Roy Keith. He honorably served our nation as a Marine aviator in World War II and the Korean War. Keith began pilot training in January 1943 and was commissioned as a captain serving at El Toro, CA where he flew military combat supplies to the Pacific. His Okinawan deployment involved evacuation of casualties from Japanese beaches and reconnaissance missions following the two atomic bombings. After assignment in Hawaii, he returned stateside and was released from active duty on October 30, 1946.

Keith earned a Bachelor of Science degree, established a ranching business and joined the USMC Reserves, achieving the rank of Major. On October 22, 1951, Keith was summoned again to active duty service to our nation in the Korean conflict. Following his distinguished military career, Major Keith served as an FAA Flight Inspector from 1960 to 1975. As a token of the esteem with which he was held by his peers, he was given the distinct honor of piloting the first official commercial aircraft landing at the new Dallas-Fort Worth Airport. Upon retiring from a post-military career with the FAA, Mr. Keith served as the Veterans Service Officer for Denton County and was elected to successive terms as President of the State VSO Association. He continued to support his fellow veterans by serving in multiple American Legion Commander positions, and as the Post 71 Boys State Chairman for 35 years.

With his impressive service record and unquestionable dedication to our country, it was an honor to represent Major Lee Roy "Tex" Keith in the U.S. House of Representatives and I extend my condolences to his family and friends.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. COHEN. Mr. Speaker, on Monday, January 12th, 2015, I was unable to cast my votes on the House Floor due to repeated flight delays. Had I been able to avoid these travel complications, I would have voted as follows:

YES on H.R. 203 the Clay Hunt SAV Act Suspension Bill;

YES on H.R. 33 the Protecting Firefighters Emergency Responders Act Suspension Bill; and

YES on the Journal Vote.

SAVE AMERICAN WORKERS ACT OF 2015

SPEECH OF

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 8, 2015

Mr. AL GREEN of Texas. Mr. Speaker, I vehemently oppose H.R. 30, wrongfully named the Save American Workers Act of 2015. H.R. 30 does not "save" American workers, rather it endangers the health insurance of up to a million American workers. H.R. 30 would eviscerate and emasculate the Affordable Care Act: It raises the threshold of hours employees must work before they are eligible for employee-based health insurance from 30 to 40.

Why, Mr. Speaker, would we choose to weaken the Affordable Care Act when Gallup reported, on January 7, 2015, that in the last quarter of 2014 the uninsured rate dropped to a record low of 12.9%? The Affordable Care Act is working as it was intended to work, and the 114th Congress should be working to strengthen and improve it rather than weaken and repeal it.

In closing, Mr. Speaker, passing the Affordable Care Act was the right thing to do in 2010 and standing up to defend it is the right thing to do today.

PERSONAL EXPLANATION

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. MESSER. Mr. Speaker, on roll call no. 19, approval of the Journal, I was inadvertently absent. Had I been present, I would have voted aye.

MEDAL OF HONOR BOWL

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. WILSON of South Carolina. Mr. Speaker, this past weekend, the citizens of historic Charleston, South Carolina, hosted the second annual Medal of Honor Bowl to further underscore America's deep appreciation of Medal of Honor recipients who have made our freedoms possible.

Under the visionary leadership of Chairman Tommy McQueeney and tireless efforts of 57 volunteers, the weekend began with a tribute gala on Friday night as a prelude to the bowl game on Saturday afternoon at The Citadel's Johnson Hagood Stadium. This celebration of our nation's heroes served to raise awareness of the sacrifices made by our military and their families. Proceeds from the events are to support the National Medal of Honor Museum Foundation and other charities to help disabled veterans and wounded warriors.

The National Medal of Honor Museum is located on board the USS Yorktown aircraft carrier, permanently docked at the Patriots Point Naval and Maritime Museum in Mt. Pleasant. This museum is home to the Congressional Medal of Honor Society, whose members have earned our nation's highest award for military valor, and this weekend's bowl game served as a tribute to them.

TOP TEN MISREPORTED STORIES OF 2014

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. SMITH of Texas. Mr. Speaker, the media watchdog organization Accuracy in Media recently recounted the "Top ten misreported and underreported stories of 2014."

At the top of their list was the media's failure to adequately report on the Benghazi scandal. Very few in the media expressed any interest in covering the attack on our embassy that led to the death of four Americans including a U.S. ambassador.

Other biased stories on the list include the media downplaying the rise of the Islamic State, portraying Israel as the aggressor in its dealings with Palestine, and the holdings by federal judges against President Obama's actions on immigration and Obamacare.

In December, a federal judge in Pennsylvania ruled that President Obama's executive actions on immigration are unconstitutional. This was block-buster news but most Americans never heard or read about it.

The media should give the American people the facts, not cover them up.

TRIBUTE TO KENNETH B. HAUCK

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. GIBSON. Mr. Speaker, I rise today on behalf of the people in New York's—9th District to express our sincere appreciation for the dedication and sacrifices of Kenneth B. Hauck.

Kenneth B. Hauck selflessly and courageously served in the United States Army between October 1942 and May 1946. During his period of service Kenneth B. Hauck participated in World War II, where he fought in the Battle of the Bulge with Company B, 112th Infantry Regiment and was a Prisoner of War. His personal sacrifice and steadfast loyalty during this time go unparalleled. For his service he was awarded the American Campaign Medal, EAME campaign medal, World War II Victory Medal, and the Good Conduct Medal.

It is an honor to know that such impressive and dedicated men and women like Kenneth B. Hauck are willing to sacrifice so much in the name of freedom. It is my honor to recognize and thank Kenneth B. Hauck for his exemplary service to our nation.

PERSONAL EXPLANATION

HON. JODY B. HICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. JODY B. HICE of Georgia. Mr. Speaker, I was unavoidably detained and missed Roll Call votes numbers 17, 18, and 19.

Had I been present, I would have voted aye on Roll Call number 17 to suspend the rules and pass H.R. 203, the Clay Hunt SAV Act.

I would have voted aye on Roll Call number 18 to suspend the rules and pass H.R. 33, the Protecting Volunteer Firefighters and Emergency Responders Act.

I would have voted no on Roll Call number 19 to agree to the Speaker's Approval of the Journal.

PERSONAL EXPLANATION

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. MESSER. Mr. Speaker, on roll call No. 18, H.R. 33, the Protecting Volunteer Firefighters and Emergency Responders Act, I was inadvertently absent. Had I been present, I would have voted "aye."

REMEMBERING GOVERNOR MARIO CUOMO

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Mr. ISRAEL. Mr. Speaker, I rise today to remember a true New York legend, Mario Matthew Cuomo, and to thank him for his service to the people of New York and this country. Mario Cuomo was not only one of the greatest governors in the history of New York and an orator whose skill rivals legends throughout history; he was a man of great principal and humility. At a time when New York needed a bold leader, Mario Cuomo stepped up and led the state in a truly unique and inspiring fashion.

Something that was so telling is when I visited the Cuomo family during Mario's wake. For our current Governor Andrew Cuomo and his sisters and brother, the day was about beginning the process of saying goodbye to their father. But for the long lines of people waiting outside to pay their respects, Mario Cuomo was a man who understood their struggles and worked every single day to make their lives better.

Governor Cuomo was a man of deeply held convictions, who used his time in office to make a difference in peoples' lives. He constantly strived to make progress in economic, environmental, and social justice, putting a face to what true progressivism looks like in the modern era. Even when his choices were not popular in the short term, Governor Cuomo had the foresight to understand that history would marvel at his wisdom for decades to come.

The list of accomplishments to Governor Cuomo's name is extensive and will serve as a high bar to future governors across our great country. A deeply caring family man, Governor Cuomo worked to better the life of children by implementing health care and education programs. A student of history, the Governor knew that we needed to increase our investment in infrastructure to rebuild roads and bridges across the state to boost our economy and put people to work. And the Governor was decades ahead of his time in aggressively advocating for environmental protection, understanding that leaving a more beautiful and healthy New York for the next generation was of the utmost importance.

The passing of Governor Cuomo reminds us all that we should be doing our best every single day to advocate for our constituents and give a voice to the voiceless. We need to be both practical and bold in our thinking, something the Governor mastered. Living up to the example left by Governor Cuomo is an enormous challenge, but one that will leave this country in a much better place.

May Governor Cuomo rest in peace.

PERSONAL EXPLANATION

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

Ms. DUCKWORTH. Mr. Speaker, on January 7, 2015, on Roll Call #8 on the Motion to Suspend the Rules and Pass H.R. 26—Terrorism Risk Insurance Program Reauthorization Act, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted YEA.

On January 7, 2015, on Roll Call #9 on the Motion to Suspend the Rules and Pass H.R. 37—Promoting Job Creation and Reducing Small Business Burdens Act, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted YEA.

On January 7, 2015, on Roll Call #10 on the Motion to Suspend the Rules and Pass H.R. 23—National Windstorm Impact Reduction Act Reauthorization, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted YEA.

On January 8, 2015, on Roll Call #11 on the Motion on Ordering the Previous Question on the Rule, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted NAY.

On January 8, 2015, on Roll Call #12 on H. Res. 19—Providing for consideration of the bill (H.R. 3) to approve the Keystone XL Pipeline, and providing for consideration of the bill (H.R. 30) the Save American Workers Act of 2015, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted NAY.

On January 8, 2015, on Roll Call #13 on the Democratic Motion to Recommit H.R. 30, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted YEA.

On January 8, 2015, on Roll Call #14 on Passage of H.R. 30—Save American Workers Act of 2015, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted NAY.

On January 9, 2015, on Roll Call #15 on the Democratic Motion to Recommit H.R. 3, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted YEA.

On January 9, 2015, on Roll Call #16 on Passage of H.R. 3—Keystone XL Pipeline Act, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted NAY.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S159–S219

Measures Introduced: Thirty-one bills and one resolution were introduced, as follows: S. 149–179, and S. Res. 26. **Pages S200–01**

Measures Passed:

Providing for a Joint Session of Congress: Senate agreed to H. Con. Res. 7, providing for a joint session of Congress to receive a message from the President. **Page S217**

Measures Considered:

Keystone XL Pipeline—Agreement: Senate began consideration of S. 1, to approve the Keystone XL Pipeline, after agreeing to the motion to proceed, and taking action on the following amendments proposed thereto: **Pages S162–74, S174–84, S184–97**

Pending:

Murkowski Amendment No. 2, in the nature of a substitute. **Pages S184–86**

Markey/Baldwin Amendment No. 13 (to Amendment No. 2), to ensure that oil transported through the Keystone XL pipeline into the United States is used to reduce United States dependence on Middle Eastern oil. **Page S186**

Portman/Shaheen Amendment No. 3 (to Amendment No. 2), to promote energy efficiency. **Pages S186–89**

Cantwell (for Franken) Amendment No. 17 (to Amendment No. 2), to require the use of iron, steel, and manufactured goods produced in the United States in the construction of the Keystone XL Pipeline and facilities. **Pages S189–97**

A unanimous-consent agreement was reached providing that consideration of these pending amendments and the bill be for debate only during this week's consideration of the bill. **Page S184**

A unanimous-consent agreement was reached providing that at approximately 9:30 a.m., on Friday, January 16, 2015, Senate resume consideration of the bill. **Page S217**

Transnational Drug Trafficking Act—Bill Referral: A unanimous-consent agreement was reached providing that S. 32, to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, be discharged from the Committee on Finance and that it be referred to the Committee on the Judiciary. **Page S217**

Nominations Received: Senate received the following nominations:

Alissa M. Starzak, of New York, to be General Counsel of the Department of the Army.

Jay Neal Lerner, of Illinois, to be Inspector General, Federal Deposit Insurance Corporation.

Mario Cordero, of California, to be a Federal Maritime Commissioner for the term expiring June 30, 2019.

Daniel R. Elliott III, of Ohio, to be a Member of the Surface Transportation Board for a term expiring December 31, 2018.

Carlos A. Monje, Jr., of Louisiana, to be an Assistant Secretary of Transportation.

Routine lists in the Air Force, Army, Foreign Service, and Marine Corps. **Pages S218–19**

Messages from the House: **Page S200**

Measures Referred: **Page S200**

Measures Read the First Time: **Page S200**

Additional Cosponsors: **Pages S201–02**

Statements on Introduced Bills/Resolutions: **Pages S202–10**

Additional Statements: **Pages S199–S200**

Amendments Submitted: **Pages S210–17**

Authorities for Committees to Meet: **Page S217**

Privileges of the Floor: **Page S217**

Adjournment: Senate convened at 10:01 a.m. and adjourned at 6:36 p.m., until 9:30 a.m. on Friday, January 16, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S218.)

Committee Meetings

(Committees not listed did not meet)

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 53 public bills, H.R. 287–339; and 2 resolutions, H. Res. 29–30, were introduced. **Pages H356–58**

Additional Cosponsors: **Page H360**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Fleischmann to act as Speaker pro tempore for today. **Page H227**

Recess: The House recessed at 10:48 a.m. and reconvened at 12 noon. **Page H232**

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 261 yeas to 160 nays with one answering "present", Roll No. 22. **Pages H232, H248–49**

Committee Elections: The House agreed to H. Res. 29, electing Members to certain standing committees of the House of Representatives. **Pages H232–33**

Regulatory Accountability Act of 2015: The House passed H.R. 185, to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, by a recorded vote of 250 ayes to 175 noes, Roll No. 28. **Pages H249–72**

Rejected the Rice (NY) motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 180 ayes to 245 noes, Roll No. 27. **Pages H270–71**

Agreed to:

McKinley amendment (No. 1 printed in part A of H. Rept. 114–2), ensures that the Agencies, when developing regulations, take into consideration and account for low-income populations. Furthermore, the Amendment provides that no particular class or race is excluded when it comes to looking at costs and benefits of the regulation (by a recorded vote of 254 ayes to 168 noes, Roll No. 23). **Pages H260–62, H267–68**

Rejected:

Johnson (GA) amendment (No. 2 printed in part A of H. Rept. 114–2), exempts from H.R. 185 all rules or guidance that the Director of the Office of Management and Budget determines would result in net job creation (by a recorded vote of 178 ayes to 247 noes, Roll No. 24); **Pages H262–63, H268**

Jackson Lee amendment (No. 3 printed in part A of H. Rept. 114–2), exempts all rules promulgated by the Department of Homeland Security (by a recorded vote of 176 ayes to 249 noes, Roll No. 25); and **Pages H263–66, H268–69**

Connolly amendment (No. 4 printed in part A of H. Rept. 114–2), exempts any rule or guidance pertaining to public health or safety (by a recorded vote of 178 ayes to 248 noes, Roll No. 26). **Pages H266–67, H269–70**

H. Res. 27, the rule providing for consideration of the bills (H.R. 37), (H.R. 185), and (H.R. 240), was agreed to by a recorded vote of 242 ayes to 180 noes, Roll No. 21, after the previous question was ordered by a yea-and-nay vote of 242 yeas to 181 nays, Roll No. 20. **Pages H237–48**

Committee Elections: The House agreed to H. Res. 30, electing Members to certain standing committees of the House of Representatives. **Page H272**

Department of Homeland Security Appropriations Act, 2015: The House considered H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015. Further proceedings were postponed. **Pages H272–H330, H331–41**

H. Res. 27, the rule providing for consideration of the bills (H.R. 37), (H.R. 185), and (H.R. 240), was agreed to by a recorded vote of 242 ayes to 180 noes, Roll No. 21, after the previous question was ordered by a yea-and-nay vote of 242 yeas to 181 nays, Roll No. 20. **Pages H237–48**

Promoting Job Creation and Reducing Small Business Burdens Act: The House considered H.R. 37, to make technical corrections to the Dodd-Frank

Wall Street Reform and Consumer Protection Act, to enhance the ability of small and emerging growth companies to access capital through public and private markets, and to reduce regulatory burdens. Further proceedings were postponed. **Pages H341–54**

H. Res. 27, the rule providing for consideration of the bills (H.R. 37), (H.R. 185), and (H.R. 240), was agreed to by a recorded vote of 242 ayes to 180 noes, Roll No. 21, after the previous question was ordered by a yea-and-nay vote of 242 yeas to 181 nays, Roll No. 20. **Pages H237–48**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, January 14. **Page H354**

Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi—Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi: Representatives Westmoreland, Jordan, Roskam, Pompeo, Roby, and Brooks (IN). **Page H354**

Senate Message: Message received from the Senate today and appears on page H331.

Quorum Calls—Votes: Two yea-and-nay votes and seven recorded votes developed during the proceedings of today and appear on pages H247, H247–48, H248–49, H267–68, H268, H269, H269–70, H271, and H271–72. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:14 p.m.

Committee Meetings

ORGANIZATIONAL MEETING

Committee on Energy and Commerce: Full Committee held an organizational meeting for the 114th Congress. Resolutions to establish the rules of the committee; the jurisdiction of the subcommittees; the Republican chairmen, vice-chairmen, and membership of the subcommittees; the Democratic ranking members and membership of the subcommittees; and the oversight plan were adopted.

Committee on Financial Services: Full Committee began an organizational meeting for the 114th Congress.

MOVING AMERICA FORWARD: WITH A FOCUS ON ECONOMIC GROWTH

Committee on Ways and Means: Full Committee held a hearing entitled ''Moving America Forward: With a Focus on Economic Growth''. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 14, 2015

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Armed Services, Full Committee, organizational meeting for the 114th Congress, 10 a.m., 2118 Rayburn.

Committee on Financial Services, Full Committee, organizational meeting for the 114th Congress, 10 a.m., 2167 Rayburn.

Next Meeting of the **SENATE**

9:30 a.m., Friday, January 16

Senate Chamber

Program for Friday: Senate will resume consideration of S. 1, Keystone XL Pipeline.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Wednesday, January 14

House Chamber

Program for Wednesday: Complete consideration of H.R. 240—Department of Homeland Security Appropriations Act, 2015 and H.R. 37—Promoting Job Creation and Reducing Small Business Burdens Act.

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