



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 162

WASHINGTON, WEDNESDAY, JANUARY 20, 2016

No. 11

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, January 25, 2016, at 2 p.m.

## Senate

WEDNESDAY, JANUARY 20, 2016

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, who has set our fragile years in the heart of Your eternity, we find gladness and peace under the shadow of Your wings.

Today provide our lawmakers with wisdom to embrace the right priorities. May they strive to sacrifice for the things that will live beyond their years so that history will celebrate their foresight and courage. Grant that their lives and labor will reflect Your greatness, compassion, and love. Lord, keep them from embracing a false patriotism that would render unto Caesar what belongs to You. Stir them to new heights of excellence as You open their eyes to the unfolding of Your loving providence.

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 senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 20, 2016.

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 MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

### AMERICAN SAFE ACT

Mr. REID. Mr. President, the Republican leader has said that he is going to bring and, in fact, has brought to the floor the House-passed refugee bill, as he calls it. It is, of course, an immigration bill. Yesterday he said that the debate over the bill should be based on “facts and common sense.” I agree with that. The facts speak for themselves. Our enemy is clearly defined. ISIS is the defined organization. It is a terrorist organization that poses a threat to the United States, women, children, and families fleeing persecution. They are not the enemy; ISIS is the enemy. We should be focusing all of

our efforts on defeating our real enemy, the brutal, evil ISIS. Yet the bill the Republican leader is bringing to the floor scapegoats refugees who are fleeing war and torture instead of creating real solutions to keep Americans safe.

You don’t have to take my word for it. The junior Senator from Arizona has said he will oppose the bill because it is “intended to knock out all refugee entrants and I’m not there.” So says the junior Senator from Arizona.

National security experts from Democratic and Republican administrations have warned against advancing bills such as this.

Former Secretary Gates is such a good person. I enjoyed working with him very much. Yesterday he said—in words much stronger than I am going to say right now—that the Republicans running for President don’t understand the issue. He is much stronger and more firm in saying that what they are talking about is ridiculous. By the way, he is a Republican.

President Obama has already made it very clear that he will veto this legislation. As written, this bill will not be signed into law. Some say it is a waste of our time. By advancing this bill, Republicans are creating a terrible distraction for the sake of embracing the hateful rhetoric, vitriol of the Republican Party’s standard bearers, Donald Trump and TED CRUZ.

I guess this should come as no surprise to anyone. Over and over again Republicans remain committed to

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



Printed on recycled paper.

pledging loyalty to the divisive platform that has been built by the Republican people running for President, led by, at this stage, Donald Trump.

We believe we must destroy ISIS. Everyone on this side of the aisle believes we should destroy ISIS and defend our Nation, but we believe we can accomplish this goal without compromising Americans' core principles. Sadly, many leading Republicans have proposed policies that compromise our fundamental values and threaten the identity of our great Nation. Democrats are committed to opposing the violent views of Donald Trump and providing the American people with solutions that make our Nation safer. We think it is way past time for the Senate to vote on these policies.

My friend, the Republican leader, has pledged over and over again that when the Republicans lead the Senate, they will thrive under an open amendment process. For example, he said the following: "I said at the beginning of my time as majority leader that the open amendment process was going to be the rule rather than the exception."

My friend continued to say that tough votes should be expected, and I quote: "We'll just take our chances. You know, we're big men and women. We're prepared to vote on proposals that are offered from both sides."

If Senate Republicans are prepared to abide by this, Senate Democrats will seek to advance a limited number of amendments on this bill that is before this body. I am not talking about tons of amendments or scores of amendments, but four or five amendments. For example, we could have one that dramatically increases the funding for local police anti-terrorist efforts and airport security. That is one that we want. They are overworked and underresourced. We could close the terror gun loophole to prevent those on the no-fly list from being able to buy firearms, explosives, or radiological materials, as has been attempted. We would offer an amendment to denounce Donald Trump's reprehensible proposal to impose a religious test on admission to the United States.

The Democratic ISIS security bill has been filed. It is a very important piece of legislation. It includes keeping guns out of the hands of terrorists and stopping radicalization here in the United States. It includes active shooter training. As I have already indicated, we are going to move our airport security substitute forward so we can prevent dirty bombs and work abroad to take care of refugees who are over there.

These are the amendments we feel confident about, based on the statements my friend has made. We are not asking for unlimited amendments. I have listed four amendments here.

The Republican leader here in the Senate and the Republican Speaker have pledged their loyalty to Donald Trump and his disgraced policies. They have said that if he is the nominee, they will, of course, support him.

As a frontrunner for the Republican nomination, Donald Trump and his proposals are leading the public debate in our country. Republicans who support these illogical plans should be prepared for the next logical step: voting on his vision of America.

Over here, we believe that all of these measures are deserving of a vote. I talked about four of them. We are ready to vote on the proposals now—this week. If for any reason the Republican leader needs more time to discuss the proposals with his caucus, we are happy to reschedule the vote.

Now, I know it is a big day in the Senate because during my news briefing on the way to work, I heard that the junior Senator from Florida is going to be here to vote—and the junior Senator from Texas. They will actually be in the Senate to vote. It is a big day. I know we have a tight schedule because they are going to be here for only an hour or two, but perhaps we could have a debate on the amendments we have suggested. I am sure that if we offer these amendments, the Republicans will offer amendments, and we could have some time here to deal with these amendments. But we will not allow Republicans to hijack the Senate floor to play politics with our Nation's security. The American people deserve better. I look forward to offering these amendments.

I publicly want everyone to know that I did not try to jump ahead of my friend the Republican leader. I was told by staff that I should go first. If I had known the Senator was going to be here so quickly, I would have waited, so I am sorry about that.

**PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY—VETO**

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the President's veto message on S.J. Res. 22, which the clerk will read and which will be spread in full upon the Journal.

The senior assistant legislative clerk read as follows:

Veto message to accompany S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the veto message on S.J. Res. 22 be considered as having been read; that it be printed in the RECORD, and spread in full upon the Journal.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The veto message ordered to be printed in the RECORD is as follows:

*To the Senate of the United States:*

I am returning herewith without my approval S.J. Res. 22, a resolution that would nullify a rule issued by the Environmental Protection Agency and the Department of the Army to clarify the jurisdictional boundaries of the Clean Water Act. The rule, which is a product of extensive public involvement and years of work, is critical to our efforts to protect the Nation's waters and keep them clean; is responsive to calls for rulemaking from the Congress, industry, and community stakeholders; and is consistent with decisions of the United States Supreme Court.

We must protect the waters that are vital for the health of our communities and the success of our businesses, agriculture, and energy development. As I have noted before, too many of our waters have been left vulnerable. Pollution from upstream sources ends up in the rivers, lakes, reservoirs, and coastal waters near which most Americans live and on which they depend for their drinking water, recreation, and economic development. Clarifying the scope of the Clean Water Act helps to protect these resources and safeguard public health. Because this resolution seeks to block the progress represented by this rule and deny businesses and communities the regulatory certainty and clarity needed to invest in projects that rely on clean water, I cannot support it. I am therefore vetoing this resolution.

BARACK OBAMA,  
THE WHITE HOUSE, January 19, 2016.

**MORNING BUSINESS**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business until 12:30 p.m., with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**AMERICAN SAFE ACT**

Mr. McCONNELL. Mr. President, our country has a proud record of admitting the oppressed as refugees to our shores, yet the debate about how to safely admit refugees from Syria and Iraq is a serious conversation that deserves a serious response from Washington. It is difficult to effectively vet immigrants from a war-torn country where records may sometimes no longer exist at all. Senior law enforcement and intelligence officials have expressed concerns and DHS Secretary Jeh Johnson has said organizations such as ISIL may like to try to exploit

the refugee program. So is it any wonder that the citizens we represent are concerned?

According to one recent survey, nearly 80 percent of Americans and 77 percent of Democrats say refugees should go through a more robust security process. President Obama seemed to suggest these Americans were motivated by some animus toward widows and orphans. I would suggest they are motivated by a love for their families and communities. I remind the President that this country has a proud tradition of compassion, and we have settled millions of refugees from around the world. Many Americans are telling us they want to continue helping others, but they want to do it in a smarter and more secure way.

So I want to say this before moving forward. In his State of the Union Address, President Obama decried the political divisions that have widened during his Presidency. He called for cooperation and a more elevated debate. He warned that “democracy breaks down when the average person feels their voice doesn’t matter.”

“Democracy,” he said, “doesn’t work if we think the people who disagree with us are all motivated by malice.”

I ask him to reflect on those words. We each have a choice in this discussion. We can glibly dismiss the sincere concerns of middle-class families or we can work to unify Americans by pursuing bipartisan and balanced solutions.

Democrats and Republicans in the House of Representatives chose bipartisan and balanced solutions when they worked together to pass the American SAFE Act a few weeks ago. Democrats and Republicans in the Senate should choose bipartisan and balanced solutions by working together to advance the American SAFE Act today.

This bipartisan bill would allow Washington to step back, take a breath, and ensure it has correct policies and security screenings in place before moving ahead with the refugee program for Iraq and Syria. No wonder dozens of Democrats joined with Republicans to pass this balanced bill with a veto-proof majority over in the House. It is certainly worrying to hear that Senate Democrats are now being pressured to block us from even debating it. I understand the political pressure to oppose this balanced bill may be intense, but it is also intensely shortsighted, and I urge our Democratic friends to resist it.

Boosting confidence in our Nation’s vetting process is critical for our citizens, just as it is critical for every refugee who truly needs our help. Our Democratic friends know a cloud of unfair stigmatization threatens to hang over legitimate refugees so long as Democrats block commonsense safeguards to weed out ISIL sympathizers.

If our Democratic friends are serious in what they imply about promoting tolerance for widows and orphans and in strengthening security for Ameri-

cans, they will not vote to block the Senate from debating balanced, bipartisan legislation that can advance both priorities simultaneously.

Let’s work together to enact the American SAFE Act and its reforms, and then let’s work together on the root of the problem. Refugees are fleeing Syria because of a brutal civil war, and they are fleeing Iraq because the terrorist group Al Qaeda in Iraq has evolved into the largest terrorist group in history—ISIL—so the ultimate solution is to make the region somewhere they can return to.

Here is what hasn’t helped: The precipitous withdrawal of our advise and assist force from Iraq, the indecision attached to drawing and erasing red lines in Syria, mocking the genuine concerns of American citizens here at home.

Here is what will help: the administration cooperating across the aisle to finally develop a serious plan to confront ISIL. That is what the American people continue to call for, that is what the American people deserve, and it is what the administration will pursue if it is truly serious about helping both our country and the victims escaping this brutal terrorist group.

The ACTING PRESIDENT pro tempore. The Democratic leader.

Mr. REID. Mr. President, I think we have the makings of an agreement here, at least the way I understood the Republican leader.

We agree that refugees should go through a robust screening process. The bill we are talking about before the Senate, though, is stressing bureaucracy and paperwork. Each refugee who comes to this country—and there are about 100 a day—would have to be signed off by three Cabinet Secretaries. That is 300 personal signatures a day. We don’t want more paperwork.

What we have said is we want four amendments to change the underlying bill. We are not going to be demanding days of debate time. We would be happy—we would be very reasonable with whatever the leader felt appropriate. We believe we should move forward with real solutions, not paperwork.

We are not saying we don’t want to get on the bill. We are willing to get on the bill. We want four amendments. That is it, four amendments. I am sure the leader will look this over and get back to me at the appropriate time, but we are willing to work on this bill.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. McCONNELL. Mr. President, I will obviously be talking to the Democratic leader on a way forward on the bill, and we will have those discussions and report back later.

Mr. REID. Thank you very much, Mr. President.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AMERICAN SAFE ACT

Mr. THUNE. Mr. President, similar to most Americans listening to President Obama’s State of the Union Address last week, I found his take on national security and world affairs rather surprising.

According to a poll in December, 60 percent of the American people see national security and terrorism as a major concern, and they have good reason to be worried.

As President Obama finishes his last year in office, Syria is wracked by civil war, Iraq is in turmoil, Russian aggression is growing, North Korea has tested yet another nuclear weapon, Saudi Arabia and Iran are immersed in a cold war, and ISIS continues its campaign of terror. Yet, according to the President, we have nothing to worry about; America’s leadership is strong, and we are headed in the right direction.

Unfortunately, this fairytale version of our global situation stands in stark contrast with reality. In his State of the Union Address, the President did acknowledge: “The world will look to us to help solve these problems, and our answer needs to be more than tough talk.”

Well, I couldn’t agree more, but unfortunately tough talk with no action has been the hallmark of this administration. In 2011, after the onset of the Syrian civil war, both President Obama and then-Secretary of State Hillary Clinton stated unconditionally that Syrian President Bashar al-Assad had to go. The President drew a line in the sand: If Assad used chemical weapons, America would act. But when Assad flouted this red line, killing his own people—including women and children—with the large-scale use of sarin gas, the President chose to forgo a decided military response and instead pursue negotiations involving the Russians, working out a compromise that ultimately strengthened Assad’s position, and the results of the President’s decision have not been pretty.

In the wake of the negotiations, an emboldened Vladimir Putin invaded Crimea and eastern Ukraine, and the situation in Syria got worse. It appears now that the Assad administration will outlast Obama’s. Worse, our allies in the Middle East no longer trust America to come to their aid. The President’s failure to back up his tough talk with action has undermined American leadership, and this may take years, if not decades, to repair.

This week the Senate is taking up the American Security Against Foreign Enemies Act, which addresses the Syrian refugee crisis—another byproduct, I might add, of the President's failure to uphold his red line. With Syria, both the United States and the European powers have had to learn a lesson the hard way: If you don't take action to solve the problem, the people who are suffering will end up on your doorstep.

Hundreds of thousands of Syrians have been killed in this conflict. Assad continues to use chlorine bombs indiscriminately to kill his own people, and ISIS executes anyone who is not considered loyal. It is no wonder the Syrian people want out.

Yet, with the mass exodus of refugees come other security concerns, including the threat of ISIS infiltrating the refugee population. Senior and U.S. law enforcement and intelligence officials have made it clear they are concerned that we don't have the ability to adequately vet Syrian refugees. As we know from reports, at least one of the terrorists responsible for the deadly attacks in Paris passed through a refugee processing checkpoint in Greece.

To quote the Director of National Intelligence, James Clapper, "I don't . . . put it past the likes of ISIL to infiltrate operatives among those refugees . . . that's a huge concern of ours."

The American SAFE Act helps address this concern by requiring the FBI, the Department of Homeland Security, and the Director of National Intelligence to certify that Syrian and Iraqi refugees have been thoroughly vetted and do not pose a security risk before they are allowed to enter the country. This is a reasonable request, and if the administration wants to assure the American people that these refugees are not a threat, then it should have no problem providing such certifications.

I plan to file an amendment to this bill that would also give more authority to individual States when it comes to the resettlement of refugees. Last year, many Governors expressed a desire, shared by their constituents, that Syrian refugees not be resettled in their States. My amendment would grant Governors a presence at weekly refugee resettlement meetings within the State Department and give those Governors veto power over the resettlement of certain refugees in their States. Under my amendment, if a Governor's office is not satisfied that its security concerns have been addressed by the required security checks, the Governor can veto the resettlement question. Any refugee, once admitted to the United States, would still be free to travel from State to State as he or she pleased. This amendment would simply increase States' rights by giving Governors a say in any decisions by the Federal Government to resettle large populations of refugees in their States. This is a reasonable solution to the concerns that were raised by the

Governors of over 30 States, and I hope we can have a vote on this amendment.

Over the weekend, the world witnessed another byproduct of President Obama's failing foreign policy. Thanks to a provision of the President's flawed nuclear deal with Iran, more than \$100 billion of frozen Iranian assets and oil revenue were made available to the Islamic Republic of Iran. This means that Iran's Revolutionary Guard, including the Quds Force—which is responsible for the deaths of hundreds of American soldiers in Iraq—just received a big influx of cash. Again, this is thanks to the deal President Obama considers to be perhaps the major foreign policy achievement of his Presidency.

While I am glad that the hostages held by Iran are coming home to their families, it is a mistake to think this means Iran all of a sudden will now play nice. Iran's leadership knows very well that it won the lottery with this nuclear deal, and it desperately wants Iranian assets unfrozen and sanctions lifted. Now that the Iranian leadership has received its payout, Iran will be further emboldened.

When negotiating this deal, the Obama administration assured Congress that the United States would make sure Iran kept its end of the bargain. Well, it is already clear from October's ballistic missile test that Iran is determined to test the President's resolve and flout international restrictions. We cannot let those provocations go unanswered.

President Obama is right that when conflict arises, the world looks to the United States for leadership. However, it takes more than talk to provide the leadership the world needs. In his last year in office, I hope President Obama will move beyond rhetoric and start offering realistic solutions to the growing number of security concerns that face our Nation.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### 35TH ANNIVERSARY OF THE IRANIAN HOSTAGE RELEASE

Mr. ISAKSON. Mr. President, I rise on January 20, 2016, on the floor of the Senate to acknowledge this day as the 35th anniversary of the return of 53 Americans by the Iranian Government to the shores of the United States of America after captivity for 444 days in Iran. As the Members of the Senate will remember, they were employees of the U.S. Embassy in Iran who were brutally attacked, sent through mock executions, subjected to beatings, sub-

jected to brainwashing, subjected to torture, and for 444 days were out of communication with their loved ones and our country. Fortunately, we successfully negotiated their release, and on January 20, 1981, they were released back to the United States.

But that release included the execution of the Algerian Accords between the United States and the Iranians, which prohibited any hostage from suing the nation of Iran for compensation for their captivity. Since that release, many Americans in the House of Representatives and the Senate, including myself, have worked hard to try to right that wrong. I am very pleased to acknowledge that under the passage of the omnibus in December, we were able to secure funding to be able to compensate those hostages as they should have been compensated 35 years ago. We were able to take money from the Paribas bank forfeiture of Iranian funds to the U.S. Government to see to it that they were compensated in some measure for the sacrifice they made for our country.

A lot of people have written: Why would you compensate people for their captivity? Why would you go to the effort for 35 years to see to it these people got some amount of money to compensate them for their captivity? Why would we not do it? There are Americans all over the world serving in very dangerous places, serving as ambassadors and diplomats through the State Department. They should know we have their backs, not just on the days they are serving but 35 years later if they were tortured, beaten or if they were held captive.

We all rejoiced to see the Americans that were released by the Iranians. We know there were Americans taken hostage in Iraq and Baghdad 2 days later. Taking Americans hostage and using them as tools of war is something that has been happening for years and years, and the Iranian Government is at the head of it. These Americans deserve fair treatment, compensation, and recompense for all they suffered, and I am proud to say that because of a bipartisan effort in the House and Senate, we were able to do so.

I want to thank Senator CORKER, the chairman of the Foreign Relations Committee; Senator CARDIN, the former chairman; Senator MENENDEZ from New Jersey; Senator REID from Nevada, who was instrumental in helping; and Senator BLUMENTHAL, my ranking member on the Veterans' Affairs Committee of the Senate, for help on this bill and for all the help they brought. I want to thank the entire body of the Senate, who in December voted unanimously to see to it that the Paribas money was made available to the survivors of the people who were taken hostage in 1979.

You might remember the show "Nightline" that we see on television started with the original report in 1979 by Ted Koppel about the hostage taking. It became a television show when

they were held that long. I am glad now that the ending of that show is a successful ending, because we brought them home and we saw to it they were compensated. Some of them have passed away. Some of them had taken their own life. Some of them had difficulties. Some were never able to rid themselves of the scars of the torture and brainwashing. But this Senate and this Congress did what it was supposed to do, stood up for Americans and sent a signal to everybody who works in the State Department, who is a diplomat for our country, and who works overseas that if you are taken, we will stand behind you and we will never ever forget—whether it is 444 days or 35 years—once an American serving our country, always an American serving our country. We will always be there for you, and we will go to every effort and every length, even if it does take 35 years.

On the anniversary of their release in 1981 when they came back to the United States, we pay tribute to those great Americans who served our country and were held hostage in Iran. We give thanks that we have the kind of men and women who are willing, day in and day out, to sacrifice on behalf of our great country. May God bless each and every one of them, and may God bless the United States of America.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AMERICAN SAFE ACT

Mr. KAINE. Mr. President, I rise today to talk about a pending legislative matter we will be discussing later in the day, the American Security Against Foreign Enemies Act of 2015. This is the title of the bill that was passed by the House in November. It is now pending before the Senate, and we will be discussing it later.

I am going to talk for a few minutes, but the punch line is as indicated on this board. We are talking about who are America's foreign enemies. This is a bill that deals with Iraqi and Syrian refugees. I assert that refugees are not our enemy; ISIL is our enemy. Yet, for some strange reason, in the 18th month of a war against ISIL, Congress has been unwilling to debate our real enemy.

First, refugees are not our enemies. The refugee crisis, with refugees coming from Syria and now Iraq, has been called the worst humanitarian crisis since World War II. Four million Syrians have left their native country because of being exposed to the atrocities of being barrel-bombed by Bashar al-Assad and now the atrocities of ISIL

and other terrorist organizations. Those 4 million have left to find haven from this horrible violence, just as any family would. Over 200,000 Syrians have been killed by this violence, and now the number is probably approaching 300,000. In addition to the 4 million Syrian refugees who have left Syria to escape violence, there are an additional 8 million Syrians who have left their homes and been displaced within the country and who could leave the country at any moment as the violence continues. These refugees are victims of violence, victims of unspeakable atrocity first perpetrated by the horrible dictator Bashar al-Assad and second by terrorist groups such as ISIL. Yet this bill would say these refugees are enemies.

There is a story that means an awful lot to me personally, and I hope you will indulge me.

A Jewish man was traveling from Jerusalem down to Jericho, and he was attacked by bandits. They stripped him of his clothes, beat him up, and left him half dead beside the road.

By chance a priest came along, but when he saw the man lying there, he crossed to the other side of the road and passed him by. A Temple assistant walked over and looked at him lying there, but he also passed by on the other side.

Then a despised Samaritan came along, and when he saw the man, he felt compassion for him. Going over to him, the Samaritan soothed his wounds with olive oil and wine and bandaged them. Then he put the man on his own donkey and took him to an inn, where he took care of him. The next day he handed the innkeeper two silver coins, telling him. "Take care of this man. If his bill runs higher than this, I'll pay you the next time I'm here."

"Now which of these three would you say was a neighbor to the man who was attacked by bandits?" Jesus asked.

The man replied, "The one who showed him mercy."

Then Jesus said, "Yes, now go and do the same."

This is a story that was written 2,000 years ago, but it is not a story about yesterday, it is a story about every day of human life on this planet. They are beaten-up people lying by the side of the road, and the choice we have to make as individuals or as a society is do we pass by or do we act as the Good Samaritan did—in a compassionate way?

In fact, I would argue that the Good Samaritan story actually isn't tough enough. If we called the refugees of the worst humanitarian crisis since World War II our enemies, it is as if we were going over to the man and not passing by but kicking the man who had been beaten and robbed by bandits.

Let me move away from Scripture and talk about American values.

The Statue of Liberty that stands in New York Harbor is graced with a powerful poem, "The New Colossus," written by an American poet, Emma Lazarus. Emma Lazarus was a member of a very prominent, multigenerational Jewish family in New York. There was a fundraising campaign to build the pediment upon which the Statue of

Liberty stands in New York Harbor. The Federal Government didn't have the money, so the fundraising was done privately. Emma Lazarus wrote a poem about the Statue of Liberty for a fundraising contest to help raise money, and that is why the statue is there now. The poem is called "The New Colossus." The Colossus references one of the wonders of the ancient world, the Colossus of Rhodes. Emma Lazarus wrote the poem about the Statue of Liberty, calling it the "New Colossus."

Not like the brazen giant of Greek fame,  
With conquering limbs astride from land to land;

Here at our sea-washed, sunset gates shall stand

A mighty woman with a torch, whose flame  
Is the imprisoned lightning, and her name  
Mother of Exiles. From her beacon-hand  
Glows world-wide welcome; her mild eyes  
command

The air-bridged harbor that twin cities  
frame.

"Keep, ancient lands, your storied pomp!"  
Cries she

With silent lips. "Give me your tired, your  
poor,

Your huddled masses yearning to breathe  
free,

The wretched refuse of your teeming shore.

Send these, the homeless, tempest-tost to  
me,

I lift my lamp beside the golden door!"

The debate that we will undertake about this bill, about whether we call refugees enemies is a debate about who we are as a nation. Let's honor our history, let's honor our values, and let's do what Americans have always done—been willing to extend a hand to those who are victimized by atrocity in other lands, rather than extend the back of our hand and label them as enemies.

Now, I don't dislike everything about this bill we are about to debate. I actually really like the title. The content, I don't like. The title, "American Security Against Foreign Enemies Act of 2015." We have an enemy. We have been at war with ISIL for 18 months. We have spent \$5 billion in this war. We have deployed thousands of American troops in this war. Eleven members of the American Armed Services have been killed while on deployment in Operation Inherent Resolve. We have an enemy. The enemy is not refugees from Syria—the enemy is ISIL.

We all know the facts about ISIL, this organization that claims to be inspired to create a worldwide caliphate. They have slaughtered Christians and other religious minorities by the thousands. They have sold women into slavery by the thousands. They have beheaded American hostages, including American aid workers. If there is a modern-day equivalent of a Good Samaritan, it is an American aid worker who is trying to help somebody out. ISIL has kidnapped, captured, and beheaded American aid workers. The number of deaths just this weekend—400 more people kidnapped by ISIL in Iraq and Syria. The number of deaths have been in the tens of thousands by ISIL, and as I have said, beheading American hostages, 11 American servicemembers killed, but it is beyond

Iraq and Syria. ISIL has claimed credit for bringing down an airliner, killing tourists in the Sinai. ISIL has claimed credit for bombing and shooting attacks, killing hundreds in Paris. ISIL has claimed credit for a bombing at a peace rally in Ankara, Turkey, that killed hundreds and then a bombing outside the Blue Mosque in Istanbul 2 weeks ago that killed 15 and injured dozens more. The shooters in San Bernardino were inspired by ISIL, even if they weren't directly connected to them. Within the last few days, we saw another attack and explosion in Jakarta that was claimed by ISIL. Now, that is who an enemy is—not a refugee who is fleeing ISIL. ISIL is the enemy. ISIL is the enemy. ISIL must be defeated. Yet we are not debating ISIL—and we haven't been willing to debate ISIL in 18 months. Instead, we are trying to claim that refugees are the enemies of this Statue of Liberty Nation.

Why has Congress been silent about ISIL for 18 months? Our President has asked Congress: Congress, do your job and declare war against ISIL. He even sent us a proposed authorization 11 months ago. Eleven months ago, the President sent to Congress a proposed authorization against ISIL. There has not been a vote on the floor in the House. There has not been a vote on the floor in the Senate. There has not been a debate on the floor of the House or Senate. There has not been a debate or vote in committees in the House or Senate. For 11 months, since the President asked us, "Let's get involved and take action against ISIL," there has been no action. And it is not just the President. General Dunford, the Marine general, who is now head of the Joint Chiefs of Staff, testified before the Armed Services Committee. I asked him: Should we do an authorization against ISIL? He said it would send a strong message to ISIL. It would send a strong message to our allies. But here is what he said that really grabbed me, coming from a heavily military State. He said: Our troops deserve it. There are thousands deployed away from home risking their lives.

I asked General Dunford: Would it be good to have an authorization against ISIL? How would our troops respond? Here is what he said: What our young men and women need—and it is virtually all they need to do the job we asked them to do—is the sense that what they are doing has purpose, has meaning, and has the support of the American people. Our troops think Congress is indifferent to this.

Virginia is very military. We are very closely connected to it. I have a child in the military, one of my three kids. I know what our troops are thinking about Congress right now, which is, while we are deployed overseas, fighting this battle and risking our lives, Congress doesn't care and would rather not talk about it. Secretary Panetta has recently given a speech saying Congress should act.

So our President, the head of the Joint Chiefs of Staff, Secretary Pa-

netta, and others have said: Congress have this debate. There is an enemy out there. Have the backbone to name it as an enemy and authorize action against this enemy.

Constitutionally, Congress should act. One of the most important powers in the Constitution is article 1, in the definition of the roles of Congress. It is Congress that declares war, not the President. That was put in the Constitution by the Framers—Virginians like James Madison—who knew that, before 1787, war was a matter for the Executive, the Monarch, the Emperor, and the Sultan. But he said, "In America, it is going to be different." We are not going to make a declaration of war for the Executive. We are going to make a declaration of war for Congress. Once declared, the President can implement, but it is Congress's job. Congress is not doing what the Constitution commands.

Imagine one of the family members of the 11 servicemembers who have been killed while deployed in Operation Inherent Resolve—killed in combat, killed when their jet was taking off of an aircraft carrier and crashed into the ocean or otherwise killed during deployment. Imagine, our best and brightest are sent, as they volunteered for our American military. They were sent overseas to fight an enemy—who we all agree is an enemy, who we all agree is conducting atrocities—and that pride of your life is killed while serving our country, and yet Congress will not even have a debate about whether ISIL is an enemy and whether we should declare war against ISIL and instead wants to have a debate about whether refugees from ISIL should be called our enemies. Imagine how you would feel if you were one of those families, and Congress was even unwilling to dignify the loss of your loved one by 2 minutes of debate or vote on the floor of either the Senate or the House.

David Ignatius wrote a piece yesterday in the Washington Post, "The ugly truth: Defeating the Islamic State will take decades." The last line of his article says this:

The next President is going to inherit an expanding war against a global terrorist adversary. The debate about how best to fight this enemy hasn't even begun.

After 18 months, after deaths of American troops, after all these atrocities, after bombings in cities all over the world, the debate hasn't even begun because we refuse to have it in this Chamber.

As I conclude, why has Congress been silent about this, since we began military action against ISIL on August 8 of 2014? We will hit the 18-month anniversary in a couple weeks, in February.

I have a lot of criticisms of the administration's strategy. I think they waited too long to send the authorization to us. I don't think the authorization is particularly well-drafted, but that is no obstacle to us acting. Presidents send authorizations frequently and Congress redrafts them. So I am

not light on criticism for the administration, but I am asking this question in this Chamber, where I am a Member, and so my question is actually critical, but it is also self-critical: Why has Congress been silent in the 18-month battle against ISIL? It is because of fear. Fear of not ISIL but fear of accountability. A war vote is hard. It is the hardest vote we will ever cast—and it should be. It should be.

How much easier is it to criticize the President and say: We don't like your strategy. You are doing it wrong. Why don't you do more airstrikes here or put more boots on the ground there? That is much easier for Congress to do than to actually have a debate about ISIL and craft a strategy, and then say we, Members of Congress, individually, are putting our names on this.

Members of Congress have been looking actively to avoid a vote on this for 18 months because a war vote is tough. Under the best of circumstances, there are going to be consequences that will be painful and tragic. There will be American lives lost, and that is under the best of circumstances. War isn't always fought under the best of circumstances. There will be surprises. There will be twists and turns. We will go down a path such as trying to train and equip a moderate Syrian opposition and find it doesn't work out the way we hope.

I think in Congress both Houses, both parties, have had a sense that, well, maybe if we don't vote and we just criticize the President and we just kind of turn our eyes while we are essentially forcing people to risk their lives in a war that we are not willing to declare, people will not hold us accountable. I have seen that tendency throughout my 21 years in elected service, when a tough vote is on the table, when something is hard and complicated—and this certainly is—if I can avoid it, well, I would like to avoid it, but that is so disrespectful to the oath we took, where we pledged to live up to the laws, including article 1 responsibilities of Congress. It is so disrespectful to the volunteer military deployed overseas, risking their lives, and the families of those who have already lost their lives.

After all, what is our fear of a tough vote, in the grand scheme of things, as against the sacrifice our troops are making overseas? Now, that is something that is really hard. Having to cast a tough vote is not that hard. It is not that hard. We can do this. We can do this.

The only action that has been taken since this war started 18 months ago was on a bill I introduced, an authorization for military force against ISIL. I introduced it in September of 2014, 1 month after the war started. It got a 10-to-8 vote in the Senate Foreign Relations Committee. Sadly, it was a partisan vote. It was right at the end of the previous Congress and expired with no action. A number of those who voted against it said: Look, the majority is about to change. Why do this now

with 2 weeks left in the session? When the majority changes, we can take it up. Some said the President hasn't even sent a draft authorization yet. It is premature to do it.

Now we have the President's draft authorization. We have had it for 11 months and done nothing. Now we have seen—and there can be no doubt at this point—the evil nature of this threat we face and the expanding and complicating nature of this threat we face. Now is the time, finally, for Congress to step up to our responsibility and do our job.

I have used a couple of literary references, so let me close with one. A great Irish poet—I am biased—William Butler Yeats, wrote a poem at the end of World War I. He surveyed the wreckage of World War I, about 100 years ago.

In a lot of historians' views, World War I was kind of one of the most needless wars in some ways. It was unclear what it was about, but what it was really about was decaying monarchies that wouldn't change. Instead of changing, they let a terrorist action in the assassination of a nobleman—a leader in the Balkans—trigger the start of World War I. It was mechanized slaughter, and millions lost their lives. The United States came in and played a very important role, and at the end of the day, they were the peacemaker who had to come in to resolve it.

Yeats wrote a poem after World War I surveying this wreckage of these societies. It is called "The Second Coming." He expressed a real concern about the state of society at the time because what he noticed at that time was that "the best lack all conviction and the worst are filled with passionate intensity."

We have an enemy, ISIL, and I think we can all agree that they are filled with a passionate intensity. They are the worst in their human rights violations, their atrocities, and their complete disrespect for human life. They are the worst. They are the enemy. We should be debating about them.

The best lack all conviction. We are the best Nation in the world. I firmly and deeply believe that. I have believed it every day of the 58 years that I have been alive. We are the best. We have the best system of government in the world. While that system of government is often described as three coequal branches, there is a reason they put the legislative branch in article I, the executive in article II, and the judiciary in article III. This is the first among the coequal branches because we are direct representatives of the people. That is how it was structured so that we would be the best of the best—the best branch in the best government in the best Nation in the history of the world.

Do we lack all conviction? If we are willing to call refugees fleeing from violence our enemies but we are afraid to take up a debate about whether ISIL is

an enemy to support our troops in harm's way—that is the question I am asking today. I know we are the best. Where is our conviction?

So I ask my colleagues, in connection with this bill, let's keep the title to it. Let's secure America against foreign enemies. Let's secure America against ISIL. But let's not turn our backs on the victims of the worst humanitarian crisis since World War II.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The majority whip.

Mr. CORNYN. Mr. President, I am glad I happened to come to the floor when the Senator from Virginia was speaking on this topic. I didn't come to speak on the topic, but I know how passionately he feels about it. I find myself agreeing with much of what he has to say about what our military deserves in terms of the support not only of the President but also of the Congress and thus, through Congress, the American people. Whenever we send our troops into harm's way, our men and women in uniform deserve to know they have the unified support of the U.S. Government and hopefully the American people.

I wish to tell my friend from Virginia, who has been on this topic for some time, that I think there are some practical impediments to what the Senator is suggesting, and maybe we can find a way to work together to address them.

First of all, there is the question of what is the strategy. I think Congress is reluctant to issue an additional authorization for the use of military force until we know what the President's strategy is, not just in Syria, in Iraq, but also with the travel and the movement of people back and forth from those war-torn countries to the United States or to other parts of the world, including the visa waiver countries—the 38 of them—people who can travel freely from that area to those visa waiver countries and then come to the United States. The third part of it, which we have been addressing and which the FBI Director has brought to our attention on the Senate Judiciary Committee, has to do with radicalization of people back here at home through the use of social media or the Internet. I would say to my friend that this is a serious problem, and I find myself in sympathy with what he is trying to do. But, again, the practical problem is the absence of a real strategy.

I fear that with 1 year left for this President in office, one of the goals of some of the proponents—I am not casting aspersions; I am just saying I am concerned about this—one of the goals would be to issue an authorization for the use of military force that would actually tie the hands of future Presidents, because apparently this President thinks he has all the authority he needs. It is true, they just got a draft that they have sent over here for us to consider, but the President seems—at

least to me—to be suggesting by his actions and most of what he is doing that he thinks he has all the authority he needs.

So I want to say to my friend that I don't doubt your sincerity, and I admire the point you are trying to make, but I do see those as practical problems: the absence of a strategy from the Commander in Chief and the proposal—one of the proposals; I think it came out of the Foreign Relations Committee—that would actually limit the options available to the next Commander in Chief were this to be passed. But those aren't insurmountable problems; those are things that, once identified, we can focus on and work a little bit more.

I thank the Senator for his continued advocacy on this issue, and I admire his determination to see this through to a good conclusion.

Mr. President, what I came to the floor to talk about is a bill we are going to be voting on this afternoon called the American Security Against Foreign Enemies Act and also called the American SAFE Act.

I wish he was still here. I know he just left, but I want to make one point on the chart the Senator from Virginia had where he suggested that some assert refugees are the enemy. That is not true. That is the opposite of true. The American people are the most generous people in the world when it comes to admitting refugees and naturalizing new American citizens. In the past few years—if my memory serves me correctly, we naturalize between 800,000 and 1 million new citizens a year. America is the most open, welcoming country in the world because we recognize this is a source of our great strength. The brains, the ambition, and the hard work that go together with people who are unhappy with their current circumstance and who are looking to live the American dream and what they have to do in order to come here to America to be a part of that through a legal system of immigration I think is something to be applauded and celebrated.

But this bill is about something else. This is about our national security. This is not an anti-refugee bill. That is immediately where the President went and where some of the other folks on the President's side of the aisle went, was suggesting that somehow, by being concerned about our own national security, we were somehow anti-refugee. That is demonstrably false. All we are asking for and all this legislation provides for—passed by a bipartisan vote of the House of Representatives—is to enhance the screening of refugees so that this system cannot be exploited by terrorists—a tactic ISIS has encouraged. Our adversaries, particularly the Islamic State, recognize the fact that they can't exploit our system to advance their cause, which is to kill innocent men, women, and children in this country.

This legislation doesn't close the door to refugees or go back on America's great traditions and who we are as a people. All it does is add safeguards to our refugee admissions process and updates it in light of the threats we currently face.

The distinguished Presiding Officer was probably in the same hearings I was in or the briefings with Jeh Johnson, the Director of Homeland Security, who said that following some of these threats, the administration unilaterally enhanced some of their screening mechanisms. I applaud them for that. That is important to do. But they can't sit here and tell us with all seriousness that Congress can't weigh in or we can't have a debate and we can't have an amendment process on legislation which is designed to do what they themselves said they are trying to accomplish, which is to protect public safety by enhancing some of the screening process.

All we are trying to do—and it is not a small thing; it is our No. 1 responsibility as part of the Federal Government—is protect our national security. Our chief goal in this legislation is pretty simple. It is to make sure we are doing everything we can to prevent terrorists from entering the country.

Why would our friends across the aisle want to filibuster this legislation by voting no this afternoon at 2:30 and deny us an opportunity to actually debate the legislation? Under the rules of the Senate, they are free to offer suggestions, by way of amendment, about how we can improve the legislation. I have heard a number of them, including from the ranking member of the Senate Intelligence Committee, Senator FEINSTEIN, among others, who said that what she would like to see us do is to beef up our protections to prevent people from exploiting the visa waiver system and coming into the United States without going through an adequate screening mechanism. I think there would be a lot of support on this side of the aisle and on a bipartisan basis to modify this legislation to include some of her ideas. At least we ought to have that debate. We shouldn't shut it down by a filibuster on the other side.

This bill would ensure that the FBI and other national security intelligence agencies have actually certified to the security of the refugee screening program. It is called accountability—something that people don't think we have enough of here in Washington, DC. Something bad happens, and there is some nameless, faceless bureaucrat who is blamed. What this would do is put the responsibility and accountability where it belongs.

There is no doubt that we live in turbulent times. Our national security experts tell us that they have never seen a more diverse, a more complex array of threats around the world. Our Refugee Admissions Program should be examined and updated to respond to those threats, and that is what this legislation attempts to do.

Unfortunately, we don't have to look very far to see examples of why this legislation is necessary. Earlier this year in Houston, a man born in Iraq entered the country as a refugee and was later charged with providing material support to ISIS. That is one example. I am sure it is not the only example of why this legislation is important. We are still learning more about that particular case, but what we already know is alarming.

According to media reports, he was associated with members and sympathizers of ISIS. We know that investigators found an ISIS flag at his home in Houston, TX. Just last week it was reported that his plans included setting off bombs at two popular malls in Houston, TX. Houston is one of our most populous metropolitan areas—certainly in Texas—in the country. Can you imagine what kind of carnage two bombs going off at shopping malls could wreak? According to reports, this individual was communicating with another man, also born in Iraq, who entered the United States in 2012 as a refugee and who had ties to terrorist groups and fought twice in Syria and allegedly was trying to go back to Syria to fight alongside Islamic militants. This individual was communicating with another person with terrorist ties, and it certainly should raise all of our suspicion and concern.

Both of those men were refugees from Iraq. That doesn't mean the refugee program should be dismantled or abandoned entirely. What it should tell us is that we better be darned sure that whoever comes in through the refugee system has been adequately vetted to protect innocent potential victims here in the United States. Fortunately, in this instance, our law enforcement officers acted effectively and quickly to prevent a tragedy, but they can't be right 100 percent of the time. If they are right only 99 percent of the time and innocent people are hurt or killed, if we don't do everything in our power to stop it, then I think we are partially responsible. This is not a theoretical problem, and Congress has the opportunity to act to try to enhance public safety. So knowing all of this, it is baffling to hear the discussion among our Democratic colleagues that they may not even allow us to get on the bill this afternoon.

I have seen some news reports suggesting that the Democratic leader is saying: Well, if there is some sort of an amendment process that could be agreed to, then maybe they would allow us to do that. I would encourage those discussions to go forward, but we shouldn't just say: Well, you get three or four amendments on your side and we get four or five on our side. We ought to invite and welcome all constructive legislation to make this as good as it can be. We don't need a backroom deal to do that. We need to bring it to the floor and allow an open amendment process under the rules of the Senate.

This is a debate worth having, and this is one our constituents deserve to hear. I hope the latest news reports are some reason for encouragement that our Democratic colleagues are going to allow us to get on the legislation. Again, this is not a partisan issue—or it shouldn't be.

Last fall several Obama administration officials testified about their concerns about radicalized individuals and what threat they could pose, as a refugee, if they gain entry into the United States. Homeland Security Secretary Jeh Johnson testified before the Senate and House Homeland Security Committees and said: "I am concerned that we do the proper security vetting for refugees we bring into the country." I agree with him. That is what this legislation addresses.

Madam President, I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. CORNYN. He went on to say: "It is true that we are not going to know a whole lot of the Syrians that come forth in this process, just given the nature of the situation." That is understandable. Syria has been engaged in a civil war over the last few years, and it is hard to imagine that we know a lot about those who want to come here as refugees. It doesn't mean they shouldn't come here, but we do need to enhance the security screening and make sure we are confident that the ones who do come will not be a threat to the public.

The Director of the FBI also shared his concerns by saying: "We see a risk there." So if you have the FBI Director and the Secretary of the Department of Homeland Security saying there are risks and concerns about refugees coming from Syria to the United States, I would say we ought to listen to them.

I hope our colleagues across the aisle will reconsider their purported plans to block this legislation. We vote on it at 2:30 p.m., so there is plenty of time to talk more about it and have discussions about how there is maybe a path forward. If, in fact, there is ultimately a filibuster and our friends across the aisle decide to block the American SAFE Act—and, again, I hope they don't do that—I don't think we are doing our job or doing everything in our power to enhance the public safety.

With that, I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, the year was 1939, the Nazis were in control of Germany, and Kristallnacht had occurred. It was the night of broken glass. It was the night when the Nazi storm troopers literally invaded the shops and homes of the Jewish citizens who were living in Germany. They harassed, beat, and killed them. It was pretty clear where this was headed.

The Nazis had targeted Jewish people and those Jewish people—innocent people—were going to be their victims.



Some of them decided the only place to go was to leave Germany and to come to the United States of America. They boarded a ship called the SS *St. Louis* and set sail for the United States. First, they arrived in Havana, Cuba, seeking refuge to escape the Nazis. The Cubans turned them away. They next came to Miami, FL, and asked the United States of America if these 900 innocent Jewish citizens of Germany could seek refuge and become refugees in the United States. They were turned away. With no other alternative, they went back to Germany.

The Holocaust Museum in Washington, DC, kept track of what happened to those passengers on the SS *St. Louis*—those people seeking refuge in the United States. At least one-third of them died in the Holocaust, killed by the Nazis. At that time, Senator Robert Wagner of New York came to the floor and asked: Couldn't we—at least as a nation—agree to allow 10,000 Jewish children to come to safety in the United States to escape the Nazis in Germany? His efforts were stopped and defeated. Even these children who would be Jewish victims of Nazi oppression were rejected by the U.S. Senate. It was a sad moment in the history of this Chamber and a sad moment in the history of the United States.

After the war, we reflected on what had happened. We realized that this great, strong, and caring Nation had made a serious mistake. Innocent people had died because we rejected these Jewish refugees from Germany. Therefore, after World War II, the United States decided to take a different approach and show leadership to the world when it came to accepting refugees, and since then we have. There have been exceptions, but we have said that our country is open—as most civilized countries on Earth are open—to those who face oppression, suffering, death, and are in need of safety. We have established a process for this, and it isn't easy. Each year it becomes more and more difficult and more and more challenging.

If you are a refugee wanting to come to the United States, be prepared. It will take at least 1 year of investigation—and sometimes up to 4 years of an investigation—before you might be allowed to come to this country. We go through background checks, fingerprints, biometric measurements, and photographs. It is a lengthy, frustrating, and difficult process. For people who come to our shores from foreign countries, there is no higher standard than the standard we apply to those who seek refugee status. Each year about 70,000 refugees are accepted in the United States. There are many more who want that opportunity, but only 70,000 can clear this process.

We come to this debate on the floor of the U.S. Senate aware of what has happened in Syria. Over the course of the last few years, the war that has raged in Syria has claimed over 200,000 lives. Half of Syria's 23 million people

have been forced out of their homes—half of them.

I have a friend in Chicago. He is an extraordinary man. His name is Dr. Mohammed Sahloul. He is a well-respected practicing doctor. He came to the United States as an immigrant and now has an established medical practice. His family is from Syria—the Bahamut section of Syria. Because he feels so strongly about the war that is killing these innocent people in Syria, Dr. Mohammed Sahloul literally risks his life every few months to go to Syria and treat the victims of that war and violence. His wife Suzanne Sahloul works with the Syrian refugees who come to Chicago. The two of them have made a personal commitment to Syria, which was the birthplace of their parents. Dr. Sahloul returns from his visits to Syria and asks to meet me regularly, and I always say yes. As painful as it is, I sit there, as I did yesterday in a restaurant in downtown Chicago, as Dr. Sahloul shows me the photos on his iPad, one after the other, of the children he treated in Syria. These children are the victims of barrel bombs by President Assad and now of Russian bombing.

He goes to communities where people are literally starving to death—starving to death in the year 2016—in Syria. He shows me their emaciated bodies until I turn away and can't look at it anymore.

I say to my colleagues in the Senate who follow this debate and know what we are voting on—the Syrian crisis we face today, I would argue, is the most serious humanitarian crisis of our time. What is happening to these people is unimaginable.

A few months ago I joined several of my colleagues and we went to an island in Greece called Lesbos. This is the stopping point for the refugees. Once the Syrian refugees have gone through Turkey, they cross a span of 8 to 10 miles of the Aegean Sea in plastic rafts. They put more passengers in those rafts than should be in there because the smugglers are getting paid 1,000 to 2,000 euros, or about \$2,000-plus, for each of the refugees they can cram into these boats. They push them off from the shore in Turkey and point them toward the island of Lesbos. There are babies in those boats. The passengers wear lifejackets, which everyone is familiar with, but what do the babies wear? You can't put a baby in a lifejacket. Well, I saw what they wore. Many of them were wearing plastic water wings, the kind we put on our little kids when we put them in wading pools, and off they go into the Aegean Sea. Some of them don't make it. Some of them drown and die.

What would cause a family to pick up and risk their lives and spend \$2,000 per person to take this deadly journey? It is because they are desperate and need a place to be safe. It is that basic.

So the President has said the United States will accept some of these refugees. Ten thousand is the number he

said. Of course, each one of them has to go through a lengthy background check and will be asked all these important questions before they are allowed to come into our country—10,000. We know there are millions displaced and we know that that number continues to grow. Isn't it ironic that 10,000—the same number Senator Wagner of New York asked for when it came to Jewish children in Germany—is the same number the President has asked for when it comes to Syrian refugees.

Sadly for these refugees, and many others, they couldn't have picked a worse time to come to the United States of America because, frankly, we are engaged in a Presidential campaign where many strong statements have been made about these Syrian refugees. It is hard for me to think about what I saw on the island of Lesbos—these families with children—and to square that with the descriptions I have heard from those who have called them terrorists in training. It couldn't be further from the truth.

So this afternoon, at 2:30 p.m. on the Senate floor, we will be asked to vote on a measure relative to the Syrian refugees. Let's call it for what it is. This is an effort to stop any Syrian refugee from coming to the United States regardless of whether it is a mother and a child because what it says is that before they can come to the United States, you have to have the personal signature and personal certification of the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of the Bureau of National Intelligence. It is physically impossible to ask the director of the FBI, who has the responsibility of monitoring FBI activities all across the Nation and around the world, to literally sit down and sign 100 personal certifications a day which would bring us to this goal.

This legislation is not designed to make us safer. It is designed to stop Syrian refugees from coming to the United States. I know we are living in a dangerous time in this world. I want us to do everything thoughtfully and sensibly and everything possible to protect the American people from any possibility of terrorism.

I still remember well when I was a Member of this body on September 11, 2001, and what America endured. I have not forgotten. I read, as all of us do, about terrorism in the United States and what it does to innocent people in San Bernardino and in many other places. But to exclude Syrian and Iraqi refugees and to say that we are not going to allow any of them to come in or put them through a standard of proof that we know makes it next to impossible is unfair and inconsistent with the values of the United States.

I made a point of meeting these Syrian refugees and their families who have made it here. I have invited my Governor in my State of Illinois and my colleagues to do the same: Get beyond the screaming rhetoric of the

Presidential campaign and sit down and listen to their stories. They will realize that these are people who are desperate, who are looking for just an opportunity to be safe.

Yesterday, a number of them came to my office. Othman Al Ani, originally from Baghdad in Iraq, arrived in the United States in the year 2013. How long did it take him to clear the background check as a refugee? Four years—it took 4 years. He now works as a caseworker for the Iraqi Mutual Aid Society.

I met Wadad Elaly and her mother, Mrs. Elaly. In 2012, Wadad's father was killed by a sniper as he came home from work in Syria. The family moved out of the city for fear they would be the next victims. They went to Damascus, and then they waited, literally for over a year and a half, to go through the clearance.

Wadad is now a freshman in high school in the city of Chicago. She is a sweet, young girl who has seen more tragedy in her life than any of us would ever want to see. She and her mom want to make a life here, and she knows it is up to her to get a good education to make sure she can make that happen.

Mariela Shaker—an incredible story of a young girl who was growing up in the Homs section of Syria, whose parents were afraid that she was going to die from a bombing that was taking place. She applied and was accepted to go to a downstate college in Illinois, Monmouth College. She is a master violinist, a prodigy. She completed her degree there and now is at DePaul University working on a master's degree in music—an amazing young woman. A terrorist? No, just a young woman looking for safety and a future.

The stories go on and on. When I hear the statements made on the floor about potential terrorists, I think to myself: They haven't met these families, they haven't heard their stories, and if they did, they might reconsider.

I am opposed to this bill that came over from the House. I think this personal certification by the head of the FBI, certifying every single person, and a certification by the Director of National Intelligence and the Secretary of Homeland Security are just being put in the path of these people to slow them down and stop them again and again and again.

What we have said, not out of compassion but out of commonsense, is let's address the things that will make America safer. Instead of zeroing in on a handful of Syrian refugees who are no threat to the United States, let's look to those things that actually are a threat. Let me give an example. Do my colleagues believe that a person whose name is on the no-fly list, the terrorist suspect list, should be allowed to buy a firearm?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DURBIN. Madam President, I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. Do my colleagues believe that a person who is on the terrorist watch list should be allowed to buy firearms in the United States? Do my colleagues believe that a person on the terrorist watch list should be allowed to buy explosives in the United States? How about dirty bomb components? I don't think there is any question about it. The answer the vast majority of Americans would give is no. That is one of our amendments.

Do my colleagues think we should put more resources into protecting the United States through the Department of Homeland Security and through law enforcement, even local law enforcement, and the FBI? I think so. That is another one of our amendments.

A third amendment is going to change the effort and zero in on what we consider to be gaps in the law that allow the possibility of foreign travelers to come to the United States and engage in violence and terrorism.

The fourth one is pretty controversial, but I think we need a vote in the Senate. There has been a proposal by one Republican Presidential candidate, for the first time in the history of the United States of America, to exclude any immigrant of a specific religion, and that religion, of course, is for those who are in adherence to the Muslim religion. We should have a vote on that. I think it is important for us to be on the record. Those are the amendments we would like to offer.

We said to Senator MCCONNELL: Bring up your Syrian refugee bill, if you wish, and give us these four votes. If you will give us these four votes—of course, you will want to offer some of your own amendments. Be our guest. But let's have a real debate about making America safe. Let's not just zero in on Syrian refugees. Let's zero in on ISIS, on terrorism, and on the real threat to the United States.

That is what we will decide between now and 2:30. Will Senator MCCONNELL, who has said over and over that he wants to open the Senate floor to an amendment process, allow our votes on these measures? If he will, we can engage in this debate. If he won't, then, frankly, there is going to be resistance to moving to this measure. I hope Senator MCCONNELL will join us and open this debate to a real sincere effort to stop the threat of terrorism in the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I rise today to urge my colleagues to join me in passing the House bill to improve the Syrian refugee resettlement program and take at least a first really important step toward protecting Americans here at home with regard to this refugee and homeland security question. Frankly, I think we should be going further, but given the gravity of

the issue and the urgent need to address stated and documented shortfalls within the refugee program, I support passage of this bill as a start.

We can't just forget—ignore—the facts, and the fact is that those responsible, for instance, for the tragic attacks in Paris just a few short months ago took advantage of the influx of Syrian refugees into France, and at least one of them got in that way. If that isn't disturbing enough, we must also remember the fact that the majority of the 9/11 attackers were granted admission to the United States on temporary immigration status. There were holes and problems in that program. Clearly, we need to update and reform the current systems in place, and I assure my colleagues that I won't stop pressing for complete and adequate safeguards as the President continues to invite additional refugees onto American soil.

Voting in favor of the SAFE Act brings us one step closer to improving the security of our Nation. It would be a mistake to retreat to some sort of pre-9/11 posture or mindset. Eleven years ago, the "9/11 Commission Report" wrote that many of the vetting programs were "dysfunctional." They remain dysfunctional in far too many cases, and I am not willing to take on and continue the risk of that dysfunction. We need reforms. We need a far higher standard of safety and coordination.

Now, again, these are facts we need to look at. We have seen examples of the refugee situation and other situations directly impacting and threatening our security. What am I talking about?

Fact No. 1: On December 2 of last year, husband and wife Syed Farook and Tashfeen Malik attacked the Inland Regional Center in San Bernardino, and their coordinated attack inspired by ISIS caused the deaths of 14 people, and they wounded 21 others. As of now, it appears to be the most deadly terrorist attack on U.S. soil since 9/11.

Now, the wife, Tashfeen Malik, was not a U.S. citizen and was, in fact, in the United States on a visa related to her husband. Particularly troubling is the fact that the government didn't verify her address in Pakistan during the visa application process. There were reports that a full vetting was not completed, including checking for other possible signs that she had been radicalized or was a terrorist operative.

Fact No. 2: A recent FBI joint intelligence bulletin has confirmed that individuals resettled in the United States as refugees have already been arrested for willfully providing material support and resources to the Islamic State of Iraq and Syria, or ISIS. That is documented by an FBI report. Clearly, this program is a vulnerability.

Fact No. 3: The National Counterterrorism Center has identified individuals with ties to terrorists in Syria who attempted to enter the United

States through the refugee program. Again, it has been verified that this is an entry point for possible terrorists.

Fact No. 4: The horrible and coordinated assault in Paris last fall, in the words of President Francois Hollande of France, was “planned in Syria, organized in Belgium, perpetrated on our soil with French complicity.” And a fact related to that is that at least one of those terrorists got in through the refugee resettlement program there.

Fact No. 5: FBI Director James Comey has testified that the Federal Government doesn’t have the ability to properly and fully vet 10,000 or more Syrian refugees. Recently, during a hearing before the House Committee on Homeland Security, he stated:

We can only query against that which we have collected. And so if someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home, but there will be nothing to show up because we have no record of them.

Fact No. 6: The “Reflections on the Tenth Anniversary of the 9/11 Commission Report,” released in 2014, states that “it is unclear whether the United States and its allies have sufficient resources in place to monitor foreign fighters’ activities in Syria (and neighboring Iraq) and to track their travel back to their home countries.”

Those are documented facts, which make perfectly clear what common sense should suggest. This refugee resettlement program is a vulnerability, and we need far better security to protect our homeland.

To do this, I have introduced a very strong bill to require a suspension of admissions of Syrian refugees until the Obama administration properly evaluates the protocols and procedures it has in place to relocate them here and to certify not just in the Department of Homeland Security and the Department of State but also with intelligence and law enforcement agencies that these procedures are adequate. My bill has seven cosponsors. I plan to continue to move it, hopefully, through an amendment process related to this bill so we can make sure we have proper, adequate reforms in place.

So that is today’s vote in simple, straightforward terms in terms of the real danger. We can’t properly vet all of these refugees right now. This is documented. This is from the experts. We need to put proper measures in place before we continue accepting this flood of refugees. We need to protect American families, secure our borders, and keep out all terrorists. Voting for the SAFE Act and voting to put it on the floor and engaging in this debate is an important first step in doing that. For that reason, I urge a positive vote to put this important measure on the floor and to pass it.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

Mr. PETERS. Madam President, last week I was proud to host Hassan Jabber as my guest at the State of the Union Address. He is the director of the Arab Community Center for Economic and Social Services, founded in 1971 in Dearborn, MI. ACCESS is the largest Arab American human services nonprofit in the United States, providing health and wellness, education, employment, and youth services in its local communities, including support for refugees settling in America.

Hassan is a community leader and just one example of the many individuals who make up Michigan’s vibrant Arab American community, including some of the most patriotic people I know whose contributions to our culture and economy are invaluable.

That is why I am so concerned about the legislation we will be debating later today, which would impose significant barriers on our efforts to assist refugees fleeing violence and persecution in Iraq and Syria. I am a member of the Senate Homeland Security and Governmental Affairs Committee. Last November we held a hearing on refugee resettlement. We heard about the strict security checks involved in the Refugee Admissions Program, which could take 18 to 24 months.

The Refugee Admissions Program subjects refugees to the highest level of security checks of any category of traveler coming into the United States. They are screened by the National Counterterrorism Center, the FBI, the Department of Homeland Security, and the Department of Defense, as well as other agencies. Refugees considered for resettlement to the United States are subjected to biometric and biographic checks, as well as a lengthy in-person interview, all of which are conducted while the refugees are overseas, outside of the United States. Refugees are even required to repay loans to the International Organization for Migration to cover the cost of transportation and medical screening.

At the same hearing last November, we also heard how the Refugee Admissions Program prioritizes the most vulnerable refugees, including widows with children, victims of torture and trauma, persecuted religious minorities, and those who face death threats if they return home. These cases are our country’s top priority for resettlement. I saw this for myself at the end of last year when I had an opportunity to travel to the Middle East with Senator MURPHY and meet members of this vulnerable population. Visiting the Zaatari Refugee Camp in Jordan, I saw the scale of the crisis that the world faces.

Talking to just some of the over 80,000 refugees at that camp, who are

only a small fraction of the 11.6 million people who have been displaced from their homes over the past 4½ years during the brutal civil war in Syria, it was clear that none of those refugees were there by choice. Before anything else, they just wanted to return home.

In the end, however, returning home is not something that is going to happen. They are not going to be able to return to the life they had before. They certainly did not want to have the very dangerous journey to escape violence and security by going far away. Unfortunately, the possibility of their safe return is unlikely at any time in the near future. They struggle to survive every day, and they persevere. Many have been vetted by the United Nations as people who are qualified to resettle as refugees in countries like ours because they simply can’t return home.

The refugees I met are struggling to live on 50 cents a day to buy food and have only one propane bottle to provide cooking fuel for an entire month. Unfortunately, most of that aid is slated to end in the next couple of months. The people in the camps live on the edge of having nothing, and they rely on humanitarian aid to get by on a day-to-day basis. They are thankful, but in the end they are living in limbo, waiting and hoping for an interview with a U.S. official.

Today, at the Homeland Security and Governmental Affairs Committee hearing we focused on ISIS’s goals and ideology. We heard from experts that the United States should continue to welcome refugees. Proposals to block refugees based on their religious beliefs plays into the narrative that the United States and Muslims across the globe are in direct conflict. We heard that those who have left ISIS territory describe it as “a living hell,” and if we do not accept refugees, it harms our standing in the world and actually will weaken our national security.

The safety and security of the American people is always my top priority, but policies which alienate and divide, targeted at victims of terror and violence, do not support that mission. I am hopeful that this body will focus our efforts on the very real threat posed by terrorism and extremism, not on imposing unnecessary barriers that will prevent us from assisting the victims fleeing violence. I hope that we can stay true to the American values that make our country great.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

OUR “WE THE PEOPLE”  
DEMOCRACY

Mr. MERKLEY. Madam President, I rise today to kick off a series of

speeches where I will come to the floor on a regular basis to address issues affecting Americans and propose ways to solve the challenges we face. These speeches will cover a variety of topics, but they will all link back to the fundamental theme of our “we the people” democracy.

In the summer of 1787, a group came together of patriots, farmers, and scholars. They gathered in Philadelphia, and after 4 months of fierce debate and enduring compromise, they agreed to a set of ideas and a system of governance. They signed their names to a document, our Constitution, which has guided our Nation’s progress for over two centuries. They began that Constitution, that key document, with three simple words on parchment—“we the people”—and with that they launched our experience in democratic governance.

The Founders wrote this phrase in beautiful script, 10 times the size of the rest of the document, as if to say this is what it is all about, this is what America will be about—governance for “we the people.”

They did not say at the start of this document “we the titans of industry.” They did not say “we the titans of commerce.” They did not say “we the rich and powerful.” They said “we the people.” As President Lincoln summarized, the genius of our governance is that it is of the people, by the people, and for the people.

With this guiding light America has been a great nation. Because of our “we the people” principle, we insisted on a better, fairer, and freer nation for all citizens—because we the people demanded that all Americans deserve a chance to pursue their full measure of happiness, because we the people never stopped reaching for greater prosperity and growth to the benefit of all.

In order to address the challenges of our times, we must recapture this “we the people” spirit. We must set aside politics in favor of progress. We must reform a broken system that favors the interests of the wealthy and well-connected over the interests of the American people. That is the framework, the theme that my regular floor speeches will be about.

In this Senate Chamber our priority should be to build an economy and a government that works for working people, and, as Hubert Humphrey argued, a government that delivers for those “in the dawn of life . . . in the twilight of life . . . and those in the shadows of life.”

We all know that our success is not measured by a soaring stock market. America is succeeding when a mom can earn enough not to worry about where her kids’ next meal is coming from; when schools nurture the mind, the character, and the creative spirit of every child; when college is affordable to every family; when each individual in our Nation has peace of mind through access to quality and affordable health care; when no American

who works full time lives in poverty; and when our economy creates good-paying jobs for American workers here in America rather than shipping those jobs overseas. To achieve these ends we have a lot of work to do.

We had after World War II three golden decades from 1945 to 1975. The middle class gained enormously in size and prosperity. During that period the bottom 90 percent received approximately 70 percent of all income growth. From 1975 until now, 2015, we have had four decades in which working Americans’ experience has been flat or declining. What a difference that is from the three golden decades where workers fully shared in the prosperity they helped to create—the last four decades when they have not shared and gained over those decades. They received close to zero percent of all income growth. To put it differently, 100 percent of the growth went to the top 10 percent of Americans. We know that our families and our economy will never reach their full potential if growth benefits only those at the very top, if the growth is at best trickled down, coming from the top down, and not from the middle out.

So let’s commit to changing the direction we are on, to recreating an economy more similar to those three golden decades after 1945, after the end of World War II, putting people back to work rebuilding America’s roads and crumbling bridges, raising the minimum wage so that anyone who works hard can make ends meet, and keeping a cop on the beat to block predatory schemes preying on the middle class.

We have a lot to do to tackle the greatest challenge facing human civilization: saving our planet from the ravages of climate change. Today it was announced, as anticipated, that the final results are in and 2015 is the warmest year on record. This warmth and the changing weather is having profound consequences on our forestry, on our farming, and on our fishing. All of these are manifested in my home State of Oregon and virtually every State represented in this Chamber.

We have to have a “we the people” movement to take on the oil and the coal billionaires, cut carbon pollution, and pivot rapidly to a clean energy economy. We certainly have a lot of work to do to make sure that folks who work hard all their lives can achieve a dignified and secure retirement as we watch the pensions in the private workplace melt away, slipping through our hands. We must set our children up for success and expand the promise of education, ensuring that our schools meet the demands of a new age and that all students can attend college without the fear of crushing debt.

To achieve these things through legislation is certainly possible. We can envision the pathway for each and every one of these objectives, but we cannot do it if this Chamber is essentially owned by the titans of commerce and industry. That, unfortunately, is what happened in 1976 when the Su-

preme Court under Buckley v. Valeo said that individuals can spend unlimited sums in the public marketplace and can do so even if they are drowning out the voices of the rest of America. Certainly a situation in which the 1 percent can drown out the voices of the 99 percent is not a “we the people” democracy; it is the opposite. It is a “we the titans” democracy. It is decisions made by and for the very best off, not decisions by and for the people of the United States of America.

This misguided 1976 decision sits right at that pivot point between the three golden decades from 1945 to 1975 and the last four decades of failed economic policy with workers’ outcomes being flat or declining. This decision was doubled down on the Supreme Court just a few years ago in the Citizens United decision, which said that not only individuals but corporations would be treated the same. They could use their combined assets even if they had never disclosed to the owners of the corporation, the stockholders, how they intended to spend funds, putting billions of dollars in play with a few people sitting in a boardroom, completely shielded from any public witness.

That is why we have to change campaign finance as a way to reclaim our “we the people” democracy, to reclaim our Constitution, to fend off the titans who are insisting on grabbing everything for the few and not for the benefit of the public, the 90 percent.

We have to continue to look for ways to restore hope for our working families and ensure opportunity for each, to protect the middle class, to empower the middle class against forces that are threatening to overwhelm them, and to build an economy where everyone is sharing in the economic prosperity they are helping to create.

The bottom line is that we have to make a choice about the kind of country we want to live in. I don’t choose a country in which the rules are made by and for the very few at the top. I choose a country embedded in the first three words of our Constitution, where decisions are made by and for the people of our Nation. I choose a country that honors these Founding principles, that comes together to tackle the big challenges, that works not for the 1 percent or the 10 percent but for 100 percent of Americans. Let us reclaim our “we the people” democracy, our “we the people” vision, and set our Nation back on track.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECESS

Mr. LANKFORD. Madam President, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 12:26 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. COATS).

AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT OF 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 4038, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 300, H.R. 4038, a bill to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be equally divided between the two leaders or their designees.

Mr. LEAHY. Mr. President, it is unfortunate that the fear and xenophobia being peddled by some Republican candidates for President is now being given time on the Senate floor.

Instead of solving the real problems facing Americans—like the student debt crisis or our need for energy independence—or responding to real threats to our national security—like our failure to track visa overstays or prevent terrorists from buying guns—today we are debating a strawman inspired by Donald Trump’s baseless rhetoric.

The bill the Republican leader is asking us to consider will not make America safer. In fact, it is a dangerous distraction that plays into the hands of the ISIS propaganda machine.

Instead of demonizing refugees, who are the most thoroughly screened group of people who enter the United States, we should take up and pass the Defeat ISIS and Protect and Secure the United States Act of 2015. That bill offers a comprehensive strategy to counter ISIS propaganda and violent extremism in the United States and abroad. It offers real solutions that will keep us safe rather than scapegoating refugees who are fleeing war and torture.

In contrast, the bill we are asked to consider has put forward fresh fodder for the false narrative that we are at war with Islam.

I will oppose this House bill.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I ask unanimous consent that the quorum call be equally divided between both sides.

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

Mr. BURR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to calendar No. 300, H.R. 4038, an act to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

Mitch McConnell, Rob Portman, John Thune, Tom Cotton, Steve Daines, James M. Inhofe, Mike Crapo, Thom Tillis, Roger F. Wicker, Lindsey Graham, Pat Roberts, John Cornyn, Shelley Moore Capito, John Boozman, Michael B. Enzi, James E. Risch, John McCain.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to Calendar No. 300, H.R. 4038, an act to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 55, nays 43, as follows:

[Rollcall Vote No. 4 Leg.]

YEAS—55

Alexander	Fischer	Paul
Ayotte	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heitkamp	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johnson	Shelby
Corker	Kirk	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	Manchin	Toomey
Cruz	McCain	Vitter
Daines	McConnell	Wicker
Enzi	Moran	
Ernst	Murkowski	

NAYS—43

Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Markey	Tester
Carper	McCaskill	Udall
Casey	Menendez	Warner
Coons	Merkley	Warren
Donnelly	Mikulski	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NOT VOTING—2

Graham	Sanders
--------	---------

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 43.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY—VETO—Continued

Mr. MCCONNELL. Mr. President, I call for regular order with respect to the veto message on S.J. Res. 22.

The PRESIDING OFFICER. The veto message is the pending business.

The Senate proceeded to reconsider the joint resolution.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk on the veto message.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the veto message on S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of ‘waters of the United States’ under the Federal Water Pollution Control Act.

Mitch McConnell, Tom Cotton, John Thune, Johnny Isakson, Steve Daines, Roy Blunt, Cory Gardner, Deb Fischer, Pat Roberts, Thom Tillis, John Cornyn, Joni Ernst, David Vitter, Lamar Alexander, John Barrasso, Ron Johnson, Thad Cochran.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, this cloture vote be set at 10:30 a.m. on Thursday, January 21; further, that if cloture is not invoked, the veto message be indefinitely postponed.

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

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### NUCLEAR AGREEMENT WITH IRAN

Mr. COONS. Mr. President, 6 months ago, world powers reached an agreement to constrain Iran's nuclear program and to give us a path forward toward constraining Iran's nuclear ambitions. While the international community has taken some positive steps to implement this agreement and to limit Iran's nuclear program and while Iran has recently taken positive steps to observe and to implement this agreement, we must do much more to strictly enforce this deal and aggressively push back on Iran's bad behavior outside the deal's parameters. If we don't, this nuclear agreement may not survive into next year.

This past weekend was an eventful one for U.S. foreign policy and, in particular, for U.S. policy toward Iran. Saturday marked implementation day of this nuclear deal, also known as the Joint Comprehensive Plan of Action, or JCPOA.

Implementation day is important because it means that the International Atomic Energy Agency, or the IAEA, has certified that Iran has completed a whole series of tasks required as part of the nuclear agreement. The four most important of those tasks are these:

First, it has shipped 12 tons of enriched uranium—nearly its entire stockpile, which took Iran a decade to amass—out of the country to a secure facility supervised by the IAEA around the clock.

Second, it means Iran has reduced the number of its functioning centrifuges—centrifuges it uses to enrich uranium—by nearly two-thirds, or from roughly 19,000 to a little more than 6,000, and it has accepted long-term limits on developing, testing, and deploying new centrifuges.

Third, it means that Iran has presented the IAEA with unprecedented 24/7 access to monitor all of its nuclear-related facilities. That is not only enrichment facilities. That is uranium mines, uranium mills, and centrifuge production facilities—every known and declared site within Iran connected to its nuclear program. This level of access far exceeds previous IAEA authorities in countries suspected of trying to develop a nuclear weapon.

Fourth—and to me, in ways most importantly—Iran has filled the core of its Arak heavy water reactor, pictured here, with concrete, permanently disabling the most likely short-term path that Iran had to producing weapons-grade plutonium. Had Iran proceeded and had Iran been able to produce sig-

nificant quantities of weapons-grade plutonium, our ability to intervene and to prevent their march toward a nuclear weapon would have been significantly harder.

Plutonium is one of the most lethal toxic substances known to man, and any attack on a heavy water reactor producing plutonium would have had horrible consequences, not just in Iran but throughout the entire region. So blocking Iran's short-term pathway through uranium enrichment and through plutonium enrichment is a significant step forward and does reflect significant restraints on Iran's nuclear weapons program.

As a result of the conditions on this deal that I just referenced, the time it would take Tehran to break out and to dash toward a nuclear weapon, to amass all of the fissile material needed for a bomb has been extended significantly from just 2 months to 3 months to a year or more. But these positive developments come with substantial risks, principally among them is the tens of billions of dollars in sanctions relief that Iran will now receive for complying with the terms of the deal. Tens of billions of dollars of Iranian assets, which have long been frozen in bank accounts around the world through an American-led international sanctions effort will now be released.

That is why America and our international partners must continue to aggressively enforce the terms of the deal and to make sure that Iran remains in compliance with every aspect of the JCPOA. Our work in this area is more urgent and more difficult than it has been at any point before. We can be confident that in the coming months and years the Iranians will test the boundaries of the deal and will probe our every response. Indeed, they already have.

If we fail to respond more swiftly and more vigorously to these Iranian provocations, Iran will nibble away at the deal's restrictions and gradually undermine the international coalition that put it together. Every minor violation that we permit, every violation that we tolerate damages our credibility and gives Iran tacit permission to continue its breaches of the agreement.

Given this stark, difficult reality, our efforts to deter Iranian aggression must not be limited to just enforcing the nuclear deal, or the JCPOA. Rather, our efforts must be part of a coherent, unified regional strategy to contain Iran and to push back on its bad behavior in the Middle East, a task made even more difficult because of its newfound access to assets previously frozen. That comprehensive effort to counter and contain Iran must include a willingness to take unilateral action by imposing new sanctions on Iran for destabilizing actions, both inside and outside the parameters of the nuclear agreement.

That brings me to the second important development of this past week-

end—the designation of additional sanctions to punish Iran for its ballistic missile tests. Last fall, in clear violation of the United Nations Security Council Resolution 1929, Iran conducted two ballistic missile tests: one on October 10 and one on November 21. Since then, I and many of my colleagues have been calling on the Obama administration to punish Iran for these disruptive, dangerous, and blatantly illegal actions. Over the weekend, the administration took action by designating for sanctions 11 additional individuals and business entities involved in supporting Iran's ballistic missile program. These sanctions follow a series of steps previously taken by the Treasury Department last fall to sanction other Iranians, other Iranian-linked individuals and organizations for a litany of other dangerous and illegal activities: supporting Hezbollah officials and agents who threaten our vital ally, Israel; supplying financial and material aid to the Houthi rebels in Yemen; providing military support for the murderous Assad regime in Syria; and the list goes on. It is important for all of us, on a bipartisan basis, to remind our allies throughout the world that American-led sanctions against Iran—for its human rights violations, for its ballistic missile program, for its support of terrorism—remain in effect and will be vigorously enforced.

From conducting these missile tests to supporting terrorism, to continuing to deny the very existence of some basic human rights, Iran has shown time and again it will continue to flout international rules and values. The United States must continue to maintain its unilateral sanctions in these areas, and we must not hesitate to use these authorities—not just to punish Iran for its immediate bad behavior but to send a clear signal to our allies in the region, throughout the world, and to Tehran that we are serious about holding Iran accountable.

Of course, implementation day and the imposition of sanctions and sanction designations for Iran's illegal ballistic missile tests weren't the only significant developments of the new year. We also learned this weekend that America would soon be able to welcome home five innocent Americans long held unlawfully by Iran. These Americans should never have been held in the first place and their release was long overdue. The negotiations to release these five Americans occurred outside the parameters of the JCPOA.

While we are grateful for their safe return, this release also raises some serious questions. We still don't know the status of retired FBI agent Robert Levinson or his whereabouts. We don't know the status of Siamak Namazi, an Iranian-American energy industry executive arrested in October. It is my hope there are equally ceaseless efforts by the administration to bring them home.

We have to ask: What did we give up? What were the terms of the agreement?

How did we make possible this release? A key part that is public is that while none of the 7 Iranians released were convicted of violence, they were nonetheless convicted of criminal acts, and 14 Iranians who may have been convicted had the charges against them dropped. The question we are going to have to pursue is, What precedent did these prisoner swaps set for our future interactions with the Iranian regime? It is my hope that we are at the end of prisoner deals with the Iranian regime.

We must remember, though, that despite the limits imposed by the JCPOA, Iran continues to destabilize the Middle East and undermine America's goals for the region. Iran's behavior since the JCPOA was signed has made it crystal clear that Iran is neither America's friend nor ally. We must remain suspicious and distrustful of the Iranian regime.

In addition to its ballistic missile test I referenced before, the Iranian Revolutionary Guard has conducted dangerous military operations near U.S. ships, most recently threatening the safety of American sailors by conducting a live-fire exercise barely a mile from the aircraft carrier, the USS *Harry S. Truman*.

Iran also detained American sailors in the Arabian Gulf last week, and it did not treat them in a manner consistent with naval forces rendering assistance at sea. While I am pleased our sailors were released safely, Iran did use the images of those sailors for propaganda purposes in an attempt to send a signal to the world about its capacity to sow chaos in the region. We must not turn a blind eye to provocations of Iran in the open seas of the Persian Gulf and throughout the region. I call on the administration and on my colleagues to support significantly increased efforts at maritime interdictions in the gulf and throughout the broader region. We should conduct more joint military exercises with our valued allies and partners in the region to make it clear to Iran that we will continue to pursue our interests, and we will counter Iran's maligned activities. Again, to remain distrustful of Iran and push back on the regional ambitions I think is the only path toward a safer, stronger Middle East and an American presence as one of its regional leaders.

No one should mistake Tehran's compliance with the terms of the nuclear agreement for a broader willingness to respect human rights and engage with the international community in the rules-based order that we have helped lead since the Second World War. I have seen nothing to indicate that the regime in Tehran cares about the well-being of the Iranian people, much less the opinion of the world community. In October, for example, two Iranian poets each received 10-year sentences and 99 lashes for kissing members of the opposite sex and shaking their hands. That same month an Iranian award-winning filmmaker was sentenced to 6 years in

prison and 200 lashes on the charge of insulting sanctities. The filmmaker was making a documentary about an Iranian artist, based in Europe, who had been accused of blasphemy.

Nearly two-thirds of the 12,000 candidates who applied to run in next month's parliamentary elections recently withdrew or were disqualified by Iran's Guardian Council. Iran's Supreme Leader said: "Americans have set their eyes covetously on elections, but the great and vigilant nation of Iran will act contrary to our enemies' will, whether it be in elections or on other issues, and as before we will punch them in the mouth." These are not the actions or the statements of a state that respects the rights of its people or seeks friendship with the United States in the near future.

Just 2 weeks ago I returned from a trip to Saudi Arabia, Turkey, Israel, and Austria. I am grateful to my colleague from New York, Senator GILLIBRAND, for organizing this trip, which included important meetings with nuclear inspectors from the IAEA. We met with their leadership headquartered in Vienna and had meetings with Israeli Prime Minister Benjamin Netanyahu, Minister of Defense Ya'alon, and Turkish President Erdogan, as well as other vital regional leaders. The message my colleagues and I heard from these leaders was simple, powerful, and clear: America must reassure our allies that we will not waver in our commitment to push back on Iran, its nuclear program, and its destabilizing actions in the region. Our partners, our allies—and Iran—must know and believe through our words and our actions that we are serious about preserving the long-term stability of the Middle East and that Iran—a revolutionary regime—does not share our values or that goal.

As part of this effort, we must reassure, reaffirm, and strengthen our support for our vital ally, Israel. As the administration negotiates a new, long-term memorandum of understanding to provide Israel with the security assistance it needs to protect itself in the most dangerous neighborhood on Earth, we must insist that joint U.S. and Israeli strategic planning includes protection of Israel from threats it faces from neighboring instability in Syria. We must not allow Israel to be attacked by Iranian proxies, such as Hezbollah and Hamas. We must work closely with the Israelis to share intelligence and intercept any weapons shipments from Iran to its regional proxies.

If we fail to push back on Iran and enforce the terms of the nuclear deal, not only will the agreement collapse, but our efforts to show the world that diplomacy actually works will be dealt a dangerous blow as well.

In the weeks and months to come, I call on the administration to do more to push back on Iran, and I call on my colleagues—Republicans and Democrats alike—to come together, to be en-

gaged, and to remain focused on enforcing the terms of this nuclear agreement, on containing Iran, and on deterring their bad behavior, their support for terrorism, their support for human rights violations, and their relentless effort to develop and advance ballistic missile capability.

As I said before on this floor, the Iranian Government has long paid close attention to everything America says and more closely to what America does. Never has it been more true than today. Never has it been more urgent than today. As the regime gains greater access to money and resources, we must not take our eye off of Iran.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, as the Presiding Officer knows, throughout last year's session I would come to the Senate floor every week and talk about a waste of the week. That was in 2015. We did nearly 30 of those in the 30 weeks that the Senate was in session, maybe skipping one or two. It is 2016. We are in a new year, and I am back for the 2016 version of "Waste of the Week."

The reason I am doing this is because I am trying to bring to the attention of my colleagues and the American people the fact that the government is not spending their hard-earned tax dollars in the most efficient and effective way that they could. By highlighting these various uses of expenditures in Washington and abuses of that spending, we alert them to the fact that there are significant savings that can be made.

In 2015, we totaled up to nearly \$130 billion of demonstrated examples of waste, fraud, and abuse—money that was spent for no purpose whatsoever or for a purpose that certainly didn't qualify for the use of taxpayer dollars and the abuse of that spending and the fraud that went along with it. This is just scratching the surface.

The Presiding Officer was very much a part of this and knows that since 2010 there has been a significant effort, much of it a bipartisan effort, to try to deal with the long-range plunge into evermore spending and evermore debt that is plaguing our country, holding down our ability to grow as an economy, and will have long-term negative consequences on our generation and particularly on future generations.

Whether it was Simpson-Bowles or Domenici-Rivlin or whether it was the Gang of 12, the Committee of 6 or the Vitter committee, many efforts were made to try to work with the administration to address the long-term problems. Eventually, each one of those failed. I am not here to impose blame on anyone. It would be easy to do. It is a very difficult problem working with the administration, and sometimes we have differences between our two parties here, but there was general recognition—universal recognition—that we couldn't continue down the same

path of excessive spending, more than we received in revenues, year after year at a frightening pace to ever greater debt.

When this administration took office, the national debt—accumulated well over 200 years of the existence of this country—that debt has nearly doubled in the 8 years this administration has been in office and will virtually double before that term is up. It is unsustainable.

The Congressional Budget Office—a neutral agency that has nothing to do with Republicans or Democrats or politics. It simply gives us the numbers and the numbers tell the story. Those numbers are frightening when we look at the degree to which we continue to plunge into debt.

The Congressional Budget Office just released its latest report, which said coming deficits will be more than 20 percent larger than previously forecast—previously forecast, just last August. Depending on some of the actions taken here in Congress regarding spending, the calculation has to be changed, and it is going to be 20 percent more than what they had projected just a few months ago. We are looking at trillion-dollar deficits on the horizon.

In my mind, here is the most startling of the 10 recommendations and notices to us: In 10 years, 99 percent of all revenue that comes in to the Federal Government—the cumulation of everyone's taxes and all the money that flows into Washington through user fees, excise fees, withholding taxes from our paycheck, the taxes we pay either every April or quarterly taxes, every tax out there accumulating, 99 percent will go to mandatory spending and net interest spending.

If you are for a stronger defense, if you are for better research at the National Institutes of Health, if you are for funding the Centers for Disease Control and Prevention, if your interest is education, social welfare, if you are looking at any of the hundreds, if not thousands, of programs that various interests have here, if 99 percent of the revenues coming in are going to things we have no control over—mandatory spending, which is Social Security, Medicare, Medicaid—essentially only 1 percent is left to divide up among everything else the Federal Government does; that is, building roads, fixing bridges, grants to cities, environmental interests, on and on we could go. If 99 percent is going to spending what we can't control—simply paying interest on the debt and covering the entitlement spending of Social Security, Medicare, and Medicaid—it is unsustainable. Those efforts have failed. It is a pox on all of our houses. We tried mightily and had no ability to bring it to conclusion.

That has been kind of pushed off the table. We didn't talk about that much in the last year of this Congress. The focus was on other issues. But this looming catastrophe that will happen

based on nothing but numbers, arithmetic, and facts—will happen sooner than anybody anticipates—cannot be put aside. But having failed in those major efforts and as long as this President is in office, it appears that we are not going to be successful this year. This catastrophe will be dumped on the next President's lap, whoever that President might be, and I thought the very least we could do is continue to look at how to make government more efficient, how to prioritize our spending, and how to eliminate and address the issue of waste and fraud.

I started this program, waste of the week, trying to educate the public in terms of the fact that there is money out there that can be spent more wisely or that wouldn't have to be taken from them in the first place or that can be used to reduce our debt. I am now up to 30 examples of ways in which we can address that. So today I am doing, I believe, No. 30. This is something that has to do with our foreign policy.

These wastes of the week have everything from the ridiculous, such as hundreds of thousands of dollars for a grant to a university to study whether massaging rabbits—after strenuous activity—allows for faster recovery from the strain of the rabbits' work. This is what they are spending your tax dollars on. I think you can ask any person—whether they are in Little League, high school, professional sports, or college—whether, after strenuous exercise, it helps if you have a massage. I think the answer would be yes, of course. Everybody knows that, but we had to issue a grant of almost \$400,000 to somebody who filled out a form and said: This is a great idea. Send us some Federal money, and we will produce this study, and then we will give you the conclusion.

There is everything from the ridiculous to issues that are very serious, such as the duplication of effort in two programs to help people who are out of work either because of disability or because they can't get a job. One is called unemployment insurance and the other is called Social Security disability. To qualify for Social Security disability, you have to prove you can't work. To get an unemployment insurance payment from the government, you have to prove you can work but there isn't a job. You don't get both. Yet we identified \$5.7 billion of expenditure in duplication—people who were getting a check for both being disabled and not being able to work and saying: I am able to work, but the job isn't there. So two checks arrive every month in the mailbox for these people—to the total amount of \$5.7 billion.

You would think that in this day and age where everything is computerized, it would be easy for the unemployment insurance agency to call up or to contact Social Security and say: You know, John Smith here is applying for unemployment insurance. Can you check your records to see whether he is also receiving Social Security dis-

ability? It would be easy to get their Social Security number and match. But, no, one agency is working over here and another agency is working over there. Both are sending out checks, one of which is illegal, and they are not communicating with each other. It ought to be an easy fix, but this is the Federal Government.

On and on it goes.

Let me talk about No. 30. No. 30 involves the Task Force for Business and Stability Operations in Afghanistan. It is a Pentagon business advocacy agency that was formed to provide contracting work in Afghanistan through rebuilding. We did this in Iraq, and now we are doing it in Afghanistan. It was established for a valid purpose: to encourage foreign investment. They have a task force, and the task force lives over there. What we found through the inspector general—a special inspector to ensure that this money that is being spent over there is spent wisely has found that millions has been spent on private housing for the staff of this task force instead of allowing those people to utilize excess space at existing Department of Defense bases.

So here is a Department of Defense program. The Department of Defense has housing and provisions for food and shelter and so forth, and they have excess capacity because we have drawn down troops. But instead of putting those people in this area where they can occupy unoccupied space, where they can get food through the DOD process—a much cheaper process—they put them in specially furnished, privately owned villas and spent \$150 million doing it. They have also hired contractors to provide—because they are separate from the Department of Defense base, they have to have private security, they have to have food services provided to them, they have to have bodyguards for staff and visitors, and they have to have onsite laundry service, food and drink services, private transportation, cultural advisers, and housekeeping services. All of this could be avoided for this task force which is there to provide investment counsel and advice for Afghanistan.

Not surprisingly, reports of the spending drew the attention of the Special Inspector General for Afghanistan Reconstruction, who has spent time digging into finding out exactly what is happening here. He noted that the exorbitant cost of the villas is especially concerning, as I have said, because there are other facilities through the Department of Defense that have been planned for this specific purpose that are not being used and it would be much cheaper if they were used. Because they are already there, they don't have all this collateral support. He said that 20 percent of the task force budget provided housing and security for no more than 5 or 10 staffers.

Former task force employees told investigators that the inspector general estimates that housing a staff of 10 at



the U.S. Embassy in 2014 in Kabul would have cost \$1.8 million and little or nothing if they had bunked with troops at a military base.

The IG also noted that poor oversight and the complete lack of coordination—where have we heard that before? Where have we heard about Federal programs with a complete lack of coordination with other programs to see if there is duplication, such as Social Security disability and the unemployment insurance as an example? That has not been provided, he said.

He is still investigating all of this, but what we are going to do today is take that \$150 million price tag for these Afghanistan villas to the taxpayer, and we are going to add that.

By the way, I have a picture of the villas. I can see why people might want to live in something like this rather than an Army base. But this is tax dollars going over to Afghanistan. We have a mission over there to complete. I don't know—this could be in Washington, DC, or this could be in Indianapolis, IN. They are pretty nice digs. Is it really necessary to spend that kind of money when other facilities are available, when all the services and food are available to maintain these and the security is within a Department of Defense military base? Do we have to go to this level of support with taxpayer dollars?

We are adding \$150 million to our ever-growing list of waste, and our total is now well over \$130 billion of cost. That is this week's waste of the week.

#### SYRIAN REFUGEES

Mr. President, I also wish to talk about the Syrian refugee issue. I had the opportunity to spend some time in Jordan, as a member of the Intelligence Committee, and in Turkey looking at the situation as it exists in Syria. I also spent time in Italy and Greece relative to the humanitarian crisis that is taking place, with literally hundreds of thousands of people who are fleeing Iraq, northern Iraq, and fleeing Syria because it is a war-torn area, and their migration and all the issues involved with that migration and the implications and consequences it is having on Europe.

It is an issue here in the United States, resettlement of refugees. It is overwhelming. These countries cannot even begin to process people coming to their borders to determine whether they are legitimate or whether they are inserted terrorists who are using this flow of migration to gain access to Europe, to gain access to the United States, and to gain access to other places. They are legitimate people who are leaving with their families to avoid the consequences of this war; yet we know, because we have already ascertained this, that included in that effort are terrorists who want to insert themselves into that flow so they can come to Europe, come to our European capitals, come to the United States, and continue their brutality and jihad

against Americans and against Western civilization.

I think the issue we just voted on here unfortunately fell short. We didn't get support from our colleagues across the aisle and didn't have the necessary number of votes to pass what the House has already passed, and that is to provide a suspension of time to comply with what our FBI Director has said needs to be done so that we can ensure that people in this refugee flow who are going to be admitted to America under the administration's plan are truly war-torn refugees and not representing a terrorist threat to the American public. The FBI Director and our intelligence agencies have said we don't have the necessary tools in place to be able to ascertain this, and until we do, we cannot guarantee that these refugees do not include people who are not coming for asylum reasons but are connected in one way or another to terrorists. I thought it was a very reasonable thing to do to provide for security for Americans and assure them that we are not simply opening the gates here to terrorist access, to pause and get these screening procedures in place before we allow this to happen.

We just had this vote within an hour or so and came up short, which is unfortunate, and we did not gain the support we needed to get the necessary votes from our colleagues. So the effort the House has made once again dies in the Senate because while we had virtually every Republican vote, we couldn't get any other votes to get to the necessary level to take up the legislation and move forward. There may be another attempt to do that.

After going and looking and talking to U.N. associate officials, talking to our government officials, talking to officials from these various countries and particularly those entry points from northern Africa that come through Italy and from Greece, which comes from Syria and Iraq, the conclusion I came to was that this flow, which is now well over 1 million people—temporarily slowed here because of the weather, and it will start up again in the spring when it warms up—is overwhelming Europe. You don't have to watch too much cable news or read too much of a newspaper to see what is happening in Europe with the massive inflow of refugees, asylum seekers, and the incorporation of people who are not abiding by the laws, overwhelming the system.

So as open-arms welcome, as Germany was under the Chancellor's proclamation to "bring them here, and we will take care of them," even that is now under question in terms of Germany's capability of doing that. A number of other countries, including Denmark and Hungary, are basically saying: We can't handle all of this. It is just overwhelming us. The social and financial consequences of all of this are a great political, as well as a financial, threat to Europe, and we have seen evidence of that. No one is really talking

about a possible alternative that can deal with this problem.

Several months ago, I came to the Senate floor and basically said: I think I have a better solution that is perhaps even more financially feasible. My solution is to provide safe havens for these people either within their country or simply across the border of other countries. Turkey and Jordan are taking in millions of refugees, but they are overwhelmed. There is a precedent here in terms of providing safe havens.

I was serving in the Senate at the time of the Balkan war, and the brutality there was equal to some of the brutality that is taking place in Syria. It was a desperate situation, but through the U.N. agencies for refugee relief and the use of NATO to provide security, we created, as a coalition of nations, safe havens for people in the Balkans. There were a few mistakes, but in the end it worked very significantly.

These people wanted to go back to their homes. They wanted to stay citizens of their country. They had hundreds of years of history through the line of their families in these countries, and they didn't want to try to take on a different language and have to learn different skills in order to assimilate in other countries any more than we would want to move our people out to another country if we were in that situation.

By creating safe havens and having NATO provide the security to keep these safe havens from being attacked or misused and by providing a coalition of financial support and enough humanitarian support through the United Nations and through the world's nations, I said this is a better way to handle it, and we succeeded in that effort. So the precedent is there, and I thought: Why not use the same model for Syria? It solves the immigration issue because those people are housed in a humanitarian way, with NATO providing for their safety, which is what I suggested. After all, Turkey is part of NATO. It is a mission in which NATO would address the problem in Europe, where most of the NATO nations are housed. Obviously, the United States would take part in it.

It provides a financial situation to the issue. I haven't been able to calculate this, but the cost of providing those safe havens can't exceed the cost of all the transfer, movement, assimilation into the culture, training, education, learning the language, and everything that has to be provided for those who are going to foreign nations from their homeland.

So once again, I am bringing this suggestion to my colleagues' attention, and, hopefully, to the attention of NATO and other countries that are caught up in this refugee problem and asking: Why don't we reopen the discussion and debate about what the cost would be, what it would take to accomplish it in order to create these safe havens in areas close to or within the

borders of the countries from which they are coming from? It addresses a multitude of problems that are overwhelming the capability of European nations and have created a political storm of opposition both in Europe as well as in the United States, and it legitimately gives those refugees safe harbor, humanitarian support, and housing conditions. It gives them food, water, and humanitarian and medical support at their safe haven rather than have them flowing into other countries.

So, once again, I am calling for this. Germany estimates that last year alone the cost of the refugee crisis was 21 billion euros, and in dollars it would be even more. Italy spent 620 million euros in 2014 and more than 800 million euros in 2015. Individual islands in Greece spent between 1 and 1.5 billion euros last year, and they can't afford it. We all know that Greece can't begin to afford this. They have said: We have enough financial problems trying to take care of our own people, let alone the massive influx of refugees. Sometimes they get 10,000 refugees a day in their country who say: We are here, we want to eat, we want a place to sleep, and we need to be taken care of.

Greece is saying: We can't even take care of our own, let alone the refugees.

It is creating tremendous tension and tremendous political consequences for many European nations. The EU allocated 560 million euros for the crisis last year, which is far too short. But in that context, this money can be used to address the problem of funding for these safe havens, avoiding all of the cultural, political, and social dynamics that are a part of this refugee flow and creating so many problems there.

I have kind of given an outline here of what I think we ought to seriously consider as we are looking at the refugee crisis. For those who say America is not a welcoming country, that is not true.

My mother is an immigrant. I am the son of an immigrant. She came here as a young child with her sisters and brothers the legal way. My mother and father learned the language and worked hard so that we could get a good education and assimilate into the United States.

But now we simply don't have the capability. It is not wise to simply open our borders and say: Come one; come all. Maybe that was possible before ISIL, ISIS, Al Qaeda, and these other terrorist groups were formed, but today we have a major national security issue combined with the ability to assimilate refugees from other countries.

The security issue alone puts us in a position where we just simply can't provide the kind of security for the American people without screening and background checks because ISIL said: We are doing this. Look at California and these other places where they are inspired over the Internet or injected into our country. The FBI Director

says: We are overwhelmed in terms of trying to keep track of people whom we suspect are trying to do harm to the American people. I think because of that issue alone, as well as the other issues involved here, this is a model we ought to take a serious look at.

Once again, I am calling for that, and I will talk more about that as we go forward.

I am now finished with my two presentations.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll. The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CAPITO). Without objection, it is so ordered.

#### RIGHT TO LIFE FOR THE UNBORN

Mr. MORAN. Madam President, Kansans celebrate a rich history of protecting man-made laws that deny natural rights. We have protested many things over a long period of time, and our history is significant in that regard. After years of bloodshed leading to the Civil War, Kansas was born a free State. Though we lament the use of any violence, residents of our State have acted on the firm conviction that human beings, regardless of their stage or state in life, could not be regarded as property by other people.

We take pride in the fact that one of the first sit-ins of the civil rights movement took place at the Dockum Drugstore in Wichita, KS, leading the way for peaceful protests in the struggle for equality.

Today I wish to call attention to a somber anniversary in our Nation's history that will be observed this week. Forty-three years ago, the Supreme Court determined an unborn child has no guaranteed right to life under the Constitution, paving the way to destroy the lives of 57 million unborn children since 1973.

Many Kansans, most of them very young, will continue a decades-long tradition of standing up for the civil rights of an unprotected class of people as they come to Washington, DC. With their chaperones, they will comprise one of the Nation's largest groups attending the annual March for Life.

They come each January, when it is rarely warm, and, as is forecast for this Friday's march, it will be snowy, cold, and probably very miserable. Despite the elements—despite the weather—when the hundreds of thousands of youth walk down Constitution Avenue past the Capitol and the Supreme Court, they give witness to the sanctity of human life from the moment of conception. They protest abortion providers receiving taxpayer dollars. They object to government policies that violate freedom of conscience.

These Kansans have made a 20-hour bus ride and will yet again brave cold weather to demonstrate their commit-

ment to the right to life—a right that those of us in positions of power have an obligation to protect.

When visiting with these young advocates, I have been struck by the clarity with which they march. Motivated by a joy for life, a love for life, they come to Washington, DC, not to condemn, but rather to affirm that all life is sacred and to encourage a broader realization of that in our Nation.

Every opportunity they have while they are here they will use to educate and to encourage a point of view that protects life. As other times in our struggle for civil rights in our country, they will make progress to pursue and secure the right to life, and none of those things have happened as quickly as we would like.

As we work to expedite the day when the unborn are protected under law, I welcome to our Nation's capital all Kansans, as well as the hundreds of thousands more who will join them as they march for life. Every great movement begins with the first step, and these young Kansans can be certain their march will not be in vain.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

#### PRICE SPIKES IN DECADES-OLD PRESCRIPTION DRUGS

Ms. COLLINS. Madam President, I rise today with my friend and colleague, the Senator from Missouri, Mrs. MCCASKILL, to inform our colleagues of an important development in the investigation underway by the Special Committee on Aging as we examine the sudden and dramatic price hikes for certain decades-old prescription drugs.

First, let me provide the Presiding Officer and our colleagues with some background on our investigation to date. Given that 90 percent of seniors take at least one prescription drug every month, the egregious price increases we have witnessed on these older drugs that are no longer under patent protection could inflate the cost of health care by hundreds of millions of dollars each year. Concerned not only about the high costs but also about the potential risk that patients will not be able to access the prescription drugs they need, we launched a bipartisan investigation early last November into the causes, effects, and potential solutions to these massive and unjustified price increases.

Our investigation is focused on four companies that recently acquired six drugs that were decades old—drugs whose patents had expired long ago—and then these companies, after purchasing these drugs, dramatically hiked their prices. The four companies are Turing Pharmaceuticals, Valeant Pharmaceuticals, Retrophin, Incorporated, and Rodelis Therapeutics.

Of these four, Turing Pharmaceuticals, previously led by its founder Martin Shkreli, is the company that has received the most attention. In August of last year, Turing acquired the

drug Daraprim. Daraprim is considered to be the gold standard for the treatment of toxoplasmosis, a disease resulting from a parasite infection that can be particularly harmful to infants born to infected mothers.

Despite the fact that Daraprim has been on the market for 63 years, Turing bought the drug and then promptly raised its price from \$17.63 to a whopping \$750 per pill.

The other three companies also dramatically increased the prices of the drugs they acquired from between 300 to 2,000 percent.

On November 4, we wrote to the companies asking for detailed information regarding their pricing decisions. I ask unanimous consent that our letter be printed in the RECORD at the conclusion of my remarks.

Around the same time, Turing CEO Shkreli was actively engaged in online postings and other communications discussing Turing business, using what appeared to be his own personal electronic devices.

On November 12, 2015, the Aging Committee asked the counsel for Turing to take reasonable steps to ensure that any business records on Mr. Shkreli's personal devices be properly preserved and produced. Turing still has not provided the Aging Committee with clear assurances that it will do so, notwithstanding the fact that they have told us that Mr. Shkreli was "principally involved for Turing in all aspects of the transactions and the decisions covered by" our November 4 letter.

On December 9, 2015, we issued a subpoena for documents to Mr. Shkreli in his capacity as CEO, compelling Turing to produce the information that had been sought by our November 4 letter. On December 15, 2015, we learned that Mr. Shkreli had been indicted on seven counts unrelated to Turing and pre-dating the company's corporate existence. The next day Turing announced Mr. Shkreli's resignation as CEO but left unclear whether or not he remained on its board of directors.

The fact that the company has not made it clear that it would act to preserve Turing business records in its former CEO's possession left the committee deeply concerned that we might not receive all documents relevant to our investigation. Therefore, on December 21 of last year, the committee requested that Turing provide detailed information on the steps it was taking to preserve these records. Once again, however, Turing failed to produce an adequate response to our request.

Consequently, the Special Committee on Aging issued another document subpoena—this one directly to Martin Shkreli himself—on December 24. It directed him to produce substantially the same documents sought by the committee's December 9 subpoena. By a letter dated January 12, 2016, counsel informed our committee that Mr. Shkreli was categorically invoking the act of production privilege under the

Fifth Amendment to the Constitution and was therefore refusing to produce any documents in response to the December 24 subpoena. So this is the important new development. He has chosen, in response to a document subpoena for Turing documents that may be in his personal possession, to invoke the Fifth Amendment.

To be clear, Mr. Shkreli is essentially arguing that the very act of producing and authenticating documents that are seemingly unrelated to the charges filed against him may incriminate him. The committee has asked him through counsel for an explanation of the rationale for this argument, and we are awaiting a response. The committee is troubled by his unsupported invocation, given that the Turing documents we have requested appear to be unrelated to the charges brought against him. Absent a valid justification of the grounds for invoking the Fifth Amendment, Mr. Shkreli's assertion could hinder our important investigation.

Our committee is seeking to understand how companies can acquire prescription drugs—drugs for which they had nothing to do with the research and development, drugs that in some cases are more than half a century old—and then suddenly impose dramatic price increases on those drugs at the expense of infants, vulnerable seniors, and others with devastating diseases for which in some cases these drugs are the gold standard for treatment.

So far the Special Committee on Aging has received nearly 20,000 documents over the course of this investigation. The documents the Senator from Missouri and I are seeking on behalf of the committee likely include information that is essential in order for us to fully understand why this phenomenon is happening and to develop the legislative and regulatory solutions to end this disturbing practice.

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

UNITED STATES SENATE,  
SPECIAL COMMITTEE ON AGING,  
Washington, DC, November 4, 2015.

Mr. MARTIN SHKRELI,  
Chief Executive Officer, Turing Pharmaceuticals LLC, Avenue of the Americas, 39th Floor, New York, NY.

DEAR MR. SHKRELI: The United States Senate Special Committee on Aging is conducting an investigation into the pricing of off-patent drugs in certain circumstances. We seek your cooperation with this investigation so that the Committee may better understand drug pricing and related regulatory and public policy concerns.

In particular, the Committee wishes to learn more about Turing Pharmaceuticals' recent acquisition of the rights to sell Daraprim, a drug used to treat and prevent infections, from Impax Laboratories and Turing's subsequent decision to increase the price of Daraprim from \$13.50 per tablet to \$750.00.

In order to assist us in our investigation, we ask that you provide us with the documents set forth in Schedule A and the information set forth in Schedule B by December

2, 2015. Please submit the material responsive to this request as it becomes available, rather than waiting to provide it all at once. In order to facilitate this production, we request that you schedule a time to meet and confer on the Request with Committee Staff as soon as it is practicable for you to do so.

The jurisdiction of the Special Committee on Aging is set forth in Section 104 of S. Res. 4, agreed to February 4, 1977.

We appreciate your attention to this matter. Should you have any questions, please do not hesitate to have your staff contact Samuel Dewey of the Majority Staff at (202) 224-2798, or Cathy Yu of the Minority Staff at (202) 224-7752. Please direct all official correspondence to the Committee's Chief Clerk, Matt Lawrence.

Sincerely,

SUSAN M. COLLINS,  
Chairman, U.S. Senate  
Special Committee  
on Aging.

CLAIRE MCCASKILL,  
Ranking Member, U.S.  
Senate Special Com-  
mittee on Aging.

#### SCHEDULE A

1. Any analysis conducted by Turing relating to the price of Daraprim.
2. Any analysis in Turing's possession, custody, or control relating to the price of Daraprim; exclusive of documents responsive to Schedule A, Specification 1, herein.
3. My communications with Turing's Board of Directors relating to Daraprim.
4. Any documents generated by the Turing Board of Directors relating to Daraprim.
5. My projected or historical financial data relating to Daraprim, including, but not limited to, costs, revenues, profits, losses, and cash flows.
6. Any projected or historical financial data relating to Turing's research and development, including, but not limited to, research and development relating to Daraprim.
7. Any documents evaluating any product market that includes, directly or indirectly, Daraprim, regardless of the definition of the geographic market, including, but not limited to, analysis of barriers to entry thereto.
8. Any documents evaluating any market share that includes Daraprim, or the market power of that market share, for any product market or geographic market; exclusive of documents responsive to Schedule A, Specification 7, herein.
9. Any communications with Impax relating to Daraprim.
10. Any documents relating to Impax's sale of Daraprim to Turing.
11. Any contracts entered into by Turing that are related to the production, marketing, and sale of Daraprim.
12. Any marketing or pricing plans prepared for, or being used in, the sale or advertisement of Daraprim, including all documents related thereto.
13. My documents relating to Patient Assistance Programs relating to Daraprim.
14. My documents relating to Daraprim and Imprimis.
15. Any documents relating to the price of Daraprim that have been produced pursuant to an investigative inquiry by any federal, state, or local government entity.
16. My analysis relating to Daraprim and any statute or regulation administered by the FDA.
17. Any communications with the FDA relating to Daraprim; exclusive of documents responsive to Schedule A, Specifications 15 or 16, herein.
18. Any documents relating to Daraprim and the Health Resources and Services Administration's 340B Drug Discount Program;

exclusive of documents responsive to Schedule A, Specifications 13, 16, or 17, herein.

19. Any projected or historical financial data related to Daraprim and Medicare or Medicaid; exclusive of documents responsive to Schedule A, Specifications 5, 6, or 15–18, herein.

20. Any documents notating, memorializing, or summarizing a communication, or a portion thereof, responsive to Schedule A, Specifications 3, 9, or 17, herein.

SCHEDULE B

1. State:

a. A list of all countries where Daraprim is sold (or is expected to be sold in the next two years from the date of this letter) and the corresponding price or planned price for each country.

b. In detail, how Turing reached the price for each country.

c. How the revenue, costs, and any discounts associated with international sales are accounted for within Turing.

2. State in detail any changes Turing has made, or plans to make, to Daraprim or the administration of the drug.

3. Identify the Turing employee responsible for setting the price of Daraprim.

4. Identify the names and addresses of all companies owned in whole or in part by Turing that are involved in the production, marketing, and sale of Daraprim and any of its components.

5. State the total expense to Turing related to the acquisition of Daraprim.

6. State in detail all known uses of Daraprim by medical professionals, including both on-label and off-label uses.

7. State in detail all known protocols, of which Daraprim is a component, used by medical professionals, including both on-label and off-label uses.

8. For each discrete communication that did not occur via document, but which would have been responsive to Specifications 1–19 of Schedule A if made via document, state:

(a) The method of communication.

(b) The date and time of the communication.

(c) The author and addressee of the communication.

(d) The relationship of the author and addressee to each other.

(e) A general description of the communication.

Information responsive to this question should be produced in a native Excel file.

Ms. COLLINS. Madam President, I yield now to the ranking member of the Special Committee on Aging, my colleague Senator MCCASKILL.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, first I want to compliment the chairman of the committee for her remarks, which presented, I think, a very thorough and complete look at what the committee is doing and why we are doing it.

There are different ways that people can do business in the Capitol. There is the one-off press conference, there is the topic of the day that everyone scurries to get attention for, and then there is the professional, plodding, complete investigation into a very important public policy issue. That is the kind of investigation that Chairman COLLINS is leading—one that is responsible, thorough, and, frankly, grounded in a deep belief that the American people have the right to know why these obscure drugs and the companies that

developed them were purchased, and then they exploded in price. This is something we need to understand. These drugs are lifesaving drugs. This is something that adversely affects many Americans with these drugs. But the problem that is represented here could have much broader implications.

Prescription drug prices have increased by 13 percent in 2015, and they are up 76 percent in the past 5 years—more than eight times the rate of inflation. A recent national poll shows that the affordability of prescription drugs was Americans' top health concern. This problem appears to continue unabated as we speak. Just last week, there were reports in the Wall Street Journal that several major drug companies have all raised prices on drugs, some by double digits in the last month alone.

We need to get to the bottom of why we are seeing such huge spikes in these drug prices. In the course of the investigation, we have received quite a bit of pushback from lobbyists and insiders. One industry lobbyist said if we wanted to cure cancer, we better leave the drug companies alone. That is absurd.

We want to encourage innovation, and that is why the investigation is being handled so responsibly by Senator COLLINS. We want to protect those in research and development, but we can do so while taking a hard look at price gouging and the hedge fund-like behavior of some pharmaceutical companies.

I believe Congress has both the ability and the duty to conduct a thorough investigation of this issue, and I am proud to be a part of this bipartisan investigation led by Chairman COLLINS so that we can find policy solutions that will help Americans. As she indicated, we have already requested and received over 20,000 documents from multiple sources and have conducted more than 60 interviews with relevant stakeholders, and we plan to continue our investigative efforts until we have assembled a sufficiently complete picture so that we can be confident that any proposed policy solutions are well informed and targeted to the specific problems we have identified. In order to do that, it is important that we get all of the documents that have been requested.

The privilege against self-incrimination is an extraordinarily important and sacred constitutional right. It is a right that this body believes in protecting, and we in no way want to erode it. But as a former prosecutor, I am also very aware of its limitations. In order to invoke the Fifth Amendment, there needs to be a nexus between the documents and the information that one is refusing to provide under the privilege and an actual fear of self-incrimination in a criminal proceeding. We are asking for documents that on their face have no apparent connection to any ongoing criminal proceeding. If there is no connection

between the documents and a criminal proceeding or if the documents are corporate documents, the courts are very clear that they should be turned over to authorities.

I appreciate the chairman's conscientious and dogged pursuit of this investigation. I will continue to cooperate and assist in any way possible. I look forward to continuing the important work of the Special Aging Committee's investigation into drug prices, and I can assure the public that with the work that Chairman COLLINS is doing along with our staffs and the other members of the committee, we will get some answers.

Thank you, Madam President.

Ms. COLLINS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AMERICAN SAFE ACT

Mr. BENNET. Mr. President, all across the Middle East and Europe, hundreds of thousands of refugees are fleeing the medieval barbarism of ISIS and the violent cruelty of the Assad regime. Out of a population of 22 million, more than 4 million Syrians have fled to neighboring countries. These refugees—almost all of them women and children—have been living away from their homes for years in Jordan, Turkey, or other host countries, struggling to survive, struggling to be free. Hundreds of thousands have decided to make the dangerous journey to Europe. Many perish along the way. According to the United Nations, over 3,200 refugees attempting to reach Europe died or went missing in 2015 alone.

Throughout our history, when we have been at our best, the United States has accepted the world's most vulnerable seeking refuge from violence and murder. Our principles don't mean very much if we jettison them when we find them politically inconvenient or difficult to live by.

The legislation we voted on today represents a significant departure from our proud history. It would require the Secretary of the Department of Homeland Security, the Director of the FBI, and the Director of National Intelligence to personally certify that each refugee from Syria and Iraq poses no security threat before admission into the United States and would effectively halt the refugee process. This is not the reason I opposed the legislation. It is worth noting it is likely those three officials would be able to do nothing else during the course of the day to keep us secure because they would be busy signing certifications.

It is very clear, from all the testimony we have heard at our committees and people who are experts in this area, that a blanket prohibition like this

doesn't actually make us safe. Refugees are the most thoroughly vetted group of anyone entering the United States. Let's start with that. The United States first screens them and collects biometric data. Only those who pass are then referred to the United States—and refugees don't even know which country they are going to be referred to when they approach the United Nations. Then multiple agencies—including DHS, the FBI, the State Department, and our intelligence agencies—conduct a rigorous screening process. This includes health checks, repeated biometric checks, several layers of biographical and background screenings and interviews. Out of the 23,000 individuals referred to the United States, only about 2,000 have been accepted. It should be understood by people in this body—and I hope it is understood by the American people—that no refugee enjoys a presumption of acceptance into the United States. The reverse is true. They are required to pass the most stringent standards of any group seeking to enter the United States—a process applicants must endure with uncertainty for over 2 years.

So instead of playing politics, in my view we ought to be having a serious discussion about how actually to keep our country safe and what will make it safer. One of the things I learned when we were working on the immigration bill in the Senate—which still hasn't passed the House. I would remind everybody, the only bill to secure our border, the only bill to provide internal security when it comes to immigration was the bill that passed through the Senate that has never been taken up by the House in any form. One of the things I learned was that of the 11 million undocumented people in the United States, 40 percent of them—almost half—are people who came lawfully to the United States but overstayed their visa, and we have no way of tracking that. We have no way of understanding who those people are. This legislation would have fixed that. I would have loved to have seen the House pass a companion piece of legislation, but that concerns me because there are a bunch of people in here who haven't been vetted at all. So instead of playing politics, we ought to figure out what we can do.

Another example. A group of us have introduced a bill that strengthens the Visa Waiver Program, which terrorists can exploit to enter the United States. Currently, over 25 million people come to the United States every year through this program. Our legislation addresses important security vulnerabilities and closes the program to foreign fighters. The omnibus we just passed in December included some important parts of our bill. It prevents people who have traveled to terrorist hot spots in the last 5 years—including Iraq and Syria—from even using the Visa Waiver Program. It also requires all travelers using the program to have electronic passports, which are harder

to fake. These are big changes to make the American people safer. Together, these changes will help stop terrorists from coming to the United States, but there are still important parts of the bill we must pass, including requiring individuals using the Visa Waiver Program to submit biometric data such as fingerprints and photos before boarding a plane to the United States, working with our European partners to close their borders to the flow of foreign fighters heading to ISIS and back, requiring better information sharing on foreign fighters and dangerous individuals.

This is not to say that a refugee—or even a U.S. citizen—is not vulnerable to radicalization. We need to be vigilant about that. Americans are justifiably concerned about the reality of the threat and the dangerous world in which we live today. We must counter terrorist groups' ability to radicalize using social media, both here at home and abroad. Our country needs a much better strategy for countering and degrading ISIS propaganda and its recruitment machine. We have to develop creative and agile technologies to effectively degrade the ability of terrorist organizations like ISIS and others to persuade, inspire, and recruit by using social media. Congress should also pass the Senate immigration bill I mentioned earlier, which included a historic investment to secure our borders and enhance our interior enforcement.

As a reminder to everybody here, this bill would double the number of border agents, expand fencing, implement new technology and resources, address visa overstays, and provide for full monitoring of every inch of our southern border. By addressing real vulnerabilities and investing in smart security solutions, we can protect our borders and also—and also—live by our values.

We cannot allow ourselves to return to dark periods in our history when Americans debated turning away those fleeing cruelty around the world.

My mom who was born in Poland in 1938 while Nazi tanks amassed at the borders—she and her parents miraculously survived—Polish Jews—miraculously survived one of the worst human events in human history, and they survived it in and around Warsaw. They lived there for 2 years after the war and then went to Stockholm for a year, Mexico City for a year, and then they came to New York City. They came to the one country in the world where they felt they could rebuild their shattered lives.

On my first birthday—when I was 1 year old, 1965, 15 years after my mom and her grandparents came to the country—my grandparents sent me a birthday card. This is what they said in that card. They wrote in English, by the way, 15 years after they came to the United States: The ancient Greeks gave the world the high ideals of democracy in search of which your dear mother and we came to the hospitable

shores of beautiful America in 1950. We have been happy here ever since beyond our greatest dreams and expectations with democracy, freedom, and love and humanity's greatest treasure. We hope that when you grow up you will help to develop in other parts of the world a greater understanding of these American values.

We have very few opportunities to live by our values. This is one of those times. In this case it is not about developing them, as my grandparents worried during the Cold War, in other parts of the world. This is making sure that we hold on to the values that have defined us as a nation, that have separated us from so many other nations in the world and made this a place where my grandparents and my mom were able to come and achieve the American dream—a dream that would have seemed unimaginable to them during the Holocaust.

Mr. President, I yield the floor.  
The PRESIDING OFFICER. The Senator from Oklahoma.

#### OUR VALUE FOR LIFE

Mr. LANKFORD. Mr. President, it is a basic American value: Families.

America has gotten particular about our families. We love our families and we love our kids. It is one of the struggles we have had recently as a nation because we have seen this collapse of the American family, this basic value. We see that unit struggling. Families begin, a husband and a wife, in that incredible moment when a lady looks at a pregnancy test, sees that little line, and realizes there is a baby on the way.

Forty-three years ago as a country there was a decision made by the Supreme Court. That decision forever changed the structure of our families, forever changed the values within the country, because the values shifted 43 years ago, and it changed from there is a baby on the way to that family gets to choose if that is a baby or not. To literally be able to say, based on the preference of the mom, it is tissue or it is a baby, we should handle those two things very differently.

I can remember distinctly in my family 19 years-plus ago now, when we saw that little line on the pregnancy test and we started getting a house ready and getting things organized and we started trying to figure out how to get our finances in order and everything ready to go because there was a baby on the way. In those first moments, before my wife could even feel that she was pregnant, we found out that she was. That was a child coming to our family. She has a name now. Her name is Hannah. With the first of our two daughters—Hannah and Jordan—we understand full well how things started and what things were like in those earliest days. It is remarkable to me that so much of the conversation now circles around preference. At that moment we knew that if we didn't do something right away to actually reach into the womb and take that child out of the womb—Planned Parenthood and other folks would say

“just to remove the tissue”—that if something wasn’t done from that moment on, there was a baby coming, a baby who would look up into our face and would smile and would have a name.

Americans have lost track of this basic principle. That is not tissue in the womb. When that pregnancy test comes up positive, that is a baby. Regardless of the preference of any individual, that is a baby on the way. Cells are dividing. For many they don’t find out for maybe a couple of months even and begin to figure out something is really changing and they do a quick test. Sometimes by the time they even do a test there is a beating heart there. They look in with a sonogram and count 10 fingers, 10 toes. If you were to reach in and do a DNA test, you would find out that lump of tissue that is in there is not tissue. It has DNA different than the mom, different than the dad. That is a child. It is a unique life. That life is not determined based on a preference. That life is determined based on that dividing cell as a child with 10 fingers and toes.

I can’t think of anything else we have in America where anyone can say, based on their preference, I choose for that to be alive or I choose for that not to be alive. I can’t just look at this desk and say I choose to call that a life because we know life has basic criteria. It has dividing cells. It can function on its own. It can reproduce. It is life. We know what life is. We can’t casually say one thing is life and one thing is not, just like we casually don’t just try to fight off the destruction of tissue in other ways.

I always smile when I hear some folks on the other side of this argument say they want abortion to be safe, legal, and rare. I hear it all the time—safe, legal, and rare. When someone says that to me, I always ask the question: Why rare? I understand safe and legal. Why would you care if it is rare? If it is just tissue, why does it matter if you remove it?

No one has a big national movement to fight individuals from taking warts off their hands because everyone knows, if you have a wart on your hand, it is just tissue and no one cares if you take that off. They understand that really is your body. It is a wart on your hand and it doesn’t look good, so take it off. Everyone is fine with that. For some reason there is a push to say safe, legal, and rare when it comes to abortion because I believe inherently even the individuals who say safe, legal, and rare understand it is not just tissue or you wouldn’t say it has to be rare. You understand it is an incredibly painful, difficult decision that a mom is making because she knows in her gut that is not tissue. That is a child, a child who would one day have a name and a smile. That is a child.

In China the government gets to decide whether it is just tissue or a child because the government will step in and say: If you have a second child, you

can’t have that one. You have to destroy the second child. Now, in their benevolence, China has shifted to say you can have up to two children in certain areas and in certain regions, but if you have a third one, you have to destroy that child. In America, for whatever reason, we have individuals with the freedom to be able to say: I prefer for this not to be a child. Suddenly, somehow our culture says: OK. You can pick.

The Supreme Court in 1973 looked at this issue, and they argued a lot about viability, what they call quickening. This conversation about viability really circled around whether States could actually make laws protecting the lives of children once they reach viability. In 1973, viability was very different than what it is today. In the NICU units—neonatal intensive care units—you will find a very large area in most hospitals. You ought to go by and visit and walk into an NICU area because you will find many rooms and many beds there. Decades ago that wasn’t true because children at 22 weeks and 24 weeks didn’t survive before. Now a higher and higher percentage are.

There are children who are in Oklahoma City right now in NICU who weigh just a tiny bit more than two iPhones. That is their weight when they are born—just a tiny bit more than two iPhones in weight. Yet they are growing up to be healthy, productive kids. They are children.

We are getting better at NICU as well, learning how to provide oxygen so their lungs develop. I visited some of the physicians in the NICU at OU Children’s Hospital over the Christmas break and said: What have we learned? What have we gained? Is this getting better?

They talked about how we feed differently now than we did decades ago. At NICU, we understand how they are developing and receive food, and we want their digestive systems to develop. Things are very different now in science. It is forcing the country to rethink an issue again: When is a child a child? And in our basic American values, should we stand up for them?

I believe we should. I am amazed at the number of moms who—if they will get a sonogram and see the picture of their child in their womb, they understand clearly that is not tissue; that is a face looking back at them. Those are fingers and toes that they can count. There is a beating heart there. That is not random tissue.

In fact, I don’t know if you knew this, but they can now do 3-D sonograms and then send the sonogram to a 3-D printer and actually print out a model of what the child looks like in the womb in that exact position. Not only is that cool as a parent, to be able to say that I can actually hold a model of what my child looks like right now at 20 weeks of development, 28 weeks of development and to be able to see and look at their face, but it is revolutionary for physicians that at 20 weeks

they are reaching into the womb, giving anesthetic to the child, and they can actually see exactly what the imperfections are so when they go in to do surgery, they can practice on the outside before they reach into the inside.

The technology continues to advance. I say to my colleagues, at what point will our laws catch up with our science? How long will we deny clear science and not understand that is a child?

I think in the decades ahead, our Nation will catch up to the science and will look back on a season in our country when we ignored the obvious: When a pregnancy test says positive, that is not positive for tissue; that is positive for a baby.

I also want to affirm thousands of volunteers around the country—many of them coming this week to the March for Life—who serve every single week in crisis pregnancy centers around the country, who lovingly walk with moms through some of the most difficult days of their lives as they make hard decisions. With great compassion, they walk them through a tough pregnancy. Then they are with them in the days after delivery, bringing diapers to them, bringing formula to them, helping them in those early moments. Thousands of volunteers around the country do that every single week. Good for them. Good for our country. Good for our value for life. I am always proud when Americans stand up for other Americans no matter how weak they are.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Delaware.

#### AMERICAN SAFE ACT

Mr. CARPER. Mr. President, the terrorist attacks that we have seen over the last couple of months, including those tragically in Paris and San Bernardino, CA, have made it all too clear that terrorists’ threats to Americans and to our allies are very real.

I believe the best way to combat the threat of ISIS across our globe is to continue to degrade and destroy their forces overseas and show the world that they are not as powerful as they claim to be. Our success will not only rob them of their safe haven but will also undercut their recruitment narrative that ISIS is on the rise. But in addition to destroying ISIS overseas, we must also focus on defeating the threat of ISIS here at home.

I realize that many Americans and many of our colleagues are concerned about terrorists traveling to our borders as refugees from Syria or maybe some other country. As many of my colleagues may recall, late last year we debated the question regarding the resettlement of 4 million Syrian refugees and whether we in this country should open our doors to even a small fraction of them. We debated it right here on the Senate floor, as some of you recall, and we debated it in our committees, including the Homeland Security and

Governmental Affairs Committee, where I serve as the senior Democrat.

During that debate, I was reminded of the words of Pope Francis's historic and moving address to a joint session of Congress in the House Chamber last fall when he reminded us of the Golden Rule—to treat other people the way we want to be treated, to love our neighbors as ourselves. He also invoked Matthew 25, which deals with “the least of these”: When I was hungry, did you feed me? When I was naked, did you clothe me? When I was thirsty, did you give me drink? When I was a stranger in your land, did you take me in?

I think we have a moral imperative to provide for “the least of these,” but at the same time, we have a moral imperative to protect Americans from extremists who seek to come to the United States to cause us harm. As we learn to address this tension, our Nation has rigorous screening procedures in place for all refugees, as well as enhanced screening for refugees who might be coming here from Syria. It is a process that takes an average of 2 years to complete.

For those who aren't familiar with the process, people—in this case, 4 million refugees—are left for fighting in Syria to try to get away to save their lives. They are in refugee camps in that part of the world, and the United Nations has a special mission which includes to vet them, to get to know them, to talk with them, and to see if they would like to stay in a refugee camp or try to get settled into some other country.

In vetting the 4 million refugees, a small fraction of those are folks who indicated that they would be interested in maybe resettling in this country. At the end of the day, after winnowing down from 4 million refugees, I believe the U.N. sent us 7,000 names. Out of the 7,000, we selected 2,000—mostly kids, mostly young families, mostly old people, and not very many men of fighting age, if you will. But the President has called for increasing that 2,000 to something like 10,000 over the next year—of course, this year.

Think about that. Out of 4 million, what percentage of 4 million is 10,000 people? Even if we took all 10,000, it is one-quarter of 1 percent. That is what it is: one-quarter of 1 percent. There are obviously concerns about whether any of those people are dangerous—pose an imminent danger to our people. Keep in mind that 2,000 have come in the course of the last year, and not one has been arrested, not one has been convicted of plotting or trying terrorist activity. One of the reasons that happens is—if I were an ISIS person and I were in Syria and wanted to get over, I sure wouldn't spend 2 years trying to come through with the refugees.

That is the most stringent vetting of any group of people who want to come to this country. They have to undergo biometric checks. They are interviewed by people who are trained not just by the U.N. but also by us overseas, and

they are vetted by people, interviewed by people who are trained to detect deception.

We have the ability to check these people against any number of the databases that relate to potential terrorist activity. If I were an ISIS person wanting to embed myself with a terrorist group, I am not going to wait 2 years to do that and face the most rigorous of vetting processes for anyone trying to come to this country.

For those of Syrian descent, the process could be even longer than that. It is a long time to wait for terrorists if they were going to try to use the refugee program to access the United States. If I were a terrorist trying to come here, the last thing I would do is go through those 2 years of vetting.

While I understand my colleagues' concerns, the refugee bill that we dealt with today would do little to address our Nation's security needs. That is why many of my colleagues joined me in opposing this bill. The bill that was before us would require the head of top national security agencies to personally certify that each refugee from Syria and Iraq poses no security threat before admission to the United States—not now, not ever.

If this bill had passed, it would have served as a backdoor way to shut off the refugee program by requiring our national security leaders—the head of the FBI, Director of National Intelligence, Secretary of Homeland Security—to promise something they would never promise. As currently drafted, this bill would require these three national security leaders to guarantee that the refugee will never, never become a security threat. That is not how these leaders or their organizations evaluate security threats. They don't have a crystal ball, and they cannot predict the future.

Simply put, the SAFE Act would effectively stop the resettlement of fully vetted refugee women, children, families, and older folks from Syria and from Iraq and would weaken our national security. Again, that is one of the reasons I believe we must focus our attention on threats that pose a greater risk to our homeland.

Democrats put forward a series of commonsense solutions—alternatives, if you will—that will strengthen our security and help protect us against ISIS, a couple of which I had the pleasure of coauthoring. Instead of vilifying refugees, the proposals that we put forward impose tough new sanctions on financial institutions if they knowingly facilitate transactions with ISIS. That particular proposal closes loopholes that would let terrorists legally buy guns. This bill improves intelligence sharing with our allies who join us in the fight against ISIS.

The bill also includes several provisions to better protect the homeland. For example, the bill—our proposal—strengthens the security of our airports. The bill provides better training for law enforcement to respond to ac-

tive shooter incidents. The legislation also makes several improvements to the security of low-level radiological material so that potentially dangerous material does not fall into the hands of terrorists who might use it to create a dirty bomb.

One particular area I want to focus on, though, is countering violent extremism. As the tragedy in San Bernardino, CA, underscores, some of the greatest threats we face are homegrown terrorism and self-radicalization. That is why the Democratic alternative includes language from the legislation I introduced that would strengthen the Department of Homeland Security's ability to counter violent extremism here in the United States.

This proposal authorizes a new office charged with helping communities across the country—Muslim communities across the country—stop their young people from being recruited by ISIS. The legislative proposal would also create a grant program that would help the Department of Homeland Security connect with nonprofits, with local officials, with religious leaders and youth groups to work together to counter the narratives proffered by terrorist groups like ISIS.

If you look in recent years at the folks in this country who are inspired by ISIS to commit terrorist activities against those of us in this country, you will not find them having come over embedded, to my knowledge, with any refugee organization or any refugee group. The biggest threat to us is not necessarily the people coming through on the Visa Waiver Program, student visa programs, or tourist visa programs. The biggest threat to our security is from folks who in many cases were born here or in some cases folks who could have come from Syria, Iraq, or some other place, but they became radicalized after coming here—maybe after becoming a citizen here. Those are the threats that I think pose the greatest danger. We call them lone wolves.

One of the best ways to address those folks is to look around at maybe our history and look at what is going on in Arabic and other countries and ask if there is some way to reach out to those people who are actually in danger of becoming radicalized or a lone wolf, if someone could reach out to them and reduce the likelihood of having them become radicalized and prevent them from taking out their frustration or anger on people in this country in harmful ways.

In my last year as Governor of Delaware, I was involved in a foundation that was called the American Legacy Foundation. It was funded by a tobacco settlement between the tobacco industry and all 50 States. The idea behind the American Legacy Foundation was to use the \$1 billion that was provided to the American Legacy Foundation to

develop ways to message and communicate with young people in this country who were either smoking or thinking about becoming smokers.

Some of us remember from our youth—and when I was a kid growing up, the idea of smoking was thought to be a desirable thing. Early on, we were not aware of the health consequences to it. We would see all kinds of people in commercials on television advertising smoking, and you would think that would be a cool thing to do. The American Legacy Foundation came along in 2001 and developed a counter-message to all of that, and we called it the Truth Campaign. The Truth Campaign was a multimedia campaign that was included in radio and TV commercials, as well as on the Internet and in magazines and that sort of thing, that young people read or listened to. The narratives and the messaging communications were not developed in boardrooms or by someone like me or the paid staff of the American Legacy Foundation; they were developed by young people who could have been 11, 12, 13, 14, 15, 16, 17, or 18 years old who developed an area and said: This is a message you need to send out through all of these different mediums to try to convince them not to smoke or if they are already smoking, to quit. And that is what we did.

If you look at the incidence of smoking for people who were preteens and teenagers in this country in 2001 and what it was by the end of the last decade, it is amazing how well it worked. It was called the Truth Campaign. The messaging and the messages developed by our target audience were hard-hitting. There was a saying when I went to business school: Talk to your customer and ask them what they want. And in this case, we talked to our customers. A lot of them were about the same age as our pages who are sitting here today.

The Department of Homeland Security is attempting to start up an office called the Office of Community Partnership. It is an office that would work with Muslim communities across the country, including families, religious leaders, and other young people, in order to try to make sure young people do not become radicalized and undertake activities that are going to harm other folks in this country. I think it is a very promising initiative. The folks leading this community partnership office at the Department of Homeland Security are going to work with the American Legacy Foundation to see what worked and really changed the game with respect to young people smoking and using tobacco in this country. We may be able to apply some of those lessons to deter the likelihood of people of Muslim faith who are somehow convinced that their faith directs them to undertake these violent activities. I am encouraged by this prospect.

The last thing I will say is that we have 1½ billion people around the

world who are Muslims. I am Protestant, and there are people of different faiths in this body. There are Protestants, Catholics, Jews, and others. Among the things we have in common, as well as with the Muslim faith, is something I mentioned earlier—the Golden Rule. Almost every major religion on Earth has several things in common, but one of the things they have in common is the Golden Rule, which is to love your neighbor as yourself and treat other people the way you want to be treated. I don't care if you are Protestant, Catholic, Jewish, Buddhist, Hindu, or Muslim, somewhere in your Sacred Scripture is that idea, that notion, that directive.

There are some people who take my Christian faith and turn it on its head to say and do things that we would never do and should never do. We take the Bible, the Old Testament and the New Testament, and instead of embracing Matthew 25—the least of these, when I was a stranger in your land, did you take me in—we are basically saying: We are not going to let any people in this country who are, say, of the Muslim faith. That is not a Christian thing to say or do.

People take my religion, my faith and turn it into something that it is not even close to being, and, not surprisingly, there are some people who do that with the Muslim faith. We need to counter that and help the vast majority of folks in this country who are Muslim to better counter them in ways which, frankly, I could never do but which people in Muslim communities and of that faith across the country would like to do and want to do. We need to be a good partner and help them to be successful in that effort. Frankly, that is a whole lot better alternative than the legislation that was before us today, and that is one thing we ought to be able to agree on. I hope my colleagues—Democratic, Republican, and Independent—will find a path to join me and others who think this is a good idea and make it happen.

With that, I will pass the baton to my friend from another big State, Rhode Island.

I thank the Presiding Officer for the opportunity to speak today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 17 minutes as in morning business.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I rise for "Time to Wake Up" speech No. 124.

Today, let's talk Texas. Polling from the University of Texas at Austin shows that more than three out of four Americans—or 76 percent—now believe that climate change is occurring. Fifty-nine percent of Republicans say it is happening. While most poll respondents say they would support a

Presidential candidate who supports reducing coal as an energy source, the number goes up to 65 percent for voters under the age of 35. So we might expect Republican Presidential hopefuls to acknowledge the problem and incorporate climate action into their campaign platforms. We might, but we would be wrong.

Republican candidates for President have a key constituency: fossil fuel billionaire donors. So the candidates ignore the clear tide of public opinion, mock the warnings of our scientific and national security experts, dismiss climate disruptions in their own home States, and dismiss the world-class climate research of their own home State universities and scientists—even in Texas.

When asked if global warming is real, the junior Senator from Texas responds that the "data and facts don't support it. . . . Science should follow the facts." OK. Let's follow the data and facts.

NOAA and NASA just announced that 2015 was the warmest year ever recorded on Earth. That is a fact, and it not an anomaly. It is the continuation of a clear trend. Fifteen of the warmest 16 years ever recorded by humankind on this planet are the 15 years of this century.

Texas A&M has a department of atmospheric sciences. The faculty there have unanimously adopted this statement:

1. The Earth's climate is warming, meaning that the temperatures of the lower atmosphere and ocean have been increasing over many decades. Average global surface air temperatures warmed by about 1.5 degrees Fahrenheit between 1880 and 2012.

2. It is extremely likely that humans are responsible for more than half of the global warming between 1951 and 2012.

3. Under so-called "business-as-usual" emissions scenarios, additional global-average warming (relative to a 1986 to 2005 baseline) would likely be 2.5 to 7 degrees Fahrenheit by the end of this century.

That is Texas A&M's scientific assessment supported by the data and facts.

Go Aggies.

The Texas State climatologist, Dr. John Neilsen-Gammon, appointed to his position by Governor George W. Bush, has concluded that "fossil fuel burning and other activities are the primary cause of the global-scale increase in temperature over the past decades."

According to a Yale University poll released last fall, most Texans—61 percent of Texas adults—support setting stricter limits on coal-fired powerplants. Well, the President's Clean Power Plan would do just that. It is projected to both cut carbon emissions and save Americans money on their annual energy bills. Yet the junior Senator from Texas rails against the plan, urging people "to stand up against this administration's dangerous agenda of economic decline"—economic decline if you are a big polluter, maybe, used to polluting for free. The Clean Power



Plan will save the average American family nearly \$85 on their annual energy bill by 2030, not to mention preventing death and disease through reduced soot, smog, and other harmful pollutants.

A 2014 study found that strong limits on carbon pollution similar to those in the Clean Power Plan would prevent 2,300 deaths in Texas between 2020 and 2030. Texas emits the highest amount of carbon pollution in the country. Yet Texas is well positioned to meet its Clean Power Plan targets.

An Environmental Defense Fund study based on data from Texas's primary electric grid operator shows that existing market trends alone will get Texas to 88 percent of its compliance with the plan as a result of increased wind power capacity, improved energy efficiency results, and switching from coal to natural gas. In fact, Texas's wind farms have become so good at generating power that some utilities are giving away energy.

Here is an article from the New York Times on this unique situation in Texas with the headline "A Texas Utility Offers a Nighttime Special: Free Electricity."

Mr. President, I ask unanimous consent that this article be printed in the RECORD at the end of my remarks.

Scott Burns, the senior director of innovation at Reliant Energy, a Texas utility with plans to incentivize night and weekend electricity use, says: "You can be green and make green."

With Texas so strong in wind energy production and solar energy potential, Texas is actually in a position to use its clean energy resources to help other States comply with the Clean Power Plan, a win-win with even more Texas clean energy jobs.

So, in Texas, there is an overwhelming consensus of scientists at their own State universities, there is a desire for action among the majority of Texans, and there are vast economic opportunities from Texas renewable energy. But the junior Senator from Texas continues to rail against mainstream climate science. He claims that "according to the satellite data, there has been no significant global warming for the past 18 years." Eighteen years. What an interesting number to pick—18 years. If we go back 18 years, we start in 1998.

Why might the junior Senator from Texas start his assessment of satellite data in 1998? Well, look at this. When PolitiFact investigated the Senator's claim that global warming has paused, the Senator's office referred to the work of Dr. Carl Mears, a scientist who worked with satellite data temperature sets. This is a graph of that data. Look at 1998. The Earth was experiencing a large El Nino event in 1998, and the observed temperatures were substantially above normal. So if that is where we start the data set, of course it is going to look like a pause. As the Washington Post put it, "There is a reason why CRUZ uses this particular year,

and that reason is what makes this claim misleading." PolitiFact ruled him "mostly false," by the way.

The whole data set shows a clear, unequivocal, long-term global warming trend. As Dr. Mears himself said, "You can look at the data since 1980, and it's pretty clear that there's an ascending trend there. But if you look at any 15-year period, it's a lot less clear that the trend line that you drive might actually mean something." Dr. Mears also warns against drawing conclusions from just this one data set. "Look at all the different datasets," he said. "You don't want to trust only the satellite temperatures; you want to look at the surface temperatures and that sort of thing."

Scientists have known for some time that the oceans bear the brunt of global warming. The reason is simple: They can absorb more heat than the atmosphere, and they do. Peter Gleckler, an oceanographer at the Lawrence Livermore National Laboratory, said, "Ninety, perhaps 95 percent of the accumulated heat is in the oceans."

A study released this month shows the world's oceans absorbed—I don't think this number has ever been said before on the Senate floor—approximately 150 zettajoules—that is a lot of zeroes; I don't even know how many zeroes that is—150 zettajoules of man-made heat energy between 1997 and 2015. What does that mean? Here is how the Washington Post described it. I will quote the Washington Post:

[I]f you exploded one atomic bomb the size of the one dropped on Hiroshima every second for a year, the total energy released would be 2 zettajoules. . . . Since 1997, Earth's oceans have absorbed man-made heat energy equivalent to a Hiroshima-style bomb being exploded every second for 75 straight years.

Yet the Senator from Texas would like us to base our calculation on a cherry-picked data set beginning in an outlier year.

The oceans aren't just warming, unfortunately. The warming in the oceans is accelerating. Paul Durack, coauthor of the study, notes, "After 2000 in particular the rate of change is really starting to ramp up."

People who insist that the climate has not warmed in recent decades ignore a lot, but one thing they particularly ignore is the oceans, and we measure this stuff. The oceans don't lie.

Here is another good one from the junior Senator. The Senator from Texas informs us that "history with markedly more CO<sub>2</sub> predated the Industrial Revolution, so it didn't come from automobiles or the burning of carbon fuels." What he omits is that this history with markedly more CO<sub>2</sub> occurred more than 800,000 years ago.

This chart shows that here is where we are right now. Here is the record of carbon in the atmosphere going back 800,000 years. Where in that period was it more than now? Never. Eight hundred thousand years, hundreds of thou-

sands of years before humans even began to walk the Earth.

Greenhouse gases blanket our planet, absorbing the Sun's energy and preventing heat from escaping back into space. Ice sheets melt, seas warm and rise, and so since the late 1880s, sea level has risen 3 feet along the shores of Galveston, TX. None of that matters to the junior Senator from Texas.

In December he even convened a hearing protesting scientific consensus on climate change as "partisan dogma and ideology." Tell that to NASA and the U.S. Navy. At the time, more than 190 countries were negotiating the groundbreaking international climate agreement in Paris. Well, Texans were on hand in Paris too. Austin mayor Steve Adler signed the Compact of Mayors, a "global coalition of mayors pledging to reduce local greenhouse gas emissions, enhance resilience to climate change, and report transparently." Katherine Romanak and Hilary Olson represented the University of Texas's Gulf Coast Carbon Center to share their expertise on carbon capture and storage. Professor Robert Bullard, dean of the School of Public Affairs at Houston's Texas Southern University, organized a delegation from the Historically Black Colleges and Universities Climate Change Consortium, and Dr. Katharine Heyhoe, director of the Climate Science Center at Texas Tech University, encouraged fellow evangelicals to join her in faith-inspired support for climate action.

On that subject, let me read into the RECORD the 2015 statement of the National Association of Evangelicals:

[T]he Earth belongs to God, not us. . . . Probably the most serious and urgent challenge faced by the physical world now is the threat of climate change. . . . We encourage Christians worldwide to . . . exert legitimate means to persuade governments to put moral imperatives above political expediency on issues of environmental destruction and potential climate change.

Well, as the President said last week, America "led nearly 200 nations to the most ambitious agreement in history to fight climate change."

The junior Senator from Texas would be President, yet he completely refuses to engage on climate change. He ignores Texas State universities, Texas scientists, Texas local officials, and the whole clean energy economy in Texas. He courts evangelicals. He associates himself with the evangelical movement, but he ignores the statement of their own national association.

Now, some say his candidacy is a danger to our distinct American heritage, the separation of church and state. But, really, it seems to me his problem is with the separation of oil and state.

The fossil fuel industry is the last bastion of climate denial. It funds a vast apparatus of climate denial. It also funds a lot of politics. You do the math.

It is time to wake up.

I yield the floor.

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

[From the New York Times, November 8, 2015]

ENERGY & ENVIRONMENT

A TEXAS UTILITY OFFERS A NIGHTTIME SPECIAL: FREE ELECTRICITY

(By Clifford Krauss and Diane Cardwell)

DALLAS.—In Texas, wind farms are generating so much energy that some utilities are giving power away.

Briana Lamb, an elementary school teacher, waits until her watch strikes 9 p.m. to run her washing machine and dishwasher. It costs her nothing until 6 a.m. Kayleen Willard, a cosmetologist, unplugs appliances when she goes to work in the morning. By 9 p.m., she has them plugged back in.

And Sherri Burks, business manager of a local law firm, keeps a yellow sticker on her townhouse's thermostat, a note to guests that says: "After 9 p.m. I don't care what you do. You can party after 9."

The women are just three of the thousands of TXU Energy customers who are at the vanguard of a bold attempt by the utility to change how people consume energy. TXU's free overnight plan, which is coupled with slightly higher daytime rates, is one of dozens that have been offered by more than 50 retail electricity companies in Texas over the last three years with a simple goal: for customers to turn down the dials when wholesale prices are highest and turn them back up when prices are lowest.

It is possible because Texas has more wind power than any other state, accounting for roughly 10 percent of the state's generation. Alone among the 48 contiguous states, Texas runs its own electricity grid that barely connects to the rest of the country, so the abundance of nightly wind power generated here must be consumed here.

Wind blows most strongly at night and the power it produces is inexpensive because of its abundance and federal tax breaks. A shift of power use away from the peak daytime periods means lower wholesale prices, and the possibility of avoiding the costly option of building more power plants.

"That is a proverbial win-win for the utility and the customer," said Omar Siddiqui, director of energy efficiency at the Electric Power Research Institute, a nonprofit industry group.

For utilities, the giveaway is hardly altruistic. Deregulation in Texas has spurred intense competition for customers. By encouraging energy use at night, utilities reduce some of the burdens, and costs, that the oversupply of wind energy places on the power grid.

Similar experiments are underway elsewhere.

In Italy, customers of Enel, a leading utility, can receive incentives for keeping their electricity use below a predetermined level at times of highest demand.

In Maryland, Baltimore Gas & Electric allows customers to earn rebate credits on their bills for every kilowatt-hour less that they use during certain high-demand times. The program is run by Opower, which manages similar programs for several utilities.

And in Worcester, Mass., National Grid has installed a home energy management system from Ceiva Energy in about 11,000 homes, connecting a range of devices like smart plugs, high-tech thermostats and digital picture frames that display the home's energy use along with the photos.

But no major market has gone as far as Texas, which is conducting a huge energy experiment made possible by the nearly universal distribution in recent years of residential smart meters that can receive and transmit data on electricity.

"Texas is head and shoulders above everybody else with really unique packages for the

consumer," said Soner Kanlier, a retail energy markets expert at DNV GL, a consulting firm based in Oslo, Norway.

Texas is a unique power market, one that makes it better suited for innovation than most others. It is by far the largest deregulated electricity market in the country, spawning scores of retail power competitors hungry to make new customers and keep old ones.

"You can be green and make green," said Scott Burns, senior director for innovation at Reliant Energy, which has plans to offer incentives to increase night and weekend electricity use.

Energy experts say smart meters have not yet reached their potential and have made little difference in total power use. In many cases, utilities have monopolies and fixed rates, and they do not want to see customers bled away by renewable energy sources, so they have little incentive to use the new data source in creative ways, experts say. Texas is trying to be the exception, though experts say it will still take more time to assess the impact.

"The American consumer wants choice," said Jim Burke, TXU's chief executive. "Consumer choice, with its impacts and benefits, will drive the future of the power industry." But he quickly added a note of caution: "I think the pace at which it evolves is the unknown."

Executives freely acknowledge that the range of residential electricity plans they offer is overwhelmingly a marketing tool.

"We're all trying to grow, and it's a very competitive market," said Manu Asthana, president of the residential division of Direct Energy, which offers various plans.

Commercials on television and radio, billboards on highways, and aggressive social media campaigns promise joyful, or at least free, cooking, cooling and gadget-playing at certain hours.

"Every morning, every evening, ain't we got fun?" goes one TXU jingle, mimicking the jaunty song that became popular in the 1920s. When customers ask for information or complain on the phone or by Twitter post or Facebook comment, company agents go over their electricity needs and habits to find the right plan for them. Otherwise, power executives say, the customer can easily be lost.

"Time of use" plans are growing in popularity in Texas, according to figures compiled by the Electric Reliability Council of Texas, or ERCOT, the operator of the power grid and the manager of the deregulated market for 75 percent of the state.

In June 2013, 135,320 households had enrolled in "time of use" plans in the ERCOT region. That number climbed to 290,328—out of more than six million residences in September 2014. And although nearly 63,000 residences dropped out of the program over that time—in part because rates are typically higher under the plans at peak hours—ERCOT officials believe that the number of households enrolled continues to grow.

Consumers estimated that the plans were saving them as much as \$40 or \$50 a month during the peak summer season.

"We are still in the formative stages of this," said Paul Wattles, an ERCOT senior analyst for market design and development. "If we can reach critical mass—and 290,000 is already a pretty good number—but if that number started to double or triple, you could start seeing a significant shifting of load, and that is the whole point."

Ms. Burks, the law firm business manager, is part of that shift—and she is not motivated by environmental concerns.

"I never thought about it," she said. In fact, she leaves lights on and even the television on when she leaves the room.

"I'm really wasteful now," she said. "The first thing I tell my guests is my electricity is free after 9."

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Maryland.

AMERICAN SAFE ACT

Mr. CARDIN. Mr. President, I take this time as a Senator from Maryland, as well as the ranking Democrat on the Senate Foreign Relations Committee, to talk about the bill we voted on earlier today—on the motion to proceed to the so-called SAFE Act dealing with Syrian refugees. I like to call it the fear act because I think it really is an act that is misguided.

I will start by saying that the world looks to the United States, and when there are tough problems, they look to our leadership. They know this country is prepared to step forward and provide the international leadership to deal with the toughest problems we face as a global community.

The bill I call the fear act would jeopardize America's response to one of the greatest humanitarian crises of our time, it would jeopardize the U.S. leadership on humanitarian issues, and I think it would compromise U.S. security. Let me tell my colleagues why. We face the greatest crisis on refugees and displaced individuals since World War II. The number is about 60 million globally who are currently refugees or displaced. The largest numbers right now are coming out of Syria. Make no mistake about it—millions are coming out of Syria. They are escaping the Assad regime's barrel bombs and gases and starvation policies. These are victims. These are people who are losing their lives because of the barbaric regime of President Assad. Our values are that we respond to those issues, that we act in a responsible way, that we help the international community to help those people who are trying to escape the persecutions of oppressive regimes.

The fear act would shut down the U.S. process of accepting Syrian refugees. Why do I say it would shut it down? Because it would require the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the Director of National Intelligence—all three—to certify, on an individual basis, the ability of these individuals to meet our standards to come into the United States. That would require 100 certifications per day, 300 certifications total.

What else would they be doing? I hope the Director of the FBI is working to keep our country safe and more than just dealing with the Syrian refugees. This would cut down and eliminate our ability to accept Syrian refugees.

Let me cite some of the numbers. The United States has accepted 2,000 Syrian refugees. There are millions of Syrian refugees. The total number the President has talked about is 10,000—a small fraction of the total numbers who are being relocated under the Syrian refugee program. We look at the neighboring countries alone, what is being done in Jordan, what is being done in Lebanon, and look at what Europe is accepting. We are taking a very

small burden here, and it is individuals who do not pose a threat. I will explain that. Every one of us will do everything we can to make sure that our homeland is safe. I am prepared to do everything reasonable to make sure we keep Americans as safe as we possibly can from the threat of extremists.

So what do these Syrian refugees go through? By the way, there has not been a reported case of a Syrian refugee in regards to terrorism. What do they go through?

First, they are screened by the High Commissioner for Refugees of the United Nations. They screen the individuals who are considered eligible to come to the United States. They go through that screening process. Then they are fingerprinted and go through a biometric check. They go through several layers of biographical and background screenings. They are individually interviewed by U.S. officials. It takes about 18 to 24 months. If you are a terrorist, you are not going to go through this.

It is up to the potential individual who will come to the United States as a refugee to establish that they are a refugee. That means they must establish that they have been a victim of the terrorist activities in order to be able to get to the United States. It is up to them to establish that burden. We don't accept individuals who cannot establish that burden. This is not the target group that we should be concerned about.

The real threat to our homeland security—let's take a look at others who come to this country. We already did this in the omnibus bill, but we know under the Visa Waiver Program there are individuals who hold passports of countries with which we have the Visa Waiver Program. That means they are countries that have relations with the United States, and we generally accept their visitors without a visa. Many of these countries have foreign fighters who have gone to the affected areas that could very well be involved in terrorist activities and then come back to the European country and come to the United States under the Visa Waiver Program. Well, we took some action against that in last year's bill. That was good. We need to continue to scrutinize that.

What we saw happen in California was that we had a spouse who didn't come under a Syrian waiver program or a Syrian refugee program, but who came under other visa programs. That needs to be scrutinized. For people who come to America, we need to know that they are not connected to a terrorist organization.

But the greatest concern is the radicalization of Americans. We need to know why people do what they do. We need to have a better system to protect the homeland. Let's focus on the real problem areas in our country.

If this bill were to be passed, it would actually make us less safe. It would affect our national security. Let me tell

you the reason why. First, it would clearly diminish U.S. leadership. When we go and seek international support, particularly for our coalition against ISIL, our failure to be willing to take any of the Syrian refugees will certainly compromise America's credibility and ability to lead internationally.

It will be used by ISIL as propaganda. Make no mistake about that. They understand that. This is what they are saying about America.

It is against our values. It makes us weaker as a nation.

It is for those reasons that we found that national security professionals from both parties, including Henry Kissinger, David Petraeus, Brent Scowcroft, and Michael Chertoff, all have come out in opposition on the grounds that it would undermine our security and benefit ISIL. These are professionals. They understand the risk factors.

What we should be doing is everything we can to protect us from the threat of ISIL. That means let's figure out ways we can share intelligence information among all of our willing partners. Let's provide the leadership, particularly in those countries in which ISIL can operate, so that the governments represent all the communities, so that there is not a void where the Sunni minority population feels that their only safety is with ISIL.

Let's make sure we cut off all the financial support for ISIL, including their oil abilities and the transport of oil. This is what the Obama administration is doing. Let's make sure we do cut off any opportunities to expand their capacity.

Let's deal with foreign fighters—people who come from Western countries who go to these areas and train. Let's make sure that we know where they are, and when they try to come back into one of the Western countries, that they are apprehended and tried because of their affiliation with terrorists.

Let's help countries such as Jordan, Iraq, and Lebanon that are taking on the extreme burdens of the refugees so they can deal with their own crises that have been exaggerated because of the Syrian conflict and ISIL formation.

In other words, let us work in a coordinated way to root out the main cause of the terrorist activities; that is, ISIL's ability to attract supporters and to gain territory. Let's take away that territory, coordinate our airstrikes, and work with the local forces on the ground. All of that should be done, and we need to work together on that.

To concentrate on the few thousand Syrian refugees who have gone through this country's strictest vetting process makes little sense and will not keep us safer, but, as I indicated before, will actually compromise our national security.

In closing, let me state what makes this Nation the great Nation that it is. I think each of us knows that we are

living in a special country—a country that has stood up for freedom, a country that has been looked upon as a beacon of hope around the world. Many of our parents and grandparents came from other countries in order to settle in this country because of its opportunity.

I am a student of history, not just because it is an effective, factual counterpart to the bluster of politicians and social media accounts. History can be a touchstone to remind us of who we are and a lens through which we can see who we are. Throughout our history, we have recognized that even in times of war we were fighting leaders of authoritarian regimes and not their victims. From 1945 to 1952, we resettled 400,000 displaced persons from Nazi-controlled areas in Europe. In the fall of Saigon in 1975, the United States rescued 883,000-plus refugees who fled Vietnam, a country with which we had been in a state of undeclared war that claimed 58,000 American lives. Between 1970 and 1991, we resettled 200,000 Jews from the Soviet Union, the very government which posed the greatest security threat the United States has ever known. In addition, we have resettled hundreds of thousands of refugees from Cuba and other countries behind the Iron Curtain.

This Republican bill we considered today dishonors our proud history of providing a safe haven. History can also be harsh and unsentimental. This bill risks repeating mistakes of the past when the United States tragically turned away Jewish refugees in World War II.

After the photo of Aylan Kurdi, the 3-year-old who was washed up on the beach, was published in the news media, the American people opened their hearts to the Syrian people. The American people recognize the distinction between those who are victims of terror and those who perpetrate it. We should not let knee-jerk reactions keep us from being the beacon of hope for Syrians and other refugees in the Middle East, Africa, and around the world. We should do what we do best—our values.

We should never compromise homeland security. We need to do everything we can to keep Americans safe. We need to make sure we have the strictest vetting procedures for anyone who wants to come to this country as a refugee or a visitor. We could always do a better job, and we have to do more to understand why Americans have been converted to radicalization through the Internet and what has happened on social media.

Yes, we need to do a much more effective job of keeping America safe and the homeland safe, but shutting down the Syrian refugee program would be a major mistake for our values of who we are as a nation and for our national security.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, I ask unanimous consent to be allowed to speak as in morning business for up to 7 minutes.

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

#### REMEMBERING PAUL KINSMAN

Mr. ROUNDS. Mr. President, I rise today to commemorate the life and legacy of Paul Kinsman. Paul was born in Watertown, SD, on September 7, 1958, and died in Pierre, SD, on January 10, 2016, at the young age of 57. Paul was a lifelong South Dakotan and a dedicated public servant to the citizens of our State.

After earning his law degree, Paul began 28 years of public service to the people of South Dakota. We are a better State and a better people because of his hard work and his dedication.

As an administrative law judge, the deputy commissioner of administration, the director of property taxes and special taxes, the commissioner of administration, and the secretary of revenue, he inspired his coworkers with his intelligence, his humor, and his tenacity for getting things done.

During my 8 years working as Governor of South Dakota, Paul served as commissioner of the Bureau of Administration and secretary of revenue. He was a burly, teddy bear of a man. No matter how hard the problem or how challenging the issue, whenever we met he had a gleam in his eyes and a smile on his face that told me without words that we were going to solve that problem or meet that challenge. And we did because of him.

As an administrative law judge and tax collector, he earned the respect and admiration of the public, even when his rulings and applications of law were not in their favor. He was straightforward and fair, which South Dakotans appreciate.

As the head of the Bureau of Administration, he led and championed many projects that increased the efficiency of State government to serve the people and preserve the heritage of South Dakota in the people's house, our State capitol.

But more important than all of his career accomplishments is the kind of person Paul Kinsman was. He was a loving husband, father, grandfather, and friend to all who knew him. He had a tremendously positive impact on the many thousands of people he met and touched with his kindness and generosity. With this, I welcome the opportunity to recognize and commemorate the life and legacy of this public servant and my friend, Paul Kinsman.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### ENEMIES LIST REGULATION

Mr. McCONNELL. Mr. President, news outlets reported something today that should worry all of us. Apparently, President Obama is again—once more time—considering imposing his enemies list regulation by Executive

order, just weeks after Congress voted overwhelmingly to pass, and the President signed into law, legislation prohibiting him from doing that very thing.

The enemies list regulation would inject partisan politics into the government contracting process by allowing an organization's political leaning and donations to be considered. Here is the practical effect: Administrations of either party could draw friends lists and enemies lists and then award contracts based upon whether an organization backed the right horse in the last election.

That is the kind of thing you would expect in some banana republic but not in the United States of America. So why would the President even attempt to impose such a bad idea?

Let me remind my colleagues of something the President's own Chief of Staff recently said. He implied that the central question President Obama will now ask himself before imposing a policy is—listen to this—“Why not?”

“Why not?” Think about that—not whether it is good for the country, not whether it is constitutional, just “why not.”

If future Republican Presidents lived by this “why not” standard, Democrats would be truly outraged. If future Republican Presidents ignored prohibitions passed by Democratic-controlled Congresses, Democrats would be outraged. When the legislature passes a prohibition and the President signs that prohibition into law, it is the law.

I hope every one of my colleagues, even those who support the idea of an enemies list, will join me in that sentiment at least. If it is the law, it is the law. We are always mindful that the precedents set today could be wielded by a different President tomorrow.

The intent of the prohibition Congress passed here is absolutely clear, regardless of creative arguments the administration might construct to justify skirting the law.

If President Obama's standard these days is “why not,” then here are a few reasons why not. Here is the first: He can't do it. That should really be the end of the discussion.

For the sake of argument, here is another reason: It is a terrible policy. Just listen to what members of the President's own party have said about it. One of our Democratic colleagues in the Senate said:

Under the Federal Acquisition Regulation, the award of contract must be based on the evaluation of quality, price, past performance, compliance with solicitation requirements, technical excellence and other considerations related to the merits of an offer. The requirement that businesses disclose political expenditures as part of the offer process creates the appearance that this type of information could become a factor in the award of Federal contracts.

She explained:

Requiring businesses to disclose their political activity when making an offer risks injecting politics into the contracting process.

The second-ranking Democratic in the House—not some back-bencher—said:

The issue of contracting ought to be on the merits of the contractor's application and bid and capabilities. . . . There are some serious questions as to what implications there are if somehow we consider political contributions in the context of awarding contracts.

He said he was “not in agreement with the administration” on this issue.

So, look, no one should have to worry about whether supporting a certain political party or a candidate will determine their ability to get a Federal contract or keep their job. I hope what we read in the papers is not accurate.

The President's enemies list proposal fails even the “why not” test on multiple levels:

No. 1, he can't.

No. 2, it is bad policy, as Democrats have reminded us.

If you need another reason, here is a third: No. 3, Congress has rejected these types of policies already.

There are plenty of reasons why the President should not attempt to impose this regulation, and the President should heed them.

#### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### 230TH ANNIVERSARY OF THE VIRGINIA STATUTE FOR RELIGIOUS FREEDOM

Mr. LANKFORD. Mr. President, in 1992, the House and Senate joined together to pass a resolution designating January 16 as Religious Freedom Day to celebrate one of the most powerful and unique freedoms within our Nation's founding and fabric. This day is significant because it marks the passage of the 1786 Virginia Statute for Religious Freedom originally authored by Thomas Jefferson.

2016 marks the 230th anniversary of the passage of this statute that, as Congress recognized, “inspired and shaped the guarantees of religious freedom in the First Amendment.” It reads in part: “. . . no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced . . . in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.”

The Founders understood that there is a direct connection between the prosperity and health of a nation and its respect for human rights and religious freedom. Individual faith grows

when people live free of government coercion and control. In America, individuals can practice any faith or no faith. This is true religious freedom—having the freedom to practice a faith or to have no faith at all and to have that choice not only be respected, but protected.

Respecting and protecting this fundamental human right means that we cannot diminish it. The constitutional guarantee of the free exercise of religion means that people have a right to live their faith in public. Saying someone has the right to worship freely at the place of their choosing is not the same thing. Additionally, while one faith group should not be favored over another, so too should we not err on the side of removing faith from the public sphere and opting for no religion at all.

Thomas Jefferson left explicit instructions that his authorship of the Virginia Statute for Religious Freedom be included on his gravestone as one of only three things for which he wanted “most to be remembered.”

As we celebrate the 230th anniversary of the passage of this statute, what will we be most remembered for? I hope that we can be remembered for not only honoring this legacy of Thomas Jefferson, but for upholding a right that is fundamental to the core of this nation and to human dignity—religious freedom.

#### REMEMBERING OFFICER RICARDO GALVEZ

Mrs. BOXER. Mr. President, today I ask my colleagues to join me in honoring the life of Downey police officer Ricardo Galvez, a devoted son and brother who was tragically killed in the line of duty on November 19, 2015.

Officer Galvez was born on April 2, 1986, and grew up in Whittier, CA. In 2006, he joined the Downey Police Department as a police aide and 2 years later decided to serve his country by joining the U.S. Marine Corps as a Reservist. After bravely serving in Iraq, Officer Galvez returned to Downey and became a police officer in 2010. He deployed again in December 2012 to Afghanistan during Operation Enduring Freedom.

Those who knew Officer Galvez fondly remember him as a caring man with an infectious smile, a person of great humility and kindness, and a trusted colleague and friend who was committed to his family and career.

The U.S. Marine Corps' motto, *Semper Fidelis*, is Latin for “always faithful” and truly embodied Officer Ricardo Galvez. He dedicated his entire adult life to public service, unwavering in his commitment to defend Americans abroad and safeguard his community at home. His devoted and courageous service earned the respect and affection of the colleagues he worked alongside, the community he served, and the family and friends he loved. He will be deeply missed.

On behalf of the people of California, for whom he served so bravely, I extend my gratitude and deepest sympathies to Ricardo's mother, Margarita; brother, Pedro; sisters, Nancy and Sandra; and his entire extended family.

#### TRIBUTE TO DIANNE BEECHER

Mr. CASEY. Mr. President, today I wish to commend Dianne Beecher who has honorably served the people of Pennsylvania for over 28 years, most recently as senior constituent advocate for my Senate office. Dianne has been a trusted member of my staff and a loyal friend over the 11 years we have worked together.

Before her years in public service, Dianne had already proven herself to be a kind of “Renaissance woman.” She dabbled in entrepreneurship, worked as an entertainment promoter, and spent a period of time as a race car driver. While creating this unique resume, Dianne's most important and dearest role was that of a devoted mother to five children—Sharryl, Aileen, Jodi, Bradley, and Brandee. Carrying her compassion for people into her professional life, Dianne found her niche in the pursuit of helping others. She began her career in public service with the Democratic State Committee for Pennsylvania as its political director, eventually joining the Pennsylvania chapter of the AFL-CIO, serving as its political education coordinator.

Dianne originally joined my staff in the auditor general's office in 2004; when I became State treasurer, she moved with me. In that office, she assisted in creating one of the first constituent services operations within the treasury department. When I was later elected to the U.S. Senate, Dianne continued her dedication to the people of Pennsylvania as the senior constituent advocate on my constituent services team.

Early in my first term as a U.S. Senator, Dianne became a vital component in the establishment of my office's constituent services operation. Through her role as senior constituent advocate, Dianne has literally saved the lives of countless Pennsylvanians. Over the years, she managed hundreds of cases, specializing in Social Security and Medicare, while maintaining a genuine and unfailing commitment to each constituent she encountered. Dianne has saved the health insurance coverage for individuals suffering from serious illnesses, allowing them to continue care and maintain their medications.

She is responsible for the financial stability of countless people unable to work due to their medical conditions. In one instance, Dianne's work was recognized by National Public Radio when she saved a family in the midst of the 2008 housing crisis by helping them finally receive retroactive benefits due from Social Security. Most constituent services work goes unacknowledged by the press; however, Dianne's commit-

ment and compassion remains the same for every case in her portfolio. She works meticulously and regularly goes beyond the call of duty to provide the resources and support needed for the people of the Commonwealth.

Throughout her career, Dianne has served the people of Pennsylvania with distinction and diligence. Her compassion and commitment to helping others left a lasting impression not only within my office, but in the lives she touched through her good work. I wish her well in her retirement and hope she will have the opportunity to enjoy more time with her children, 10 grandchildren, and two great-grandchildren.

#### ADDITIONAL STATEMENTS

##### REMEMBERING CARL SHARIF

● Mr. BOOKER. Mr. President, today I wish to recognize the life and legacy of New Jersey and proud Newarker Carl Sharif, who passed away on September 30 at the age of 72. Carl was a dear friend and mentor to me at the dawn of my career in public service. He will be greatly missed by the city of Newark and by all who knew him.

A son of Newark, Carl began his career as an aide to Mayor Hugh Addonizio in the 1960s, and he remained a dedicated public servant for the rest of his life. During times of great tumult and change, Carl was a steady presence in Newark, working from within its government to strengthen the city's spirit and foundation. In 1970, Carl helped to lead the campaign to elect Kenneth Gibson, the first Black mayor of Newark. He served as an aide to Mayor Gibson and as a member of Newark's school board, quickly becoming its president.

Carl was incredibly generous with his time and with his tremendous political and institutional knowledge. He served as one of my earliest mentors in professional politics, and he led me through my first campaign for city council and my second campaign for mayor. It was Carl who insisted that the key to significant and lasting change in our city was through walking every street, knocking on every door, and talking with every Newarker. Carl reminded all of us that we were never to forget the people we were elected to serve, and I will be forever grateful for his wisdom, support, and advice through the years. I cherish all that he taught me, and I will do everything I can to honor his legacy through my work and life.

Carl was committed to ensuring the best for Newark and all of its people. He devoted himself wholly to our city and its people, and they loved him in return. For his family, friends, our city, and our State, Carl leaves a legacy of public service and unwavering faith in the goodness of our community. As we reflect on this inheritance, I ask that my colleagues join me in honoring Carl Sharif's love for and service to his city and its people and in remembering his extraordinary life.●

## TRIBUTE TO BLAKE WOMBOLD

• Mr. DAINES. Mr. President, I would like to honor Blake Wombold of Heart Butte, a staff sergeant in the U.S. Army Reserves, for his generous contribution of new shoes for the Heart Butte High School Boys basketball team.

Blake was born in Browning, MT, and is an alumnus of Heart Butte High School, where there were only 19 students in his graduating class. He played basketball throughout his high school career and truly feels basketball is “king” in Indian Country. Blake went on to graduate from Salish Kootenai College with a general science degree. He has been with the Army Reserves for 7 years, is a staff sergeant, E-6, as well as a combat trainer/biomedical equipment technician.

This year marks the second year that Blake has donated new shoes to Heart Butte’s basketball team. Growing up, Blake witnessed the sacrifices his mother, a teacher at Heart Butte School, made to provide for him, and he wanted to be able to give back to the community that supported him.

Staff Sergeant Wombold is currently preparing to deploy overseas. His selfless heart is a true example of what it means to be a Montanan. On behalf of all Montanans, I am proud of his service to our community, State, and Nation. •

## REMEMBERING ARCHBISHOP FRANCIS T. HURLEY

• Ms. MURKOWSKI. Mr. President, this week Alaska’s faith communities are mourning the loss of Archbishop Emeritus Francis T. Hurley who passed on January 10, 2 days shy of his 89th birthday. Archbishop Hurley will be buried this weekend.

Archbishop Hurley was ordained a priest of the San Francisco Archdiocese in 1951. He came to Alaska in 1970 as the auxiliary bishop of Juneau and was elevated to archbishop of the Archdiocese of Anchorage in 1976. He served a quarter century in that role until 2001. Archbishop Hurley remained active in the life of Alaska’s Catholics until his death. He had a remarkable career that stretched 45 years.

Many come to Alaska from other places and leave a few years later because they failed to take Alaska on its terms. If there is one thing to be said about Archbishop Hurley it is that he understood what it took to be successful in our remote environment. He not only understood what it took to succeed in Alaska. He fully embraced it. He thrived on it.

No roads connect the island communities for which the auxiliary bishop of Juneau was responsible. Bishop Hurley might have stayed in Juneau and waited for his 4,000 parishioners to come to him. Instead he chose the road Alaskans would take. He learned to fly so that he could bring the church to the

people, and he piloted the diocesan plane for more than 5,000 hours over the course of his career.

During his relatively brief tenure in Juneau, Archbishop Hurley created Trays on Sleighs, an Alaska centric interpretation of the senior feeding program known as Meals on Wheels.

He is responsible for three of the most important social service facilities in Anchorage; Covenant House, which serves homeless youth; the Brother Francis Shelter, which serves homeless men; and Clare House, an emergency shelter for women with children and expectant mothers.

All of these facilities exist today because Archbishop Hurley took the initiative to get them built. Near and dear to the archbishop’s heart was the “Joy Community,” which helped Catholics with developmental disabilities prepare to receive the sacraments. And these are just a few of many legacies he has left around the State. He also founded two Catholic newspapers: the Inside Passage in Juneau and the Catholic Anchor in Anchorage.

You might say that this is all part of a day’s work for a Catholic bishop. But understand that Alaska is a very young State and lacks the infrastructure of more established provinces. What Archbishop Hurley did is identify the gaps in the social safety net and move forward with a single-minded determination to fill them.

Archbishop Hurley’s contributions were international in scope. In December 1990, he traveled with Father Michael Shields to Magadan—a city in the Russian far east. In a theater, they offered Christmas mass—the first public mass in the city’s history. Three hundred people attended.

In the following 3 weeks, signatures were gathered to register a new church, and on January 4, 1991, the Church of the Nativity of Jesus was founded. Across the years, Archbishop Hurley traveled there nine times and, on January 14, 2001, celebrated the parish’s 10th anniversary.

As you can see, Archbishop Hurley’s contributions were quite substantial. Yet he was much more than what he did. Archbishop Hurley was beloved for whom he was. He was a charming man with a tremendous sense of humor and a knack for remembering names. He was an engaging conversationalist. At times, it seemed like he was everywhere; at baptisms, at funerals, engaged in the political life of the community, tending to the needs of the homeless and the troubled. From the moment he came to Alaska, Archbishop Hurley was a man in motion, and even in retirement, he never slowed down.

Archbishop Hurley, respected by people of all faiths, was truly a central figure in the spiritual lives of Alaskans for nearly a half century. Every time I pass one of the churches that were built on his watch or the social services facilities he inspired, I will smile and reflect on how blessed I was to know him. •

## CONGRATULATING VERMONT ESSAY WINNERS

• Mr. SANDERS. Mr. President, since 2010 I have sponsored a State of the Union essay contest for Vermont students. The contest, now in its sixth year, is an opportunity for Vermont’s high school students to articulate what issues they would prioritize if they were President of the United States. A panel of Vermont teachers reviewed all of the essays submitted and selected the top 20. I am proud to say that nearly 800 students wrote essays for this year’s State of the Union contest.

I would like to congratulate each and every finalist and to specifically acknowledge Meredith Holbrook as this year’s winner of the contest. I would also like to recognize Vivian Huang for placing second and Ryan Racicot for placing third. I ask to have printed in the RECORD copies of the winning essays.

The material follows:

MEREDITH HOLBROOK, MILTON HIGH SCHOOL  
(WINNER)

My fellow Americans, today the United States has the strongest military in the world. Our nation has the number one economy. We have the longest running democratic government in history. If we want to be considered the greatest in the world, the home of the free, the land of opportunity, then we must face the challenges before us.

In 2014, 48.1 million Americans lived in food insecure homes, of this, 15.3 million were children. This equates to 14 percent of households being food insecure. How can the wealthiest nation in the world be unable to feed its hungry? We have the full capability of providing for those in need. We should not allow politics to stop us from caring for our citizens in need. It is impossible to expect the people of this country to be functioning members of society without adequate nourishment. The solution to this problem is simple: feed America’s hungry. I believe that if we were to create a cabinet level agency dedicated specifically to food-insecurity, we would be bettering the common good of America. Devoting ten billion dollars from the federal budget would make a tremendous improvement in the number of food-insecure homes. It may be a bold move to make, but our nation cannot move forward until our people are no longer hungry.

Alongside hunger is homelessness. On one given night in America, about 560,000 citizens are homeless, and about 200,000 of those people are in families. It should be the basic right of our people to have shelter and security. The wound of homelessness cannot be solved with night time shelters. Homeless people must be provided with long-term shelters if they are ever to be productive members of society. In order to solve this issue, we must invest in job counseling. Many homeless citizens are homeless due to the inability to acquire a job. If people had the chance to have a clean interview outfit, as well as proper interview instruction, there would not be as many people sleeping on the streets. In order to make this happen, we must have more people trained in the expertise of job counseling, and more programs helping to aid homeless citizens. Again, this would mean funding such programs. A small cost to pay to get Americans off the streets.

How a nation treats its elderly says a lot about its character. We will not be a nation that ignores the needs of its senior citizens. Today, many seniors cannot comfortably retire. They are often forced to choose between

paying for food or, paying for medication. They will go without heat because they cannot afford to buy fuel. The source of this issue is Social Security. Although this retirement system has benefited many Americans, it needs to be changed. Social Security often does not change with inflation, or does not change enough to account for increased prices. While prices are rising, Social Security is not keeping up. This leaves seniors to make difficult choices regarding spending. Every year, Social Security should be assessed, and changed accordingly to inflation. To pay for this, we would need to raise the Social Security tax percentage to seven percent. This would allow America to adequately pay for the needs of our elderly.

This nation is nowhere near perfect. We have many issues we must address, domestic and foreign. We cannot expect to properly address issues overseas, until we fix the home we live in. We must fix America from within. Once we do this, we will truly be able to call ourselves the greatest nation in the world.

VIVIAN HUANG, SOUTH BURLINGTON HIGH SCHOOL (SECOND PLACE)

The year of 2015 has been historic for the United States of America. We have signed a landmark agreement on climate change, enacted marriage equality, and become economically sound—marking greater economic growth rates than predicted and reaching a five percent unemployment rate. Still, we enter the year of 2016 with two pressing issues remaining on the global and the national scale: terrorism and healthcare. As we tackle these issues, we must remind ourselves that the United States of America is truly one nation, indivisible, with each citizen carrying responsibilities to support our nation's values, as well as one another.

First, following recent acts of terror around the world, it is top-priority for the United States to defeat the threat of ISIS. Enough is enough. Rest assured that rather than sending our troops to combat zones in Iraq and Syria, we will take an active role in helping our European allies lead the battle. America must provide rigorous train-and-assist programs for Kurdish forces, exert a tight grip on ISIS-controlled territory, cut off supply lines, and implore the Gulf States to combat terrorism. Furthermore, previous experiences in Iraq and Afghanistan have revealed that merely destroying one source of terrorism will not suffice. To ultimately render counterterrorism and military action unnecessary in Iraq and Syria, we plan on developing political, economic, and educational reforms that will effectively respond to complex sectarian and ethnic divisions in the region.

Let's make it clear that the United States is not declaring a war against religion, but rather against the violence of extremism. As human beings, it is our responsibility to help the innocent Syrian families fleeing ISIS and Assad's brutal regime. Now is not the time to turn our backs, but to provide humanitarian aid and shelter, even though it requires extreme vigilance. Additionally, every American must confront the problem of bigotry, which only becomes exploited by ISIS for its own recruitment. We all have the duty to stand up against discriminatory rhetoric and hostile actions. We all have the duty to uphold the country's values by supporting each other—our friends, neighbors, co-workers, and fellow community members—with tolerance and respect.

Second, an important issue on the domestic front continues to be healthcare. Physical and mental wellness is a fundamental need for the American people. Over the past year, the Affordable Care Act has improved access to this basic human right for the un-

insured. However, there is more to accomplish in 2016. Until completely comprehensive universal healthcare—namely, a single-payer system—is set into place, Medicaid must be expanded in 20 remaining states and community health clinics must be placed in underserved locations.

The Department of Health and Human Services must address the chief drivers of healthcare costs; hospital expenditures, physician and clinical services, and skyrocketing drug prices escalate the national health spending. To target this broad problem, a single-payer healthcare system will minimize unnecessary spending by requiring hospitals to operate on government-approved standardized billing procedures. Hence, hospitals and pharmaceutical companies will not be able to overcharge patients and run extortionate monopolies on essential medications.

Indeed, American citizens' rugged bravery, wise judgment, and drive for excellence have made this country great. But we can always progress forward, as long we stand united. Therefore, we will tackle the urgent issues of terrorism and healthcare not only with confidence, but also with the ambition to remain one nation, indivisible, with liberty and justice for all.

RYAN RACICOT, MILTON HIGH SCHOOL (THIRD PLACE)

The most pressing and immediate danger of today's society is the rapidly changing climate. The scientific community agrees virtually unanimously, that climate change is a very real and imminent concern. Continuation down the current path at this pace will eventually result in the ultimate demise of the human race.

This issue is not the United States' to tackle alone. In order to fully reverse the effects of climate change, it will take a worldwide collaborative effort unlike anything the world has ever faced before. The United States' role going forward is to set an example for other first world countries. The United Nations' conference this year in Paris was a step in the right direction. But the United States needs to agree to a binding commitment to reduce emissions. Without a whole-hearted promise to abide to these reductions, the United States will not be taken seriously on this issue.

The United States government cannot expect corporations to make eco-friendly movements unprovoked, it is simply not worth the financial burden. The federal government needs to incentivize eco-friendly waste management for businesses, by making eco-friendly business more profitable than environmentally irresponsible business. As it stands now, no company has motivation to protect the environment. Doing so only hurts production and makes them less competitive. To reverse this trend, the federal government needs to enforce pre-existing environmental laws and spend more on environmental saving measures.

To convert all factories to updated standards for emissions, a large amount of money will be needed initially, but over time, a system in which clean energy is valued more than profit will result in a much more sustainable economy. Companies who destroy the environment and experience greater profit as a result will be forced to pay for their own pollution management systems. Greatly increasing taxes on environmentally irresponsible corporations will make clean energy more fiscally appealing than polluting means of energy. This is not stealing money from the American people or a redistribution of wealth. This is using money made by multi-billion dollar companies at the expense of the environment to help fix the problem they themselves helped to cre-

ate. Also, by taking the charge on creating environmentally friendly products and machinery, the potential for the United States to make a profit is huge. By incentivizing other countries to go eco-friendly, and selling the materials and means to do so creates jobs and income, which boosts the U.S. economy, all without destroying the environment.

Unlike many other issues troubling the state of Vermont, the nation, and the world, climate change affects every single person. Regardless of race, gender, sexuality, socioeconomic status, religion, education or political affiliation, climate change affects all, especially the most disadvantaged. Because of this, it is everyone's personal responsibility to do their part in saving the planet. One cannot stand idle and expect other people do all of the dirty work. Helping to save the earth is not about how you can benefit, it is about how you can help the greater cause. We can no longer allow large corporations to prioritize making a profit over responsible waste management. The short-term profits for the rich are vastly outweighed by the long-term environmental consequences felt by all.●

#### TRIBUTE TO TERESA THOMPSON

● Mr. THUNE. Mr. President, today I recognize Teresa Thompson, an intern in my Rapid City, SD, office for all of the hard work she has done for me, my staff, and the State of South Dakota over the past few months.

Teresa is a graduate of Sturgis High School in Sturgis, SD. Currently, she is attending Black Hills State University where she is majoring in history. She is a hard worker who has been dedicated to getting the most out of her experience while also raising her two children, Ben and Rachel.

I extend my sincere thanks and appreciation to Teresa Thompson for all of the fine work she has done and wish her continued success in the years to come.●

#### PRESIDENTIAL MESSAGE

REPORT OF THE VETO OF S.J. RES. 22, PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO THE DEFINITION OF "WATERS OF THE UNITED STATES" UNDER THE FEDERAL WATER POLLUTION CONTROL ACT, RECEIVED ON JANUARY 19, 2016—PM 37

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was ordered to be printed in the RECORD, spread in full upon the Journal, and held at the desk:

*To the Senate of the United States:*

I am returning herewith without my approval S.J. Res. 22, a resolution that would nullify a rule issued by the Environmental Protection Agency and the

Department of the Army to clarify the jurisdictional boundaries of the Clean Water Act. The rule, which is a product of extensive public involvement and years of work, is critical to our efforts to protect the Nation's waters and keep them clean; is responsive to calls for rulemaking from the Congress, industry, and community stakeholders; and is consistent with decisions of the United States Supreme Court.

We must protect the waters that are vital for the health of our communities and the success of our businesses, agriculture, and energy development. As I have noted before, too many of our waters have been left vulnerable. Pollution from upstream sources ends up in the rivers, lakes, reservoirs, and coastal waters near which most Americans live and on which they depend for their drinking water, recreation, and economic development. Clarifying the scope of the Clean Water Act helps to protect these resources and safeguard public health. Because this resolution seeks to block the progress represented by this rule and deny businesses and communities the regulatory certainty and clarity needed to invest in projects that rely on clean water, I cannot support it. I am therefore vetoing this resolution.

BARACK OBAMA.  
THE WHITE HOUSE, January 19, 2016.

#### MEASURES READ THE FIRST TIME

The following joint resolution was read the first time:

S.J. Res. 29. Joint resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces.

#### EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4129. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Community Facilities Technical Assistance and Training Grants" (RIN0575-AD02) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4130. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting proposed legislation entitled "Military Justice Act of 2016"; to the Committee on Armed Services.

EC-4131. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Defense (Energy, Installations, and Environment), Department of Defense, received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Armed Services.

EC-4132. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursu-

ant to law, the report of a rule entitled "Removal of Transferred OTS Regulations Regarding Management Official Interlocks and Amendments to FDIC's Rules and Regulations" (RIN3064-AE20) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4133. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Members of Federal Home Loan Banks" (RIN2590-AA39) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4134. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2015-0001)) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4135. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2015-0001)) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4136. A communication from the Regulatory Liaison, Office of Natural Resources Revenue, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Allocation and Disbursement of Royalties, Rentals, and Bonuses—Oil and Gas, Offshore" (RIN1012-AA11) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Energy and Natural Resources.

EC-4137. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Refrigerated Bottled or Canned Beverage Vending Machines" ((RIN1904-AD00) (Docket No. EERE-2013-BT-STD-0022)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Energy and Natural Resources.

EC-4138. A communication from the Assistant Secretary for Insular Affairs, Department of the Interior, transmitting, pursuant to law, reports entitled "Report to the Congress: 2015 Compact Impact Analysis" and "Impact of the Compacts of Free Association on Guam FY (Fiscal Year) 2004 through FY 2014"; to the Committee on Energy and Natural Resources.

EC-4139. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Charleston Harbor Post-45 project in Charleston, South Carolina; to the Committee on Environment and Public Works.

EC-4140. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Leon Creek Watershed, San Antonio, Texas; to the Committee on Environment and Public Works.

EC-4141. A communication from the Chief of the Branch of Recovery and State Grants,

Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removal of the Modoc Sucker from the Federal List of Endangered and Threatened Wildlife" (RIN1018-AY78) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Environment and Public Works.

EC-4142. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Listing Two Lion Subspecies" (RIN1018-BA29) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Environment and Public Works.

EC-4143. A communication from the Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removal of *Frankenia johnstonii* (Johnston's frankenia) From the Federal List of Endangered and Threatened Plants" (RIN1018-AH53) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Environment and Public Works.

EC-4144. A communication from the Chief of the Aquatic Invasive Species Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Injurious Wildlife Species; Listing Salamanders Due to Risk of Salamander Chytrid Fungus" (RIN1018-BA77) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Environment and Public Works.

EC-4145. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure: Update of CC: International No-Rule Revenue Procedure 2015-7" (Rev. Proc. 2016-7) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4146. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2016-5" (Rev. Proc. 2016-5) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4147. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2016-3" (Rev. Proc. 2016-3) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4148. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Employee Plans Determination Letter Program Regarding Cycle A Elections, Determination Letter Expiration Dates, and Extension of Deadlines for Certain Defined Contribution Pre-Approved Plans" (Notice 2016-03) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.



EC-4149. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “2015 Retroactive Increase in Excludable Transit Benefits” (Notice 2016-6) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4150. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Extension of Import Restrictions Imposed on Archaeological Material Originating in Italy and Representing the Pre-Classical, Classical, and Imperial Roman Periods” (RIN1515-AE07) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4151. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “United States-Australia Free Trade Agreement” (RIN1515-AD59) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4152. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2016-0001—2016-0011); to the Committee on Foreign Relations.

EC-4153. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled “Status Report on Implementation of District of Columbia Auditor Recommendations”; to the Committee on Homeland Security and Governmental Affairs.

EC-4154. A communication from the Chair of the Aerospace Safety Advisory Panel, National Aeronautics and Space Administration, transmitting, pursuant to law, the Panel’s annual report for 2015; to the Committee on Commerce, Science, and Transportation.

EC-4155. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XE344) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4156. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Sculpins in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XE337) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4157. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer” (RIN0648-XE347) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4158. A communication from the Acting Director, Office of National Marine Sanc-

tuaries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Boundary Expansion of Thunder Bay National Marine Sanctuary; Correction and Expansion of Fagatele Bay National Marine Sanctuary, Regulatory Changes, and Sanctuary Name Change; Correction” (RIN0648-BF13) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4159. A communication from the Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2016-2018 Summer Flounder, Scup, and Black Sea Bass Specifications” (RIN0648-XE171) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4160. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2016 Red Snapper Commercial Quota Retention” (RIN0648-BE91) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4161. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Greater Amberjack Management Measures” (RIN0648-BF21) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4162. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Smoothsound Shark Management Measures” (RIN0648-BB02) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4163. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; Framework Amendment 3” (RIN0648-BF14) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4164. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Trawl Rationalization Program; Midwater Trawl Requirements” (RIN0648-BE29) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4165. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries,

Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Seabird Avoidance Measures” (RIN0648-BD92) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4166. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Pacific Island Pelagic Fisheries; 2015 U.S. Territorial Longline Bigeye Tuna Catch Limits for the Commonwealth of the Northern Mariana Islands” (RIN0648-XD998) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4167. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Smoothhound Shark and Atlantic Shark Management Measures” (RIN0648-BB02) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4168. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries” (RIN0648-XE327) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4169. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer” (RIN0648-XE321) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4170. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Central Regulatory Area of the Gulf of Alaska Management Area” (RIN0648-XE354) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4171. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2015-2016 Accountability Measure and Closure for Commercial King Mackerel in the Florida West Coast Northern Subzone; Correction” (RIN0648-XE326) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4172. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Other Hook-and-Line Fishery by Catcher Vessels in the Gulf of Alaska” (RIN0648-XE358) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORT OF  
COMMITTEE

The following executive report of a nomination was submitted:

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

\*Michael Joseph Missal, of Maryland, to be Inspector General, Department of Veterans Affairs.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND  
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FLAKE (for himself, Mr. DURBIN, and Mr. BOOKER):

S. 2449. A bill to amend the Immigration and Nationality Act to remove limitations on the ability of certain dual citizens from participating in the Visa Waiver Program; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mr. GRASSLEY, Mr. JOHNSON, and Mr. CARPER):

S. 2450. A bill to amend title 5, United States Code, to address administrative leave for Federal employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:

S. 2451. A bill to designate the area between the intersections of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest in Washington, District of Columbia, as "Liu Xiaobo Plaza", and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MORAN:

S. 2452. A bill to prohibit the use of funds to make payments to Iran relating to the settlement of claims brought before the Iran-United States Claims Tribunal until Iran has paid certain compensatory damages awarded to United States persons by United States courts; to the Committee on Foreign Relations.

By Mr. PAUL:

S. 2453. A bill to consolidate duplicative and overlapping Federal programs and reduce spending; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PAUL (for himself, Mr. ENZI, and Mr. SESSIONS):

S. 2454. A bill to limit the period of authorization of new budget authority provided in appropriation Acts, to require analysis, appraisal, and evaluation of existing programs for which continued new budget authority is proposed to be authorized by committees of Congress, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:

S. 2455. A bill to expand school choice in the District of Columbia; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. RUBIO):

S. 2456. A bill to simplify and improve the Federal student loan program through income-contingent repayment to provide stronger protections for borrowers, encour-

age responsible borrowing, and save money for taxpayers; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. THUNE, and Mrs. CAPITO):

S. 2457. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans; to the Committee on Finance.

By Mr. CARDIN:

S. 2458. A bill to amend section 217(a)(12) of the Immigration and Nationality Act, relating to the restriction of the use of the Visa Waiver Program for aliens who travel to certain countries; to the Committee on the Judiciary.

By Mr. MCCONNELL (for himself, Mr. GRAHAM, Mr. COATS, Mr. HATCH, and Mrs. ERNST):

S.J. Res. 29. A joint resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces; read the first time.

SUBMISSION OF CONCURRENT AND  
SENATE RESOLUTIONS

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

By Mr. RUBIO (for himself, Mr. WYDEN, and Mr. RISCH):

S. Res. 346. A resolution expressing opposition to the European Commission interpretive notice regarding labeling Israeli products and goods manufactured in the West Bank and other areas, as such actions undermine the Israeli-Palestinian peace process; to the Committee on Foreign Relations.

By Mr. BOOKER (for himself, Ms. MIKULSKI, Mr. CARDIN, Mr. MENENDEZ, Ms. WARREN, Mr. MARKEY, Mr. WARNER, Ms. BALDWIN, Mr. DURBIN, Mr. BLUMENTHAL, and Mr. COONS):

S. Res. 347. A resolution honoring the memory and legacy of Anita Ashok Datar and condemning the terrorist attack in Bamako, Mali, on November 20, 2015; to the Committee on Foreign Relations.

By Mr. BLUNT (for himself and Mr. SCHUMER):

S. Con. Res. 28. A concurrent resolution to establish the Joint Congressional Committee on Inaugural Ceremonies for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2017; considered and agreed to.

By Mr. BLUNT (for himself and Mr. SCHUMER):

S. Con. Res. 29. A concurrent resolution to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 383

At the request of Mr. CRAPO, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 383, a bill to provide for Indian trust asset management reform, and for other purposes.

S. 428

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 428, a bill to amend titles

XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment under Medicaid and the Children's Health Insurance Program, and for other purposes.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 624

At the request of Mr. BROWN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 720

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 720, a bill to promote energy savings in residential buildings and industry, and for other purposes.

S. 859

At the request of Ms. CANTWELL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 859, a bill to protect the public, communities across America, and the environment by increasing the safety of crude oil transportation by railroad, and for other purposes.

S. 1061

At the request of Ms. HIRONO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1061, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 1473

At the request of Mr. MARKEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1473, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 1567

At the request of Mr. PETERS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1567, a bill to amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

S. 1766

At the request of Mr. SCHATZ, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1766, a bill to direct the Secretary of Defense to review the discharge characterization of former members of the

Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes.

S. 1885

At the request of Mr. BLUMENTHAL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1885, a bill to amend title 38, United States Code, to improve the provision of assistance and benefits to veterans who are homeless, at risk of becoming homeless, or occupying temporary housing, and for other purposes.

S. 1890

At the request of Mr. HATCH, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1911

At the request of Ms. COLLINS, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 1911, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 2144

At the request of Mr. GARDNER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2144, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

S. 2185

At the request of Ms. HEITKAMP, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2236

At the request of Mr. CRAPO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 2236, a bill to provide that silencers be treated the same as long guns.

S. 2271

At the request of Ms. STABENOW, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2271, a bill to amend the Internal Revenue Code of 1986 to provide credits for the production of renewable chemicals and investments in renewable chemical production facilities, and for other purposes.

S. 2292

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2292, a bill to reform laws relating to small public housing agencies, and for other purposes.

S. 2311

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2311, a bill to amend the Public Health Service Act to authorize

the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression.

S. 2322

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2322, a bill to amend the Fair Labor Standards Act of 1938 to provide that over-the-road bus drivers are covered under the maximum hours requirements.

S. 2426

At the request of Mr. GARDNER, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

S. 2429

At the request of Ms. AYOTTE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2429, a bill to require a report on the military dimensions of Iran's nuclear program and to prohibit the provision of sanctions relief to Iran until Iran has verifiably ended all military dimensions of its nuclear program, and for other purposes.

S. 2434

At the request of Mr. PAUL, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2434, a bill to provide that any executive action that infringes on the powers and duties of Congress under section 8 of article I of the Constitution of the United States or on the Second Amendment to the Constitution of the United States has no force or effect, and to prohibit the use of funds for certain purposes.

S. 2438

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2438, a bill to amend titles XI and XIX of the Social Security Act to establish a comprehensive and nationwide system to evaluate the quality of care provided to beneficiaries of Medicaid and the Children's Health Insurance Program and to provide incentives for voluntary quality improvement.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself,  
Mr. GRAHAM, Mr. COATS, Mr.  
HATCH, and Mrs. ERNST):

S.J. Res. 29. A joint resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces; read the first time.

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

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

S.J. RES. 29

Whereas the terrorist organization referred to as the Islamic State of Iraq and the Levant and various other names (referred to in this joint resolution as "ISIL") has been systematically targeting, kidnapping, and killing innocent men, women, and children throughout Iraq and Syria, continues to expand its terror influence, and is responsible for recent attacks in Egypt, Lebanon, Tunisia, and France;

Whereas foreign fighters, undeterred by the more than 60-nation coalition operating against ISIL, continue to join the ranks of ISIL with the goal of establishing a caliphate;

Whereas, on June 19, 2014, President Barack Obama stated that "ISIL poses a threat to the Iraqi people, to the region, and to U.S. interests";

Whereas, on August 19, 2014, ISIL released a video of the beheading of an American journalist, James Foley, and threatened to kill more Americans;

Whereas, on September 2, 2014, ISIL released a second video, of the beheading of an Israeli-American journalist, Steven Sotloff, and again threatened to kill more;

Whereas a Central Intelligence Agency assessment in September 2014 estimated that ISIL can muster as many as 31,500 fighters in Syria and Iraq alone;

Whereas, on November 16, 2014, ISIL released yet another video of militant "Jihadi John" standing over the severed head of former Army Ranger Peter Kassig;

Whereas Master Sergeant Joshua Wheeler, a member of a United States Special Forces operations team, was killed during a daring raid on an ISIL stronghold in Iraq to rescue 70 prisoners who were slated to be executed;

Whereas American hostage Kayla Mueller, a 26-year-old female, was kidnapped and repeatedly raped for almost 18 months by the leader of ISIL, Abu Bakr al-Baghdadi;

Whereas, on November 13, 2015, ISIL carried out a coordinated attack on Paris, France, killing more than 129 people from at least 14 different countries, including American student Nohemi Gonzalez;

Whereas, on November 16, 2015, Central Intelligence Agency Director Brennan warned, following ISIL's horrific terrorist in Paris, that the attack was likely "not the only operation that ISIL has in the pipeline";

Whereas, on August 18, 2014, Pope Francis said that the international community would be justified in stopping ISIL;

Whereas, on August 21, 2014, former Chairman of the Joint Chiefs of Staff General Dempsey stated that ISIL "has an apocalyptic, end-of-days strategic vision and which will eventually have to be defeated";

Whereas, on September 16, 2014, former Secretary of Defense Hagel testified before the Committee on Armed Services of the Senate that "if left unchecked, ISIL will directly threaten our homeland and our allies";

Whereas, on September 17, 2014, during a hearing of the Committee on Foreign Relations of the Senate, Secretary of State Kerry stated that "ISIL must be defeated. Period. End of story.;"

Whereas, on March 13, 2015, Central Intelligence Agency Director Brennan stated, "ISIL is well-armed and well-financed. Its fighters are disciplined, committed, and battle-hardened. Left unchecked, the group

would pose a serious danger not only to Syria and Iraq, but to the wider region beyond, including the threat of attacks in the homelands of the United States and our partners.”;

Whereas, on July 23, 2015, Federal Bureau of Investigation Director Comey stated that “[t]he threat that ISIL presents to the United States is very different in kind, in type, in degree than al Qaeda. ISIL is not your parent’s al Qaeda, it’s a very different model. And by virtue of that model, it’s currently the threat that we are worried about in the homeland most of all”;

Whereas, on November 16, 2015, following the attacks on Paris, France, ISIL released a video threatening to “strike America at its center in Washington”;

Whereas, on November 17, 2015, former Secretary of Defense Panetta warned that countering the threat posed by ISIL “isn’t about containment. It is about defeating ISIS. I think if there’s anything we ought to understand from these last events [in Paris], it’s that we have to go to war against this brutal enemy”;

Whereas after the terrorist attacks of September 11, 2001, Congress authorized the use of military force against al Qaeda;

Whereas ISIL poses a direct threat to the United States homeland that is equal to or greater than the threat posed by al Qaeda prior to the terrorist attacks of September 11, 2001;

Whereas, although nothing in this joint resolution limits the authorities of the President under article 2 of the Constitution of the United States, Justice Robert H. Jackson wrote in *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952) that “[w]hen the President acts pursuant to an express or implied authorization of Congress, his authority is at its maximum, for it includes all that he possesses in his own right plus all that Congress can delegate”;

Whereas ISIL, through the use of social media and its online magazine, *Dabiq*, seeks to radicalize Americans and to inspire attacks within the homeland: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This joint resolution may be cited as the “Authorization for Use of Military Force Against the Islamic State of Iraq and the Levant and its Associated Forces”.

#### SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) IN GENERAL.—The President is authorized to use all necessary and appropriate force in order to defend the national security of the United States against the continuing threat posed by the Islamic State of Iraq and the Levant, its associated forces, organizations, and persons, and any successor organizations.

(b) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1457(a)(1)), Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supercedes any requirement of the War Powers Resolution (50 U.S.C. 1541 et seq.).

#### SEC. 3. REPORTS TO CONGRESS.

(a) REPORTS.—Not less frequently than once every 60 days, the President shall submit a report to Congress on matters relevant to this joint resolution, including actions taken pursuant to the exercise of authority granted under section 2.

(b) SINGLE CONSOLIDATED REPORT.—To the extent that the submission of any report described in subsection (a) coincides with the submission of any other report on matters relevant to this joint resolution otherwise required to be submitted to Congress pursuant to the reporting requirements of the War Powers Resolution, all such reports may be submitted as a single consolidated report to Congress.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 346—EX-PRESSING OPPOSITION TO THE EUROPEAN COMMISSION INTERPRETIVE NOTICE REGARDING LABELING ISRAELI PRODUCTS AND GOODS MANUFACTURED IN THE WEST BANK AND OTHER AREAS, AS SUCH ACTIONS UNDERMINE THE ISRAELI-PALESTINIAN PEACE PROCESS

Mr. RUBIO (for himself, Mr. WYDEN, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 346

Whereas the United States supports a negotiated solution to the Israeli-Palestinian conflict resulting in two states, a democratic, Jewish State of Israel and a viable, democratic Palestinian state, living side-by-side in peace, security, and mutual recognition;

Whereas a true and lasting peace between Israel and the Palestinians can only be established through direct negotiations regarding outstanding issues between Israel and the recognized leadership of the Palestinian people, the Palestinian Authority;

Whereas a true and lasting peace between Israel and the Palestinians is in the national security interests of the United States and necessary to ensure the safety and security of Israel;

Whereas the anti-Israel Boycott, Divestment and Sanctions (BDS) movement has called on the European Commission to go beyond labeling guidelines and implement a ban on the import of products of Israeli companies that operate in the West Bank and other areas;

Whereas politically motivated acts of boycott, divestment from, and sanctions against Israel represent a concerted effort to extract concessions from Israel outside of direct negotiations between the Israelis and Palestinians, and undermine efforts to achieve a negotiated two-state solution;

Whereas the United States has long opposed efforts to impose solutions to the Israeli-Palestinian conflict outside of direct negotiations between the two parties;

Whereas the United States has historically been at the forefront of combating economic pressure against Israel and has enacted legislation to counter both the Arab League Boycott of Israel and the BDS movement;

Whereas one-sided actions, such as singling out Israeli products, serves to encourage and prompt consumers to boycott Israeli products and goods manufactured in the West Bank and other areas;

Whereas section 102(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (title I of Public Law 114-26; 19 U.S.C. 4201(b)) states that the United States should discourage potential trading partners from adopting policies to limit trade or investment relations with Israel when negotiating the Transatlantic Trade and Investment Partnership with European countries;

Whereas the United States and the European Union have historically worked in coordination to bring an end to the Israeli-Palestinian conflict; and

Whereas multiple United States legislatures have enacted measures to confront politically motivated acts of boycott, divestment from, and sanctions against Israel, including Tennessee, Indiana, Illinois, South Carolina, and New York: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses opposition to the European Commission interpretive notice regarding labeling Israeli products and goods manufactured in the West Bank and other areas, as such actions undermine efforts to achieve a negotiated Israeli-Palestinian peace process;

(2) opposes politically motivated acts of boycott, divestment from, and sanctions against Israel or Israeli-controlled territory;

(3) calls upon the European Commission, the Council of the European Union, and the European Parliament to oppose any boycott, divestment, or sanctions initiatives aimed at singling out Israel, to refrain from actions counterproductive to resolving the Israeli-Palestinian conflict, and to work on bringing the parties back to the negotiating table;

(4) encourages European Union member states to exert prudence in the implementation of the European Union labeling guidelines regarding Israeli products and goods manufactured in the West Bank and other areas;

(5) urges the President to increase the use of the voice, vote, and influence of the United States in international organizations and other appropriate international forums to actively oppose politically motivated acts of boycott, divestment from, and sanctions against Israel;

(6) supports efforts by United States State legislatures to enact measures that oppose politically motivated acts of boycott, divestment from, and sanctions against Israel; and

(7) reaffirms its strong support for a negotiated solution to the Israeli-Palestinian conflict resulting in two states, a democratic, Jewish State of Israel and a viable, democratic Palestinian state, living side-by-side in peace, security, and mutual recognition.

#### SENATE RESOLUTION 347—HONORING THE MEMORY AND LEGACY OF ANITA ASHOK DATAR AND CONDEMNING THE TERRORIST ATTACK IN BAMAKO, MALI, ON NOVEMBER 20, 2015

Mr. BOOKER (for himself, Ms. MIKULSKI, Mr. CARDIN, Mr. MENENDEZ, Ms. WARREN, Mr. MARKEY, Mr. WARNER, Ms. BALDWIN, Mr. DURBIN, Mr. BLUMENTHAL, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 347

Whereas, on November 20, 2015, terrorists perpetrated an horrific attack at the Radisson Blu Hotel in Bamako, Mali, killing innocent civilians from 7 countries, including Mali, Russia, China, Belgium, Israel, Senegal, and the United States;

Whereas Anita Ashok Datar was the only citizen of the United States killed in the terrorist attack on November 20, 2015, in Bamako, Mali;

Whereas first responders, including Malian forces, United Nations staff, and French and United States security personnel, including agents of the Bureau of Diplomatic Security, bravely and quickly assisted with—

(1) the evacuation of hostages; and  
 (2) the transportation of hostages to safe locations;

Whereas Anita Ashok Datar—

(1) resided in Takoma Park, Maryland;  
 (2) was born in Pittsfield, Massachusetts;  
 and

(3) was raised in Flanders, New Jersey;

Whereas Anita Ashok Datar was an international public health and development worker, public health expert, mother, daughter, sister, and friend;

Whereas Anita Ashok Datar served as a volunteer of the Peace Corps in Senegal from 1997 through 1999;

Whereas Anita Ashok Datar was a graduate of—

(1) Rutgers, The State University of New Jersey; and

(2) Columbia University's—

(A) Mailman School of Public Health;  
 and

(B) School of International and Public Affairs;

Whereas Anita Ashok Datar helped found a not-for-profit organization dedicated to connecting low-income women in underserved communities to quality health services;

Whereas, of all of the accomplishments of Anita Ashok Datar, she was most proud of her son, Rohan; and

Whereas the people of the United States stand united with the family, friends, and colleagues of Anita Ashok Datar—

(1) to support the individuals touched by her life or affected by her death; and

(2) to pray for healing, understanding, and peace: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the terrorist attack in Bamako, Mali, on November 20, 2015;

(2) honors the memory of Anita Ashok Datar, the citizen of the United States that was killed in the terrorist attack on November 20, 2015, in Bamako, Mali;

(3) recognizes and honors the commitment of Anita Ashok Datar to advance international development and public health, including her work to connect low-income women to quality health services;

(4) extends heartfelt condolences and prayers to—

(A) the family, friends, and colleagues of Anita Ashok Datar, particularly her son, Rohan; and

(B) the individuals touched by the life of Anita Ashok Datar or affected by her death, including the dedicated development professionals and volunteers that continue to selflessly engage in critical humanitarian and development efforts; and

(5) pledges to continue to work to counter violent extremism, including through education and health care, in the United States and abroad.

**SENATE CONCURRENT RESOLUTION 28—TO ESTABLISH THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES FOR THE INAUGURATION OF THE PRESIDENT-ELECT AND VICE PRESIDENT-ELECT OF THE UNITED STATES ON JANUARY 20, 2017**

Mr. BLUNT (for himself and Mr. SCHUMER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 28

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. ESTABLISHMENT OF JOINT COMMITTEE.**

There is established a Joint Congressional Committee on Inaugural Ceremonies (in this

resolution referred to as the “joint committee”) consisting of 3 Senators and 3 Members of the House of Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively. The joint committee is authorized to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2017.

**SEC. 2. SUPPORT OF THE JOINT COMMITTEE.**

The joint committee—

(1) is authorized to utilize appropriate equipment and the services of appropriate personnel of departments and agencies of the Federal Government, under arrangements between the joint committee and the heads of those departments and agencies, in connection with the inaugural proceedings and ceremonies; and

(2) may accept gifts and donations of goods and services to carry out its responsibilities.

**SENATE CONCURRENT RESOLUTION 29—TO AUTHORIZE THE USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL BY THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES IN CONNECTION WITH THE PROCEEDINGS AND CEREMONIES CONDUCTED FOR THE INAUGURATION OF THE PRESIDENT-ELECT AND THE VICE PRESIDENT-ELECT OF THE UNITED STATES**

Mr. BLUNT (for himself and Mr. SCHUMER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 29

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL.**

The rotunda and Emancipation Hall of the United States Capitol are authorized to be used on January 20, 2017, by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 2945. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table.

SA 2946. Mr. THUNE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2947. Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2948. Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2949. Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2950. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2951. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2952. Mr. MCCONNELL (for Mr. GRASSLEY (for himself, Mr. BENNET, Mr. ISAKSON, and Mr. SANDERS)) proposed an amendment to the bill S. 607, to provide for a five-year extension of the Medicare rural community hospital demonstration program.

**TEXT OF AMENDMENTS**

**SA 2945.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . . . REFUGEE RESETTLEMENT.**

(a) IN GENERAL.—The governor of each State shall be permitted to advise the Secretary of State, on a weekly basis, of the willingness of such State to accept the resettlement of a refugee in such State.

(b) ADVISE.—The Secretary of State shall provide full information to a governor of any State if the Secretary resettles a refugee in that State.

**SA 2946.** Mr. THUNE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . . . REFUGEE RESETTLEMENT VETO AUTHORITY.**

(a) IN GENERAL.—The governor of each State shall be permitted to advise the Secretary of State, on a weekly basis, of the willingness of such State to accept the resettlement of a refugee in such State.

(b) VETO AUTHORITY.—The governor of any State may veto the resettlement of any refugee in that State.

**SA 2947.** Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 14, insert “, and has provided support to any foreign terrorist organization, which may include publishing or otherwise engaging in social media to promote or otherwise support a foreign terrorist organization” before the period at the end.

Beginning on page 3, strike line 15 and all that follows through page 5, line 2, and insert the following:

**SEC. 3. INADMISSIBILITY FOR USE OF SOCIAL MEDIA TO PROMOTE TERRORISM.**

(a) IN GENERAL.—Section 212(a)(3)(B)(i)(VII) of the Immigration and

Nationality Act (8 U.S.C. 1182(a)(3)(B)(i)(VII)) is amended by inserting “, including through the use of social media” before the semicolon at the end.

(b) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of State, shall issue regulations, in accordance with section 553 of title 5, United States Code, to ensure that every covered alien who has violated section 212(a)(3)(B)(i)(VII) of such Act (8 U.S.C. 1182(a)(3)(B)(i)(VII))—

(1) does not receive an immigrant visa under section 203 of the Immigration and Nationality Act (8 U.S.C. 1153); and

(2) does not have his or her status adjusted to that of an alien lawfully admitted for permanent residence under section 245 of such Act (8 U.S.C. 1155).

(c) EFFECTIVE DATE.—The regulations issued under subsection (b) shall take effect on the date that is 30 days after the date on which such regulations are published in the Federal Register.

#### SEC. 4. DEFINITIONS.

(a) IN GENERAL.—In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Foreign Relations of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Committee on Armed Services of the House of Representatives;

(H) the Permanent Select Committee on Intelligence of the House of Representatives;

(I) the Committee on the Judiciary of the House of Representatives;

(J) the Committee on Homeland Security of the House of Representatives;

(K) the Committee on Foreign Affairs of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

(2) COVERED ALIEN.—The term “covered alien” means any alien who—

(A)(i) is applying for admission to the United States as a refugee; and

(ii) is a national or resident of Iraq or Syria;

(iii) has no known nationality and whose last habitual residence was in Iraq or in Syria; or

(iv) has been present in Iraq or in Syria at any time on or after March 1, 2011.

(B) is not a citizen of Iraq who—

(i) is or was employed by or on behalf of the United States Government in Iraq on or after March 20, 2003, for not less than 1 year; and

(ii) provided faithful and valuable service to the United States Government, which is documented in a positive recommendation or evaluation described in subsection (c), from the employer’s senior supervisor in the United States Government or from a more senior person if the employee’s senior supervisor cannot be located;

(C) is not the spouse or child of an alien described in subparagraph (B); and

(D) is not an infant child without living parents who is younger than 4 years of age, as certified under procedures promulgated by the Secretary of State under subsection (b).

(3) FOREIGN TERRORIST ORGANIZATION.—The term “foreign terrorist organization” is a foreign organization that is designated as a

foreign terrorist organization by the Secretary of State in accordance with section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(b) CERTIFICATION.—

(1) IN GENERAL.—The Secretary of State shall issue regulations establishing procedures for certifying that an alien is an alien child without living parents who is younger than 4 years of age, as described in subsection (a)(2)(D).

(2) SUBMISSION.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit the regulations issued under paragraph (1) to the appropriate congressional committees.

(3) IMPLEMENTATION.—Not earlier than 90 days after the submission of regulations under paragraph (2), the Secretary of State shall implement the regulations issued under paragraph (1).

(c) APPROVAL BY CHIEF OF MISSION REQUIRED.—Each recommendation or evaluation required under subsection (a)(2)(B)(ii) shall be accompanied by approval from the appropriate Chief of Mission, or his or her designee, who shall conduct a risk assessment of the alien and an independent review of records maintained by the United States Government or hiring organization or entity to confirm the alien’s employment and faithful and valuable service to the United States Government before the alien is exempted from definition of covered alien under subsection (a)(2)(B).

**SA 2948.** Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 3. STATE NOTIFICATION REQUIREMENT.** Section 412(b) of the Immigration and Nationality Act (8 U.S.C. 1522(b)) is amended by adding at the end the following:

“(9) Before a refugee is resettled in a State, the Secretary of State shall provide the governor of such State, or the governor’s designee, with respect to the refugee—

“(A) the full, legal name;

“(B) a physical description, including biometric information;

“(C) relevant biographical information;

“(D) the country of origin; and

“(E) any prior citizenship.”.

**SA 2949.** Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 3. PRIORITIZING SPECIAL IMMIGRANT VISAS FOR IRAQI AND AFGHAN TRANSLATORS.**

In allocating the resources of the Department of State, the Secretary of State shall prioritize the issuance of special immigrant visas authorized under—

(1) section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 8 U.S.C. 1101 note);

(2) section 1244 of the Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note); and

(3) section 602 of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note).

**SA 2950.** Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 3. ELIMINATION OF EXCLUSION OF CERTAIN DUAL NATIONALS FROM PARTICIPATION IN THE VISA WAIVER PROGRAM.**

(a) SHORT TITLE.—This section may be cited as the “Equal Protection in Travel Act of 2016”.

(b) VISA WAIVER PROGRAM.—Section 217(a)(12) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(12)) is amended—

(1) in subparagraph (A)—

(A) by striking clause (ii);

(B) by striking “(C)” and all that follows through “the alien has not been present” and inserting “(C), the alien has not been present”; and

(C) by redesignating subclauses (I), (II), and (III) as clauses (i), (ii), and (iii), respectively; and

(2) in subparagraph (B), in the matter preceding clause (i), by striking “(A)(i)” and inserting “(A)”.

**SA 2951.** Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, strike line 14 and insert the following:

(e) DELEGATION AUTHORIZED.—The Director of the Federal Bureau of Investigation and the Secretary of Homeland Security may delegate their respective responsibilities for issuing the certifications required under subsections (a) and (b) to an individual or individuals with the relevant authority and expertise within their respective agency.

(f) DEFINITIONS.—In this Act:

**SA 2952.** Mr. MCCONNELL (for Mr. GRASSLEY (for himself, Mr. BENNET, Mr. ISAKSON, and Mr. SANDERS)) proposed an amendment to the bill S. 607, to provide for a five-year extension of the Medicare rural community hospital demonstration program; as follows:

Strike section 2 and insert the following:

**SEC. 2. FIVE-YEAR EXTENSION OF THE RURAL COMMUNITY HOSPITAL DEMONSTRATION PROGRAM.**

(a) EXTENSION.—Section 410A of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 42 U.S.C. 1395ww note), as amended by sections 3123 and 10313 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended—

(1) in subsection (a)(5), by striking “5-year extension period” and inserting “10-year extension period”; and

(2) in subsection (g)—

(A) in the subsection heading, by striking “FIVE-YEAR” and inserting “TEN-YEAR”;

(B) in paragraph (1), by striking “additional 5-year” and inserting “additional 10-year”;

(C) by striking “5-year extension period” and inserting “10-year extension period” each place it appears;

(D) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by inserting “each 5-year period in” after “hospital during”; and

(ii) in clause (i), by inserting “each applicable 5-year period in” after “the first day of”; and

(E) by adding at the end the following new paragraphs:

“(5) OTHER HOSPITALS IN DEMONSTRATION PROGRAM.—During the second 5 years of the 10-year extension period, the Secretary shall apply the provisions of paragraph (4) to rural community hospitals that are not described in paragraph (4) but are participating in the demonstration program under this section as of December 30, 2014, in a similar manner as such provisions apply to rural community hospitals described in paragraph (4).

“(6) EXPANSION OF DEMONSTRATION PROGRAM TO RURAL AREAS IN ANY STATE.—

“(A) IN GENERAL.—The Secretary shall, notwithstanding subsection (a)(2) or paragraph (2) of this subsection, not later than 120 days after the date of the enactment of this paragraph, issue a solicitation for applications to select up to the maximum number of additional rural community hospitals located in any State to participate in the demonstration program under this section for the second 5 years of the 10-year extension period without exceeding the limitation under paragraph (3) of this subsection.

“(B) PRIORITY.—In determining which rural community hospitals that submitted an application pursuant to the solicitation under subparagraph (A) to select for participation in the demonstration program, the Secretary—

“(i) shall give priority to rural community hospitals located in one of the 20 States with the lowest population densities (as determined by the Secretary using the 2015 Statistical Abstract of the United States); and

“(ii) may consider—

“(I) closures of hospitals located in rural areas in the State in which the rural community hospital is located during the 5-year period immediately preceding the date of the enactment of this paragraph; and

“(II) the population density of the State in which the rural community hospital is located.”

(b) CHANGE IN TIMING FOR REPORT.—Subsection (e) of such section 410A is amended—

(1) by striking “Not later than 6 months after the completion of the demonstration program under this section” and inserting “Not later than August 1, 2018”; and

(2) by striking “such program” and inserting “the demonstration program under this section”.

## NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. ALEXANDER. Mr. President, the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on January 28, 2016, at 10 a.m. in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled “Generic Drug User Fee Amendments: Accelerating Patient Access to Generic Drugs.”

For further information regarding this meeting, please contact Jamie Garden of the committee staff on (202) 224-0623.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., in room 328A of the Russell Senate Office Building.

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

COMMITTEE ON ARMED SERVICES

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 20, 2016, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on January 20, 2016, at 10:30 a.m., in room, SR-253 of the Russell Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., in room SD-406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., to conduct a hearing entitled “The Middle East after the JCPOA.”

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

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., in room SD-403 of the Dirksen Senate Office Building to conduct a hearing entitled “Improving the Federal Response to Challenges in Mental Health Care in America.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., to con-

duct a hearing entitled “Inside the Mind of ISIS: Understanding Its Goals and Ideology to Better Protect the Homeland.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 20, 2016, at 2:30 p.m.

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

COMMITTEE ON THE JUDICIARY

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Adequacy of Criminal Intent Standards in Federal Prosecutions.”

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. VITTER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 20, 2016, at 11:30 a.m.

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

SUBCOMMITTEE ON IMMIGRATION AND THE NATIONAL INTEREST

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration and the National Interest be authorized to meet during the session of the Senate on January 20, 2016, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Why is the Biometric Exit Tracking System Still Not in Place?”

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. VITTER. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on January 20, 2016, at 2:30 p.m.

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

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 440.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Lisa S. Disbrow, of Virginia, to be Under Secretary of the Air Force.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. Mr. President, I know of no further debate.

The PRESIDING OFFICER. Is there further debate?

If not, the question is, Will the Senate advise and consent to the Disbrow nomination?

The nomination was confirmed.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### RURAL COMMUNITY HOSPITAL DEMONSTRATION EXTENSION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 181, S. 607.

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

The senior assistant legislative clerk read as follows:

A bill (S. 607) to amend title XVIII of the Social Security Act to provide for a five-year extension of the rural community hospital demonstration program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Rural Community Hospital Demonstration Extension Act of 2015".*

##### SEC. 2. FIVE-YEAR EXTENSION OF THE MEDICARE RURAL COMMUNITY HOSPITAL DEMONSTRATION PROGRAM.

(a) EXTENSION.—Section 410A of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 42 U.S.C. 1395uw note), as amended by sections 3123 and 10313 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended—

(1) in subsection (a)(5), by striking "5-year extension period" and inserting "10-year extension period"; and

(2) in subsection (g)—

(A) in the subsection heading, by striking "FIVE-YEAR" and inserting "TEN-YEAR";

(B) in paragraph (1), by striking "additional 5-year" and inserting "additional 10-year";

(C) by striking "5-year extension period" and inserting "10-year extension period" each place it appears;

(D) in paragraph (3), by adding at the end the following new sentence: "Notwithstanding the preceding sentence, after the date of the enactment of this sentence, only hospitals described in paragraph (4) or (5) may participate in demonstration program under this section."

(E) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by inserting "each 5-year period in" after "hospital during"; and

(ii) in clause (i), by inserting "each applicable 5-year period in" after "the first day of"; and

(F) by adding at the end the following new paragraph: "(5) OTHER HOSPITALS IN DEMONSTRATION PROGRAM.—During the second 5 years of the 10-year extension period, the Secretary shall apply the provisions of paragraph (4) to rural community hospitals that are not described in paragraph (4) but are participating in the demonstration program under this section as of December 30, 2014, in a similar manner as such provisions apply to rural community hospitals described in paragraph (4)."

(b) CHANGE IN TIMING FOR REPORT.—Subsection (e) of such section 410A is amended by striking "Not later than 6 months after the completion" and inserting "Not later than August 1, 2018".

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Grassley amendment at the desk be agreed to; that the committee-reported amendment, as amended, be agreed to; that the bill, as amended, be read a third time and passed; that the title amendment be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 2952) was agreed to, as follows:

(Purpose: To improve the bill)

Strike section 2 and insert the following:  
**SEC. 2. FIVE-YEAR EXTENSION OF THE RURAL COMMUNITY HOSPITAL DEMONSTRATION PROGRAM.**

(a) EXTENSION.—Section 410A of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 42 U.S.C. 1395ww note), as amended by sections 3123 and 10313 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended—

(1) in subsection (a)(5), by striking "5-year extension period" and inserting "10-year extension period"; and

(2) in subsection (g)—

(A) in the subsection heading, by striking "FIVE-YEAR" and inserting "TEN-YEAR";

(B) in paragraph (1), by striking "additional 5-year" and inserting "additional 10-year";

(C) by striking "5-year extension period" and inserting "10-year extension period" each place it appears;

(D) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by inserting "each 5-year period in" after "hospital during"; and

(ii) in clause (i), by inserting "each applicable 5-year period in" after "the first day of"; and

(E) by adding at the end the following new paragraphs:

"(5) OTHER HOSPITALS IN DEMONSTRATION PROGRAM.—During the second 5 years of the 10-year extension period, the Secretary shall apply the provisions of paragraph (4) to rural community hospitals that are not described in paragraph (4) but are participating in the demonstration program under this section as of December 30, 2014, in a similar manner as such provisions apply to rural community hospitals described in paragraph (4).

"(6) EXPANSION OF DEMONSTRATION PROGRAM TO RURAL AREAS IN ANY STATE.—

"(A) IN GENERAL.—The Secretary shall, notwithstanding subsection (a)(2) or paragraph (2) of this subsection, not later than 120 days after the date of the enactment of this paragraph, issue a solicitation for applications to select up to the maximum number of additional rural community hospitals located in any State to participate in the demonstration program under this section for the second 5 years of the 10-year extension period without exceeding the limitation under paragraph (3) of this subsection.

"(B) PRIORITY.—In determining which rural community hospitals that submitted an application pursuant to the solicitation under subparagraph (A) to select for participation in the demonstration program, the Secretary—

"(i) shall give priority to rural community hospitals located in one of the 20 States with the lowest population densities (as determined by the Secretary using the 2015 Statistical Abstract of the United States); and

"(ii) may consider—

"(I) closures of hospitals located in rural areas in the State in which the rural community hospital is located during the 5-year period immediately preceding the date of the enactment of this paragraph; and

"(II) the population density of the State in which the rural community hospital is located."

(b) CHANGE IN TIMING FOR REPORT.—Subsection (e) of such section 410A is amended—

(1) by striking "Not later than 6 months after the completion of the demonstration program under this section" and inserting "Not later than August 1, 2018"; and

(2) by striking "such program" and inserting "the demonstration program under this section".

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 607), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 607

*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 "Rural Community Hospital Demonstration Extension Act of 2015".

##### SEC. 2. FIVE-YEAR EXTENSION OF THE RURAL COMMUNITY HOSPITAL DEMONSTRATION PROGRAM.

(a) EXTENSION.—Section 410A of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 42 U.S.C. 1395ww note), as amended by sections 3123 and 10313 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended—

(1) in subsection (a)(5), by striking "5-year extension period" and inserting "10-year extension period"; and

(2) in subsection (g)—

(A) in the subsection heading, by striking "FIVE-YEAR" and inserting "TEN-YEAR";

(B) in paragraph (1), by striking "additional 5-year" and inserting "additional 10-year";

(C) by striking "5-year extension period" and inserting "10-year extension period" each place it appears;

(D) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by inserting "each 5-year period in" after "hospital during"; and

(ii) in clause (i), by inserting "each applicable 5-year period in" after "the first day of"; and



(E) by adding at the end the following new paragraphs:

“(5) OTHER HOSPITALS IN DEMONSTRATION PROGRAM.—During the second 5 years of the 10-year extension period, the Secretary shall apply the provisions of paragraph (4) to rural community hospitals that are not described in paragraph (4) but are participating in the demonstration program under this section as of December 30, 2014, in a similar manner as such provisions apply to rural community hospitals described in paragraph (4).

“(6) EXPANSION OF DEMONSTRATION PROGRAM TO RURAL AREAS IN ANY STATE.—

“(A) IN GENERAL.—The Secretary shall, notwithstanding subsection (a)(2) or paragraph (2) of this subsection, not later than 120 days after the date of the enactment of this paragraph, issue a solicitation for applications to select up to the maximum number of additional rural community hospitals located in any State to participate in the demonstration program under this section for the second 5 years of the 10-year extension period without exceeding the limitation under paragraph (3) of this subsection.

“(B) PRIORITY.—In determining which rural community hospitals that submitted an application pursuant to the solicitation under subparagraph (A) to select for participation in the demonstration program, the Secretary—

“(i) shall give priority to rural community hospitals located in one of the 20 States with the lowest population densities (as determined by the Secretary using the 2015 Statistical Abstract of the United States); and

“(ii) may consider—

“(I) closures of hospitals located in rural areas in the State in which the rural community hospital is located during the 5-year period immediately preceding the date of the enactment of this paragraph; and

“(II) the population density of the State in which the rural community hospital is located.”

(b) CHANGE IN TIMING FOR REPORT.—Subsection (e) of such section 410A is amended—

(1) by striking “Not later than 6 months after the completion of the demonstration program under this section” and inserting “Not later than August 1, 2018”; and

(2) by striking “such program” and inserting “the demonstration program under this section”.

The committee-reported title amendment was agreed to, as follows:

Amend the title so as to read: “A bill to provide for a five-year extension of the Medicare rural community hospital demonstration program.”

#### FISCAL YEAR 2016 DEPARTMENT OF VETERANS AFFAIRS SEISMIC SAFETY AND CONSTRUCTION AUTHORIZATION ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 2422 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (S. 2422) to authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations are being made for fiscal year 2016.

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

Mr. McCONNELL. Mr. President, I further ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 2422) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:  
S. 2422

*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 “Fiscal Year 2016 Department of Veterans Affairs Seismic Safety and Construction Authorization Act”.

#### SEC. 2. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) FINDINGS.—Congress finds the following:

(1) The Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016, which was passed by the Senate on November 10, 2015, without a single vote cast against the bill, and the Consolidated Appropriations Act, 2016 include the following amounts to be appropriated to the Department of Veterans Affairs:

(A) \$35,000,000 to make seismic corrections to Building 208 at the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake.

(B) \$158,000,000 to provide for the construction of a new research building, site work, and demolition at the San Francisco Veterans Affairs Medical Center.

(C) \$161,000,000 to replace Building 133 with a new community living center at the Long Beach Veterans Affairs Medical Center, which, according to the Department, is a building that is designated as having an extremely high risk of sustaining major damage during an earthquake.

(D) \$468,800,000 for construction projects that are critical to the Department for ensuring health care access and safety at medical facilities in Louisville, Kentucky, Jefferson Barracks in St. Louis, Missouri, Perry Point, Maryland, American Lake, Washington, Alameda, California, and Livermore, California.

(2) The Department is unable to obligate or expend the amounts described in paragraph (1), other than for construction design, because the Department lacks an explicit authorization by an Act of Congress pursuant to section 8104(a)(2) of title 38, United States Code, to carry out the major medical facility projects described in such paragraph.

(3) Among the major medical facility projects described in paragraph (1), three are critical seismic safety projects in California.

(4) Every day that the critical seismic safety projects described in paragraph (3) are delayed increases the risk of a life-threatening building failure in the case of a major seismic event.

(5) According to the United States Geological Survey—

(A) California has more than a 99 percent chance of experiencing an earthquake of magnitude 6.7 or greater in the next 30 years;

(B) even earthquakes of less severity than magnitude 6.7 can cause life threatening damage to seismically unsafe buildings; and

(C) in California, earthquakes of magnitude 6.0 or greater occur on average once every 1.2 years.

(b) AUTHORIZATION.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed \$180,480,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed \$105,500,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed \$287,100,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed \$87,332,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed \$194,430,000.

(6) Construction of a medical center in Louisville, Kentucky, in an amount not to exceed \$150,000,000.

(7) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed \$92,700,000.

(8) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed \$16,260,000.

(c) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account, \$1,113,802,000 for the projects authorized in subsection (b).

(d) LIMITATION.—The projects authorized in subsection (b) may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (c);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

#### ESTABLISHING THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 28, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 28) to establish the Joint Congressional Committee on Inaugural Ceremonies for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2017.

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

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table.

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

The concurrent resolution (S. Con. Res. 28) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

---

**AUTHORIZING USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 29, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 29) to authorize the use of the Rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

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

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table.

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

The concurrent resolution (S. Con. Res. 29) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

---

**MEASURE READ THE FIRST TIME—S.J. RES. 29**

Mr. McCONNELL. Mr. President, I understand that there is a joint resolution at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the joint resolution by title for the first time.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 29) to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces.

Mr. McCONNELL. I now ask for a second reading and, in order to place the joint resolution on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the joint resolution will be read for the second time on the next legislative day.

**ORDERS FOR THURSDAY,  
JANUARY 21, 2016**

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, January 21; 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; finally, that following leader remarks, the Senate then resume consideration of the veto message on S.J. Res. 22, with the time until 10:30 a.m. equally divided between the two leaders or their designees.

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

---

**ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW**

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:37 p.m., adjourned until Thursday, January 21, 2016, at 9:30 a.m.

---

**CONFIRMATION**

Executive nomination confirmed by the Senate January 20, 2016:

DEPARTMENT OF DEFENSE

LISA S. DISBROW, OF VIRGINIA, TO BE UNDER SECRETARY OF THE AIR FORCE.