

and verify and that we reach out to this last year, when we said as a body that wind energy would not get a production tax credit anymore, and remove it from the tax credit and verify for ourselves that, no, it is not going to happen.

One last thing. I came into this body 5 years ago and served in the House of Representatives. For the 4 years I served in the House of Representatives, I distinctly remember the first year, in 2011, when I sat down with some folks from wind energy and I asked: How much more time do you need for the production tax credit because wind continues to increase its efficiency. They said: It is becoming much more efficient. If we had 3 more years, we could make it. Again, this was in 2011. The discussion was that by doing a phasedown in 2011 they would need just 3 more years and it would go away.

In 2014 I was in a hearing in the House of Representatives, and I asked those same individuals: How much more time do you need for a phasedown and phaseout of the production tax credit? The same person said to me: If I just had 4 more years, we could phase this out. I am concerned, and I believe rightfully so, that in 2019 this body will have lobbyists come into it and say: If we just have a few more years of the PTC extension, we could make it just fine. I would argue they are doing very well as an industry—and I am glad they are. Let's make it clear the PTC ends in 2020 and does not return.

With that, I yield back my time.

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

Mr. UDALL. Mr. President, I ask unanimous consent to speak in morning business for no more than 7 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### HONORING OUR ARMED FORCES

##### SERGEANT FIRST CLASS MATTHEW MCCLINTOCK

Mr. UDALL. Mr. President, I rise with sorrow and regret to pay tribute to SFC Matthew McClintock. Sergeant McClintock was a native of my home State of New Mexico. He died on January 5 in Helmand Province, Afghanistan, from injuries sustained from small arms fire. He was only 30 years old.

In answering the call to serve—a call he answered fearlessly multiple times—Sergeant McClintock's brief time on this Earth ended far too soon. It is difficult to imagine the grief his family and friends are feeling, but I just want to say to them that the memory of this American hero among those whose lives he touched, among those whose lives he tried to protect, and in a nation's gratitude, his memory will always endure.

Sergeant McClintock served in Iraq and Afghanistan. He joined the Army in 2006 as an infantryman and was assigned to the First Calvary Division in

Iraq. He began Army Special Forces training in 2009 and was assigned to the First Special Forces Group. He was deployed to Afghanistan in 2012. He left Active Duty in 2014 and was later assigned to Alpha Company, First Battalion, 19th Special Forces Group of the Washington Army National Guard and was again deployed with his unit to Afghanistan in July of last year. That is the official record, but it does not begin to tell us the day-to-day risks, hardships, and challenges Sergeant McClintock and his fellow soldiers encountered and the remarkable bravery and determination they gave in return.

Our Nation has the finest military on Earth because of the dedication and true grit of Americans like Matthew McClintock. Words cannot take away the pain of those who grieve for Sergeant McClintock. Words cannot fully express the gratitude our Nation owes to this valiant soldier. We can only remember—and must always remember—the sacrifice that SFC Matthew McClintock made in service to our country.

We should not forget or take for granted that our men and women in uniform continue to defend our Nation every day. They put their own safety at risk to protect the safety of others. They stand watch in faraway lands always at the ready.

Today we remember and we grieve that some of them, like Sergeant McClintock, tragically do not come home. His watch is over, but his fellow soldiers and his family now stand it in his place.

President Kennedy said that “stories of past courage . . . can teach, they can offer hope, they can provide inspiration. But, they cannot supply courage itself. For this, each man must look into his own soul.”

In the face of great danger and great risk to himself, Matthew McClintock went where his country sent him, time and again, and he served with honor and distinction. I am inspired by his courage and the heroic actions of others like him.

MG Bret Daugherty, the commander of the National Guard, spoke for all us when he said:

Staff Sergeant McClintock was one of the best of the best. He was a Green Beret who sacrificed time away from his loved ones to train for and carry out these dangerous missions. This is a tough loss . . . and a harsh reminder that ensuring freedom is not free.

Sergeant McClintock leaves behind a wife, Alexandra, and a young son, Declan. I hope they will find some comfort now and in the years ahead in Sergeant McClintock's great heart and great courage. He was truly a hero. He loved his country, and he made the ultimate sacrifice defending it.

To his family, please know that we honor Sergeant McClintock's service, we remember his sacrifice, and we mourn your loss.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### ENERGY POLICY MODERNIZATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2012, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

Pending:

Murkowski amendment No. 2953, in the nature of a substitute.

Murkowski (for Cassidy/Markey) amendment No. 2954 (to amendment No. 2953), to provide for certain increases in, and limitations on, the drawdown and sales of the Strategic Petroleum Reserve.

Murkowski amendment No. 2963 (to amendment No. 2953), to modify a provision relating to bulk-power system reliability impact statements.

#### BUILDING CONSENSUS

Mr. CORNYN. Mr. President, yesterday the Speaker of the House and the majority leader met at the White House with President Obama. This meeting was the first time that these three leaders sat down together to discuss the Nation's business since the beginning of the new year and to look for some opportunities to advance bipartisan priorities during President Obama's final year in office.

This Senator knows that some might view such a meeting with skepticism and say: What incentive do people have to actually work together when they come from such polar opposite points of view politically and ideologically? But this Senator believes there is an opportunity to build on some of our success that we had in the Senate last year.

While many eyes are focused on Iowa, New Hampshire, South Carolina, and Nevada, I want to assure my constituents and anybody else who happens to be listening, that we actually have been trying to get the people's work done here in the U.S. Congress. Some people might not want to hear that, some might not believe it when they hear it, but I would hope that fair-minded people might look at the evidence and say: Yes, there is actually some important work being done.

In the process, in 2015, we actually—I know this sounds improbable—reduced the role of the Federal Government in education and sent more of

that responsibility back where it belongs to parents, teachers, and local school districts in the States.

We reformed Medicare, which provides important health services to our seniors.

We provided for the long-term stability of our Nation's infrastructure. We passed the first multi-year Transportation bill, I think, in 10 years, after having made about 33 different temporary patches, which is a terribly inefficient way to do business. Where I come from in Texas, since we are a fast growing State—and I expect most States feel the same way—providing for transportation infrastructure is important. It is important to our air quality, to commerce, to our economy, and to public safety.

We also did something that this Senator is proud of: the first Federal effort to provide meaningful support to victims of human trafficking, a bill that passed 99 to 0 in the U.S. Senate. One doesn't get more bipartisan and consensus-building than that.

The way these measures happened, as well as the other work we have done, is by Republicans and Democrats working together. We are stuck with each other whether we like it or not. Republicans can't get things done by themselves. Democrats can't get things done by themselves. The laws can't be passed under our constitutional framework unless both Houses of Congress pass legislation and it is actually signed by the President. We have to work together if we are going to make progress.

A lot of the credit for last year's production in the Senate should be laid at the feet of the majority leader, Senator MCCONNELL, who said that after years of dysfunction where we were stuck in gridlock and nothing seemed to happen—he said: We are going to return to the regular functioning of the Senate. We are going to have committees consider legislation. We are going to have hearings to figure out how to pass good legislation, which is going to be voted on in the committee before it comes to the Senate so that we can see what pieces of legislation have bipartisan support and thus might be able to be passed by the Senate. In the Senate we call this regular order, but all it means is that everybody gets to participate in the process.

It is important to all of us that we be able to offer suggestions, that we be able to debate and offer amendments both in committee and on the floor. It might seem like pretty basic stuff, and people may think that happens as a matter of course. But, unfortunately, it didn't.

In 2014 the Senate had 15 rollcall votes. As the Presiding Officer knows, the Senate was stuck in a ditch and couldn't seem to get out. To give a number to demonstrate how dramatically things have changed in 1 year with the new majority leader, last year we had 200 rollcall votes on amendments. There were 15 in 2014 and 200 in

2015. So we could talk about the substance, but I think those numbers tell part of the story.

So I am glad there is open communication between our Congressional leaders and the President. I hope we can find some ways to get some things done, because, again, no matter whether you are a conservative or a liberal, whether you are a Republican or a Democrat, we actually are not going to be able to get things done unless we find a way to build consensus. That is the way legislation is passed.

We have more work to do this year. So we need to keep our focus not on what is happening in Presidential primaries but on our job here in Congress and continue to try to work in a bipartisan way and deliver for our bosses, namely, the American people.

The bipartisan energy bill we are working on now is a good start to 2016. I congratulate Senator MURKOWSKI, the chair of the energy committee, and Senator CANTWELL, the ranking member, for getting the bill this far. I think part of what demonstrates to me the wisdom of Senator MURKOWSKI in handling this particular bill is that some of the more controversial issues, such as lifting the ban on crude oil exports, were handled separately and dealt with at the end of last year rather than in this bill.

This bill does represent one with broad bipartisan support. Coming from an energy State, as the Presiding Officer does, we understand the importance of energy to our economy. We produce more of it, we use it more efficiently, and, hopefully, it benefits consumers in the process. This bill will update our energy policies so that they reflect the enormous transformation we have observed in our energy sector. I have said it before, and I will say it again: I chuckle to myself when I heard people in the past talking about "peak oil." That was sort of the talk in the oil patch. People said: Well, we have discovered all of the oil there is, and there is no more. So we are now going to be in a period of perpetual decline. We might as well get ready for that.

But thanks to the innovation in the energy sector with things like fracking—which has been around for 70 years but which some people have just discovered, it seems—along with horizontal drilling, what we have seen is this shale oil and gas revolution, which has been a boon to our country and particularly in places such as Texas, North Dakota, and the like.

Now, because of the glut, literally, of oil being produced, natural gas prices are much lower, which actually benefits consumers. If you have looked at the price of a gallon of gas lately, you have seen that gasoline is pretty cheap relative to historic levels.

Another important issue beyond energy that I think we need to deal with this year is to get back to a regular appropriations process. We saw at the end of last year—because our friends across the aisle blocked voting on appropri-

tions bills, including funding our military, which I just found to be incredible and really disgraceful, frankly—that we found ourselves in a position where in order to fund the functions of government, we had to do an Omnibus appropriations bill.

I have said before that you might call it an "ominous" appropriations bill. It is an ugly process. It is a terrible way to do business because what it does is it empowers a handful of leaders to negotiate something that Members of the Senate ought to be involved in through the regular process, through voting bills through the Appropriations subcommittees, through the Appropriations Committee, through the floor, where we have transparency in the process and where any Senator who has a good idea can come to the floor and offer an amendment.

That is the way it ought to be done. We need to restore that sort of regular order this year so that each of the 12 separate funding bills can be considered and voted on by the Appropriations Committee and then here on the Senate floor and then matched up with the House bill before it is sent to the President. Again, this is legislation 101, pretty basic stuff.

But unfortunately, the Senate and the Congress have not been operating as they should. That is something that we would like to change. So last year, all 12 appropriations bills were sent out of their respective committees—the first time since 2009 that has happened. But, again, because of the blocking of the legislation, we ended up in a bad situation at the end of the year, where the only thing we could do was pass an Omnibus appropriations bill.

So now we look to the President's budget, which will be sent over here in short order. We will take up that matter up through the Budget Committee, and we will look at the appropriations process ahead of us. I would like to suggest to our Democratic friends that they have a choice to make. They can try to force this Chamber back into the same dysfunction and the same sort of partisan bickering that has characterized it for years when they were in charge or they can decide to work with us—as we would like to do—to move forward principled legislation, including appropriations bills, in a transparent, open process that allows every Senator—Republicans and Democrats alike—a chance to participate and allows our constituents to watch, as they go across the floor, and to ask the appropriate questions, to raise concerns if they have those concerns.

That is the way our democracy is supposed to work. Passing massive stopgap funding bills is not doing the best for the people we represent. It can be avoided, but it is going to take a little bit of cooperation. But I have to think that whether you are in the majority or the minority, most Senators like to work in a Senate that actually functions according to regular order, because, as the Presiding Officer

knows, even being in the majority does not mean we have a chance to vote on amendments to legislation.

Indeed, for a period of time, his predecessor did not even have a chance to vote on an amendment—a rollcall vote on an amendment—nevertheless being in the majority party at the time. That is not the way this body is supposed to function. That is not doing our best to serve the interests of the people we represent. So we have a choice to make. I hope we choose the higher ground and perhaps listen to the better angels of our nature rather than the other one on our shoulder to whom we should not pay attention.

I yield the floor.

Mr. MERKLEY. Mr. President, I rise to address several amendments that I hope we will have an opportunity to vote on before this bill is completed.

The first amendment is amendment No. 3131, research and development for secondary use and innovative recycling research of electric vehicle batteries.

Electric vehicles, as folks generally understand, run almost entirely on lithium ion batteries, which are commonly considered to have reached the end of their useful life when the capacity diminishes by 20 to 30 percent. The range of the vehicle diminishes in a corresponding fashion. At that point, it is time for a new set of batteries. But the battery still has a lot of useful life. It still has 70 to 80 percent of its original capacity. So it has the capacity to be utilized in many other potential roles, including, possibly, stationary electric storage.

This amendment instructs the Department of Energy to conduct research on possible uses of a vehicle battery after its use in a vehicle, to assess the potential for markets for those batteries, to develop an understanding of the barriers for the development of those markets, and to identify the full range of potential uses.

That would be very useful to diminish the flow of potential batteries into recycling, to get the most out of the investment we have made in them, and also to diminish the cost of batteries, because the residual use means that they have residual value, and the overall initial cost would reflect that. So that is an important research goal. It is clearly one of the strategies to enhance our activity from a fossil fuel industry to the utilization of more clean, renewable electricity.

Second, I want to turn to amendment No. 3178, the Federal fleet amendment. The General Services Administration currently procures about 70,000 vehicles a year for various agencies. The total inventory of the Federal fleet is now almost 700,000 vehicles. These Federal vehicles are used for a wide range of purposes, some of which may well be appropriate for electric vehicles and others that may not be.

But in order to consider the applied role, the General Services Administration needs data on vehicle reliability and maintenance costs to understand

what would be a fair and appropriate use and to calculate the lease terms. So this amendment provides GSA with the authority to reach out to other agencies to collect the information on the vehicles the agencies use, to do an inventory of what uses may be suitable for different types of electric vehicles and the numbers that could possibly be deployed, and to use that information to develop a 10-year plan for GSA to submit a report back to Congress so that we can understand what the potential is and make sure that we well position our policies to exploit that opportunity.

The third amendment that I want to draw attention to is amendment No. 3191, sponsored by myself, Senator SCHATZ, and Senator MARKEY. This is a resolution of the sense of the Senate. It notes that global temperature increases will lead to more droughts, more intense storms, more intense wildfires, a rise in sea levels, more desertification, and more acidification of our oceans, and that these impacts will result in economic disruption to farming, fishing, forestry, and recreation, having a profound impact on rural America.

Now, we know this to be the case because we can already observe these impacts on the ground right now. In my home State of Oregon, we have a growing red zone caused by pine beetles—pine beetles that previously were killed off in colder winters that now survive in greater numbers and attack more trees. We have a longer forest fire season. It has grown by 60 days over 40 years. The amount or the acreage consumed by forest fires is increasing. We have a diminishing snowpack in the Cascades, which is resulting in smaller, warmer trout streams, as well as affecting our winter recreation industry. I know that anyone who loves to fish for trout does not want to have a smaller and warmer stream because of its adverse impact.

Over on our coast, we are having an impact on the baby oysters, which have difficulty forming their shells in the more acidic Pacific Ocean, an ocean that is now 30 percent more acidic than it was before the Industrial Revolution. This amendment simply points to the fact that already we see all of this. But as the temperature rises, disruptions increase. The impact on our farming, fishing, forestry, and recreation is greater, and it is doing a lot of damage to our rural economies and a lot of damage overall to the United States of America, and it is doing so throughout the world as well.

We must work together to transition to a clean energy economy. But there are important first steps in place. Our future President, whomever that might be, must work to build upon the foundation we have put in place with our Clean Power Plan, with increased mileage for our vehicles and increased mileage for freight transportation. Let's build upon those steps in order to work in partnership with the world to take on this major challenge.

So I hope these three amendments have a chance to be debated and voted on here on the floor. We are clearly in a situation where we are the first generation to see the impacts of our fossil fuel energy economy, see the destructive impacts on our forests, our fishing, our farming, and our winter recreation. Therefore, we have a responsibility to work together to take this on. Our children, our children's children, may they not look back and say: What happened? Why did our parents and grandparents fail to act in the face of such a massive and important global threat?

OUR "WE THE PEOPLE" DEMOCRACY

Mr. President, I am now shifting to my regular "We the People" speech, a series of speeches in which I try to raise issues that go to the heart of the framing of our Constitution and the vision of creating a republic that has a government responsive to the concerns of citizens throughout our Nation.

Our Founders started the Constitution with three powerful words, "We the People." They wrote them in a font 10 times the size of the balance of the Constitution as if to say: This is what it is all about. This is our goal, as President Lincoln summarized, a "government of the people, by the people, for the people."

It was not the plan of our Founders in writing the Constitution to have a government designed to serve the ruling elites. It was not the design of our Constitution to serve the titans of industry and commerce. It was not the intention of our Founders to build a government to serve the best off, the richest in our society—quite the contrary. So I am rising periodically to address issues related to this vision, this beautiful Revolution, the American Revolution, that sought to have a form of government that served the people, not the elite.

This week I am using my speech to recognize the anniversary of two Supreme Court decisions, two decisions which have driven a stake through the heart of our "We the People" democracy. One ruling, *Buckley v. Valeo*, marked its 40th anniversary last Saturday on January 30, and *Citizens United* marked its 6th anniversary on January 21. These two decisions have forever altered the vision of our government. They have turned our government on its head. They have changed it from "We the People" to "We the Titans." It is my hope that visitors will rally together in this country, that Senators and House Members will rally together to defend the Constitution that they are sworn to uphold that was not a "We the Titans" Constitution, it was a "We the People" Constitution.

Central to the promise of "We the People" is the right to participate in an equal footing, to contribute one's opinions and insights on elections and on issues.

President Jefferson called this the mother principle. He summarized it as follows: "For let it be agreed that a government is republican in proportion

as every member composing it has his equal voice in the direction of its concerns . . . by representatives chosen by himself, and responsible to him." Let me emphasize again, "republican in proportion as every member composing it has his equal voice in the direction. . . ."

The decisions of Buckley and Citizens United are a direct assault on this fundamental understanding that to have a "We the People" republic, you have to have citizens participate in a roughly equal footing.

These two decisions bulldozed the "We the People" pillar on which our government is founded.

President Lincoln echoed Jefferson's equal voice principle. He said: "Allow all the governed an equal voice in the government, and that, and that only is self-government."

Is there anyone in this Chamber who believes that today all the governed have an equal voice in the government? I am sure no one among our 100 Senators would contend that principle—so eloquently laid out by President Jefferson, so resoundingly echoed by President Lincoln, so deeply embedded in the founding words of our Constitution—is true today. It is not true because Buckley v. Valeo found that individuals could spend unlimited sums to influence issues and the outcomes of election. That decision and Citizens United destroyed the notion that all citizens get to participate on an equal footing. By green-lighting the spending amount of unlimited sums in combination with the high cost of participating in the modern town square—that is, to secure time on radio, time on television, time or space on the Web—these decisions give the wealthy and well-connected control of the town commons and the ability to drown out the voice of the people.

Certainly a situation where the top 10 percent can overwhelm, can drown out the 90 percent, is not "We the People" governance. Certainly a situation where the top 1 percent can drown out the 99 percent is not "We the People" governance. It is the opposite.

As President Obama said, "Democracy breaks down when the average person feels that their voice doesn't matter." That is how people feel when they are drowned out by the few under the framework established by Buckley v. Valeo and Citizens United.

The most basic premise of our Constitution is that influence over elections means influence over governance. That is the whole point. Influence over elections is not limited just to being in the booth and pulling a lever. When you enhance the voices of the wealthy relative to everyone else, you fundamentally shift the outcome of legislative deliberations. Despite the arguments of the plaintiffs in Buckley v. Valeo, the wealthy do not have the same concerns about this Nation, about their lives that everyone else has. They don't have the same concerns about the cost of college. They

don't have the same concerns about paid family leave. They don't have the same concerns about the solvency and adequacy of Social Security. They are not worried. They are not staying up nights about the health of their child and concern over the cost and quality of health care, and they are not disturbed over policies that shift our manufacturing jobs overseas and eviscerate the working middle class in America.

Yet here we have it. Buckley v. Valeo takes this small percentage of folks who do not have concerns that reflect the vast majority of Americans and gives them overwhelming power in elections and issues.

Let me ask you, is it any wonder that the middle class is doing poorly while the wealth of America has grown exponentially? Isn't that what one would expect in a system favoring the wealthy over the workers? Are we, can we be a government of, by, and for the people if individuals at the very top have vastly greater influence over elections and policy than others? Our Constitution says no. Our Founders said no, but Buckley v. Valeo and Citizens United said yes—and they are wrong.

With a campaign finance system that gives the most affluent massive influence over elections with concomitant control over laws, we don't have a government that embodies President Jefferson's mother principle; that is, one that reflects and executes the will of the people.

So it is time to change this. It is time to recapture the genius of American governance, and it is time to restore the "We the People" principles so eloquently and powerfully embedded in the framing of our Constitution.

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

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

#### ISLAM

Mr. MURPHY. Mr. President, I come to the floor to talk about two topics that often make this body and sometimes my side of the aisle uncomfortable. I want to talk about the fight that is on across the world—or particularly in the Middle East for the soul of Islam and how it matters to the United States—and I want to talk about our relationship with Saudi Arabia and the connection to the former issue.

We frequently hear this criticism of President Obama that he doesn't have a strategy to defeat ISIS. I fundamentally don't believe that is true. He does have a strategy, and it is largely working when you look at the metrics on the ground. You see that ISIS's territory in Iraq and Syria have been reduced by about 30 percent over the course of the last year. We have tightened our immigration policies here to make sure the bad guys don't get in.

We have stood up a more capable fighting force inside Iraq. We have clamped down significantly on ISIS's sources of revenue and financing. Listen, it is hard to win when only one spectacular and deadly strike can erase all of your good work, but the President does have a strategy on the ground right now inside Iraq and inside Syria.

The problem is that it is still a relatively short-term strategy. As we debate how to defeat ISIS or groups like it, our strategic prescriptions are all relatively short term. We use military force. We try to retake territory. We try to take out top terrorist leaders. We clamp down on sources of financing. These are necessary and important measures to combat a serious threat to the United States, but they don't address the underlying decisions that lead to radicalism. Addressing those issues is the only way to ensure that the next iteration of ISIS—whoever it is, whatever it is, wherever it is—doesn't just simply emerge in its place.

So my argument is that one of the reasons no one has a particularly credible long-term strategy is that it would involve engaging in some very uncomfortable truths about the nature of the fight ahead of us and about the imperfections of one of our most important allies in the Middle East. To make this case to you, I want to first bring you to northwest Pakistan and ask my colleagues to imagine that you are a parent of, let's say, a 10-year-old boy. You are illiterate, you are poor, and you are getting poorer by the day. Unemployment in your village is sky high. Inflation is robbing you of any wealth you may have. Your crop yields have been miserable, but one day you get a visit that changes your perspective. A cleric from a nearby conservative mosque offers you a different path. He tells you that your poverty is not your fault but simply a punishment handed down to you because of your unintentional deviation from the true path of Islam. Luckily, there is a way to get right to God, to submit your only son to Islam.

It gets even better. This cleric is going to offer to educate your son at his school. We call them madrassas. Not only will you not have to pay for the education, this school is going to actually pay you maybe \$6,000 just to send your son there. When your son finishes school, this individual promises you that he will find him employment in the service of Islam. Your 10-year-old, previously destined to lead a life that was perhaps more hopeless than your own, is now going to get free housing and meals, religious instruction, the promise of a job when he is older and you get money that you badly need and improved favor with God.

For thousands of families in destitute places such as northwest Pakistan, we can see how it is often a pretty easy choice. But as the years go on, you lose touch with your son. The school cuts off your access to him. And when you do get to see him every now

and again, you see him changing. Then one day it is over. He is not the little boy you once knew. He is a teenager. And he is announcing to you that the only way to show true faith with Islam is to fight for it against the infidels who are trying to pollute the Muslim faith or the Westerners who are trying to destroy it. He tells you that he is going off to Afghanistan, Syria, or Iraq with some fellow students and that you shouldn't worry about him because God is on his side.

You start asking questions to find out what happened in the school and you start to learn. You discover the textbooks he read that taught him a brand of Islam greatly influenced by something called Wahhabism, a strand of Islam based on the earliest form of religion practiced under the first four caliph. It holds that any deviation from Islamic originalism is heresy. In school, your son was therefore taught an ideology of hate toward the unbeliever—defined as Christians, Jews, and Hindus, but also Shiites, Sufis, and Sunni Muslims who don't follow the Wahhabi doctrine. He is told that the crusades never end; that aid organizations, schools, and government offices are just modern weapons of the West's continuing crusade against his faith; and that it is a religious obligation to do "battle" against the infidels.

I tell my colleagues this story because some version of it plays out hundreds of times every day in far-flung places, from Pakistan to Kosovo, Nigeria to Indonesia, the teaching of an intolerant version of Islam to hundreds of millions of young people.

Think about this: In 1956 there were 244 of these madrassas in Pakistan; today there are 24,000. These schools are multiplying all over the globe. Yet, don't get me wrong, these schools, by and large, aren't directly teaching violence. They aren't the minor leagues for Al Qaeda or ISIS. But they do teach a version of Islam that leads very nicely into an anti-Shia, anti-Western militancy.

I don't mean to suggest that Wahhabism is the only sect of Islam that can be perverted into violence. Iran's Shia clerics are also using religion to export violence as well. But it is important to note that the vicious terrorist groups whom Americans know by name are Sunni in derivation and greatly influenced by Wahhabi Salafist teachings.

Of course, the real rub is that we have known this for a very long time. Secretaries of State, ambassadors, diplomats, and four-star generals have all complained over and over again about it. Yet we do very little to stop this long, slow spread of intolerance. We don't address it because to do so would force us to confront two very difficult issues.

The first is how we talk sensibly about Islam. Right now we are caught between two extremes. Leading Republicans want to begin and end this discussion with a debate over what we call

terrorists. Of course, the leading candidate for President often equates the entire religion with violence. I think this debate over nomenclature is overwrought, but I certainly understand the problem of labeling something "radical Islamic terrorism" because it gives purchase to this unforgivable argument that all Muslims are radicals or terrorists. So many Republicans don't want to go any deeper into the conversation than just simply labeling the threat. But Democrats, frankly, aren't that much better. The leaders of my party often do backflips to avoid using these kinds of terms, but, of course, that forestalls any conversation about the fight within Islam for the soul of the religion.

It is a disservice to this debate to simply brand every Muslim as a threat to the West, but it is also a disservice to refuse to acknowledge that although ISIS has perverted Islam to a degree to make it unrecognizable, the seeds of this perversion are rooted in a much more mainstream version of that faith that derives in substantial part from the teachings of Wahhabism.

Leaders of both parties need to avoid the extremes of this debate and enter into a real conversation about how America can help the moderate voices within Islam win out over those who would sow the seeds of extremism. Let me give an example. Last fall, I visited the Hedayah Center in Abu Dhabi, a U.S.-supported, Arab-led initiative to counterprogram against extremist messaging. When I pressed the center's leadership on the need to confront Wahhabi teaching and the mainstream roots of extremism, they blanched. They said it was out of their lane. They were focused on the branches of extremism, not the trunk. But, of course, by then it is probably too late.

America, frankly, doesn't have the moral authority or weight to tip the scales in this fight between moderate Islam and less tolerant Islam. Muslim communities and Muslim nations need to be leading this fight. But America—and most notably, sometimes the leaders of my party—also can't afford to shut its eyes to the struggle that is playing out in real time.

#### SAUDI ARABIA

That brings me to the second uncomfortable truth, and I present it to you in a quote from Farah Pandith, who was President Obama's Special Representative to Muslim Communities. In a moment of candor, she commented that in her travel to 80 different countries in her official position, she said, "In each place I visited, the Wahhabi influence was an insidious presence . . . funded by Saudi money."

The second uncomfortable truth is that for all the positive aspects of our alliance with Saudi Arabia, there is another side to that country than the one that faces us in our bilateral relationship, and it is a side we can no longer afford to ignore as our fight against Islamic extremism becomes more focused and more complicated.

First, let me acknowledge that there are a lot of good aspects in our relationship with Saudi Arabia. I don't agree with cynics who say our relationship is just an alliance to facilitate the exchange of oil for cash and cash for weapons. Our common bond was formed in the Cold War when American and Saudi leaders found common ground in the fight against communism. The unofficial detente today between Sunni nations and Israel is a product, in part, of the Saudi-led diplomacy. There have been many high-profile examples of deep U.S.-Saudi cooperation in the fight against Al Qaeda and ISIS. More generally, our partnership with Saudi Arabia—the most powerful and the richest country in the Arab world—serves as an important bridge to the Islamic community. It is a direct rebuttal of this terrorist ideology that asserts that we seek a war with Islam.

But increasingly, we just can't afford to ignore the more problematic aspects of Saudi policies. The political alliance between the House of Saud and the conservative Wahhabi clerics is as old as the nation, and this alliance has resulted in billions of dollars funneled to and through the Wahhabi movement. Those 24,000 religious schools in Pakistan—thousands of them are funded with money that originates in Saudi Arabia. So are mosques in Brussels, Jakarta, and Paris. According to some estimates, since the 1960s the Saudis have funneled over \$100 billion into funding schools and mosques all over the world, with the mission of spreading puritanical Wahhabism. As a point of comparison, researchers suggest that the Soviet Union spent about \$7 billion—a fraction of that—during the entire period of 1920 to 1991. Less well-funded governments and other strains of Islam just can't keep up with the tsunami of money behind this export of intolerance.

Rightfully, we engage in daily castigations of Iran for sponsoring terrorism throughout the region. But why does Saudi Arabia largely get off the hook from direct public criticism from political leaders simply because they are a few degrees separated from the terrorists who are inspired by the ideology their money helps to spread? Why do we say virtually nothing about the human rights abuses inside Saudi Arabia, fueled by this conservative religious movement, when we so easily call out other countries for similar outrageous behavior?

Second, we need to have a reckoning with the Saudis about the effect of their growing proxy war with Iran. There is more than enough blame to be spread around when it comes to this widening Saudi-Iranian fault line in the Middle East. I would argue that the lion's share of the responsibility lies with the Iranians, who have been a top exporter of terrorism and brutality for decades. It is primarily Iranian-backed groups who have destabilized places such as Lebanon and Iraq. It is the Iranians who are propping up a murderous regime in Damascus.

But in the wake of the Iran nuclear agreement, there are many in Congress who would have the United States double down in our support for the Saudi side of this fight in places such as Yemen and Syria simply because Saudi Arabia is our named friend and Iran is our named enemy. But the Middle East doesn't work like that anymore, and there is growing evidence that our support for Saudi-led military campaigns in places such as Yemen are prolonging humanitarian misery and, frankly, aiding extremism.

Ninety billion dollars in U.S. arms sales money has gone to Saudi Arabia during the Obama administration to help them carry out a campaign in Yemen against the Iranian-backed Houthis. Our government says its top priority in Yemen is defeating AQAP, which is arguably Al Qaeda's deadliest franchise, but this ongoing chaos has created a security vacuum in Yemen in which AQAP can thrive and even expand. No expert would dispute that since the Saudi campaign began, Al Qaeda has expanded in Yemen and ISIL has gained a new territorial and recruitment foothold. To make matters worse, Saudi Arabia and some of their GCC allies are so focused on this fight against Iran in Yemen that they have dramatically scaled back or in some cases totally ended their military efforts against ISIS. Under these circumstances, how does military support for Saudi Arabia help us in our fight against extremism if that is our No. 1 goal?

Here are my recommendations. The United States should get serious about this. We should suspend supporting Saudi Arabia's military campaign in Yemen, at the very least until we get assurances that this campaign does not distract from the fight against ISIS and Al Qaeda or until we make some progress on the Saudi export of Wahhabism throughout the region and throughout the world. And Congress shouldn't sign off on any more military sales to Saudi Arabia unless similar assurances are granted.

If we are serious about constructing a winning, long-term strategy against ISIS and Al Qaeda, our horizons have to extend beyond the day to day, the here and now, the fight in just Syria and Iraq. We need to admit that there is a fight on for the future of Islam, and while we can't have a dispositive influence on that fight, we also can't just sit on the sidelines. Both parties here need to acknowledge this reality, and the United States needs to lead by example by ending our effective acquiescence to the Saudi export of intolerant Islam.

We need to be careful about not blindly backing our friend's plays in conflicts that simply create more instability, more political insecurity vacuums which ISIS and other extremist groups can fill, such as what is going on in Yemen today.

We need to work with the Saudis and other partners to defeat ISIS mili-

tarily, but at the same time, we need to work together to address the root causes of extremism. Saudi Arabia's counter-radicalization programs and new anti-terrorism initiative are good steps that show Saudi leaders recognize some of these problems, but they need to do more. Tackling intolerant ideologies, refusing to incentivize destabilizing proxy wars—these are the elements of a long-term anti-extremism strategy, and we should pursue this strategy even if it on occasion makes us uncomfortable.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Missouri.

Mr. BLUNT. Mr. President, I ask unanimous consent to be allowed to speak as in morning business.

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

#### IRAN

Mr. BLUNT. Mr. President, today I want to talk about the President's recent dealings with Iran and the serious questions the administration's actions have raised.

Let me begin by saying first of all that I welcome—as do all Americans who have been watching this—the release of the three American hostages who were wrongfully detained in Iran. We are all glad to see the return of Pastor Saeed Abedini, Jason Rezaian, and Amir Hekmati. That they have been freed and that they have been reunited with their families is important. Our prayers—my prayers and the prayers of so many Americans—remain with those families and with the family of Robert Levinson, a former FBI employee about whom we have not been given the kind of information we need to have. If he is alive, we should demand his release. If he is not alive, we should demand and find out what happened to Robert Levinson.

In return for these three hostages being released, the United States released seven Iranians or Iranian Americans who had been convicted of transferring technology, which included nuclear dual-use technology, to Iran. The administration also agreed to take 14 Iranians off the Interpol arrest list as part of this effort to get Americans unfairly held back. If clearing the way for 21 convicted or indicted enemies of the United States wasn't enough, then the United States, in my view, also agreed to pay \$1.7 billion to Iran. In everybody's view, they paid that \$1.7 billion at the time of the swap. The administration, I guess, would want us to believe it is coincidental that the day after the American hostages were released and the day after the Iran deal went into effect, Secretary Kerry announced that the United States had settled a claim at the World Court at The Hague dating back decades.

According to the Wall Street Journal, Iranian General Reza Naqdi said: "Taking this much money back was in return for the release of the American spies and doesn't have to do with the [nuclear] talks."

Whether it had something to do with the nuclear talks or not, I don't know how significant that is. I submitted an amendment when we were debating the Iran agreement that it shouldn't be finalized in any way until all of these hostages were returned. In fairness, I didn't think it should be finalized in any way, no matter what, but I definitely couldn't understand why we wouldn't insist that these innocently held Americans were returned. It becomes more and more obvious all the time that the Iranians had a plan. Not only did they want to further humiliate the United States, but they simply wanted money.

Under this settlement at The Hague, the United States will be paying Iran—and has already paid Iran—\$1.7 billion. This is supposedly \$400 million in principal stemming back to a former military sale before the fall of the Shah of Iran and then \$1.3 billion in interest—\$400 million in principal, and \$1.3 billion in interest.

The timing of the swap and the announcement of the breakthrough in the settlement—this had been at the World Court for 35 years, and we are supposed to believe that it is just another coincidence in the Obama State Department.

Peeling back the details of this settlement is even more troubling because the money had already been spent. This was Iranian money from a foreign military sale that had been held in what is called the FMS account—the foreign military sale account. It was originally placed in that trust fund, but then it was spent.

Why was it spent? It was spent because the Congress in 2000 passed legislation that the President signed that directed the Secretary of the Treasury to use that money to compensate victims of Iranian terrorism. In cases like Flatow vs. Iran and four other related cases, Iranian terror victims all received compensation from this fund, effectively wiping out the balance of the fund. The trust fund that the administration is referring to has already been spent.

How do you give money back that has already been spent? You can't give money back that has already been spent. I suppose you can take taxpayer dollars, which is what happened here, suggest that somehow this was money of the Iranians all the time and give those taxpayer dollars to Iran in return for, as their own general said, the release of the people he called the American spies.

Did the administration essentially agree to ransom to get these Americans released? It certainly appears so.

I think you and I and every Member of the Senate should continue pressing the administration for answers. If they want to spend taxpayer money, there may be some legal way they can do that, but there is really no legal way they can say they are giving money back that the Congress already told them to do something else with, and they did.

In addition to that money we have now given to Iran, the Iranian agreement allows somewhere between \$100 million and \$150 million held by countries all over the world since the late 1970s to be returned to Iran. Just last week, Secretary of State Kerry said that some of this money will “end up in the hands of the [Iranian Revolutionary Guard Corps] or other entities, some of which are labeled terrorists.”

Well, of course that is where that money is going to wind up. There was an argument made during the Iranian agreement that there are so many needs in Iran that they are going to spend this on other more worthwhile things. But no matter how many needs there were in Iran, Iran is, by the administration's own determination, the No. 1 state sponsor of terrorism in the world. Of course when you give them money back, they are going to use that money for what they are already using their money for. They are just going to have over \$100 billion more at their disposal.

The world's largest state sponsor of terrorism—whether it is backing Palestinian terrorists in Gaza or supporting Hezbollah's attacks against Israel from Lebanon, the regime will now have more resources to do that with. Iran, of course, has made no secret of its nuclear ambitions nor of its willingness to flout the treaty obligations in order to achieve those ambitions. It recently launched two ballistic missile tests in the past 3 months. It is a direct violation of the U.N. resolution which prohibits them from engaging in activities related to ballistic missiles capable of carrying a nuclear warhead, but they have done it twice in the last 90 days. Even Members of the President's own party who have supported the Iran agreement have criticized the administration's lack of response to these violations.

What is the world to think? What are the American people to think when we are transferring money at the time we get American hostages back, when we are allowing missiles to be launched near the U.S.S. *Harry Truman*, when we are allowing ballistic missile tests to occur, and acting as if we have made some great breakthrough with Iran?

The recent detention of U.S. sailors in Iran is another example of how little we have gained in this Iranian policy agreement. The administration has gone out of its way to accommodate the demands of this regime that is hostile and sponsors terrorists. Enough is enough. It is time that the Congress stood up, and I urge my colleagues in the Senate to utilize every tool at our disposal to hold the Iranian regime accountable.

One important step will be to secure Iranian assets owed to victims of terrorism who had been awarded judgments by our courts and other courts. Why would we give money to Iran when there are Americans who are victims of terrorism that courts have said have a right to that money? They found Iran

liable for sponsoring fatal attacks against American citizens, including the 1983 bombing of the U.S. Embassy and the Marine Barracks in Beirut, Lebanon, and the 1996 bombing of the Khobar Towers in Khobar, Saudi Arabia.

According to the Congressional Research Service, about \$43.5 billion in unpaid judgments from Iran to Americans are due. Iran should not receive any sanctions relief until those claims have been paid. We ought to look at how we can secure Iranian assets to provide some measure of justice for victims of these terrorist activities. That should include assets held by foreign countries, foreign companies, and countries who do business in the United States.

The idea that the Iranian regime is now our partner is dangerously naive and one that undermines our global leadership. It confuses our friends, and it emboldens our enemies. I urge the President to quit bending to this regime and start putting the interests of the American people and our allies first. I urge the Congress to continue to look at this recent exchange of money for hostages.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### LEAD IN OUR DRINKING WATER

Mr. CARDIN. Mr. President, I rise today in support of the effort by Senator STABENOW and Senator PETERS to amend S. 2012 for Federal response to the ongoing crisis in Flint, MI. We know about the lead in the water supply, the fact that it was known, and the fact that many children today have suffered the consequences. It is incumbent that the Federal Government be a partner in finding a way to correct that circumstance as soon as possible.

I come to the floor urging our colleagues to find a way that we can move forward with such an amendment to help the families in Flint, MI. I congratulate my colleagues, Senator STABENOW and Senator PETERS, for their leadership.

I hope we don't lose sight of the big picture, and that is that this is happening in cities and towns all across America. In Michigan, it is not only Flint but parts of Grand Rapids, Jackson, Detroit, Saginaw, Muskegon, Holland, and several other cities that have seen high lead levels in their children. Sebring, OH, just this week closed schools for 3 days because of lead in their tap water. In Toledo, officials have long treated the water with phosphates to prevent leaching of lead. Eleven cities and two counties in New Jersey had higher percentages of children with elevated lead levels than Flint, MI, State lawmakers and advocacy groups said on Monday of this week. Here in the Nation's capital, in Washington DC, in the early part of the last decade, lead leached into the water of possibly 42,000 children.

Let me talk about my State of Maryland. In the city of Baltimore, high

lead levels in schools prompted officials to turn off drinking fountains and pass out bottled water instead in every school in Baltimore City. They are not hooked up to the fountains because it is not safe. Across the State of Maryland, every 1- and 2-year-old in the entire State will be tested for lead—that is 175,000 children—because they are at risk.

This is a national problem. In Flint, MI, it is estimated it cost about \$800 million for remedial costs alone. That is about two-thirds of what we currently appropriate every year for drinking water infrastructure in the entire country. The amount we appropriate is woefully inadequate.

Accord to the EPA's most recent estimates, more than \$65 billion may have been needed to repair and replace drinking water and wastewater infrastructure nationwide over the next 20 years. This comes out to over \$32 billion per year every year for the next 20 years. Yet currently we spend approximately \$3 billion per year at the Federal level on combined drinking water and wastewater infrastructure State revolving funds—one-tenth of the total amount that is needed in order to modernize our infrastructure.

The public expects that when they turn on the tap, the water is safe. They expect that when they use their bathroom facilities, the wastewater is being treated appropriately. They expect that the Nation of the United States can deliver water in a manner that is efficient and safe. In reality, our water infrastructure is out of sight and is woefully inadequate, as we have seen in Flint, MI.

I ask my colleagues: If it costs \$800 million to fix the pipes in Flint, MI, are we going to come to an agreement that we need a substantial increase in the amount of funds appropriated for the clean water and drinking State revolving funds to help all American cities? Because the stakes could not be higher.

There are many things that went wrong in Flint, MI. First and most directly was the failure of the Governor and his appointed emergency managers to identify and address the problem as it grew more and more apparent. They knew the problem, and yet they didn't do anything about it. Second, a declining and increasingly impoverished population, which has gutted the tax base and eliminated the ability to pay back the loans the city might receive from the Federal Government to change out their pipes. It is also a matter of ability to actually afford the infrastructure at the local level. That is why the State partnership through the Federal partnership through the State revolving funds is so critically important.

This has never been a partisan issue. I have served on the Environment and Public Works Committee since I was elected to the Senate, and we have recommended authorization levels and changes in the formula so that we can modernize our water infrastructure in

this country. It has had nearly unanimous support in our committee.

As I said, there is not nearly enough money in these revolving loan funds to keep up to date the drinking and wastewater infrastructure in this country, even if the cities could pay back the loans. The list goes on and on. This list is not limited to Flint. These demographic and fiscal physical characteristics are similar to many, many cities of every size in the United States, in almost every State.

None of these things that have gone wrong in Flint are more distressing than the possibility that children may have suffered irreversible damage in their developing brains from the exposure to lead. Exposure to even a low amount of lead can profoundly affect a child's behavior, growth rates, and—perhaps most worrying—their intelligence over time. Higher levels of lead in a child's blood can lead to severe disabilities, eye-hand coordination problems, and even a propensity toward violence. Younger children and fetuses are especially vulnerable to even small exposures to lead—whether it be in tapwater, lead paint, lead in soil still left from the days of leaded gasoline, and lead in children's toys and jewelry. The list goes on and on and on. There is not just one source of lead, and I understand that, but when we turn on the faucets, we do not expect to have water that contains lead.

Further, it is impossible to gauge how a specific child will be affected because the developmental impacts of lead poisoning can take years to become apparent. So you might have been poisoned 5 years ago, and the effects will take longer before it becomes apparent in the classroom or the community. In fact, the health effects are so severe, our Nation's health experts have declared there is no safe level of lead in a child's blood—period, the end, zero.

I also want to highlight a quote from an article in the New York Times on January 29 of this year.

Emails released by the office of [Michigan] Gov. Rick Snyder last week referred to a resident who said she was told by a state nurse in January 2015, regarding her son's elevated blood lead level, "It is just a few IQ points. . . . It is not the end of the world."

There has to be a greater sense of urgency in this country. We know every child, if they work hard, should have an opportunity in this country. We shouldn't take away that opportunity by diminishing their ability to achieve their objectives.

Dr. Hanna-Attisha, the doctor primarily responsible for bringing this issue in Flint to light, and others have studied lead poisoning and have sharply different views of lead exposure for which there is no cure. Dr. Hanna-Attisha said: "If you were going to put something in a population to keep them down for generations to come, it would be lead."

This is devastating to the individual and devastating to our country's po-

tential. The work of the institutions in the State of Maryland to combat lead exposure is exemplary. Baltimore's Coalition to End Childhood Lead Poisoning is a nonprofit organization dedicated to services and advocacy on behalf of families affected by lead poisoning. This organization started as a grassroots effort by Maryland parents who saw a problem in their community and sought innovative solutions. The coalition has grown nationally, founding the Green & Healthy Homes Initiative to provide a holistic approach for safer and greener living spaces for American families. The coalition has dozens of local partners, including Johns Hopkins Bloomberg School of Public Health and the University of Maryland School of Law. Together, I am proud to say, these Maryland institutions are paving the way to combat lead poisoning and researching innovative legal solutions to a tragic problem, but we cannot rely on the nonprofits to fix this problem for us. The stakes are too high and the solution too costly. We have a duty to these children to make sure their drinking water is safe. Make no mistake, massive lead poisoning of an entire city's children from any source robs our country of an entire generation of great minds—minds which are core to the futures of these most vulnerable communities.

I urge my colleagues in the Senate to not only act responsibly with regard to Flint, MI—and we can do that today with the bill that is on the floor—but to recommit ourselves to find a path forward to provide safe drinking water not just for one city but for all American cities and all the people of this Nation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I have raced to the floor simply because it has come to my attention that there are some Senators who are utilizing this Energy bill, which is for a very valued purpose, a purpose of energy efficiency. Some Senators are utilizing this legislation for their own purpose by proposing amendments that will ultimately threaten the environmental integrity off of Florida's gulf coast and will threaten the U.S. military and its ability to maintain the largest testing and training area for not only the United States but for the world.

I want to refer to a map of the Gulf of Mexico and show you everything. Here is the tip of Florida. This is Pensacola, Naples, Tampa, and down here are the Florida Keys and Key West. Everything in yellow in the Gulf of Mexico—and this is the law—is off-limits to drilling until 2022. It happens to be a bipartisan law that was passed back in 2006. It was cosponsored by my then-fellow Senator from Florida, a Republican, Mel Martinez. Why did the two of us make this a law? The drilling is over here, everything to the west. The first question is: Where is the oil? Mother

Nature decided to have the sediments go down the Mississippi River for millions of years where it compacted into the Earth's crust and became oil. The oil deposits are off of Louisiana, Texas, Alabama, and there is a little bit off of Mississippi. There really isn't much oil out here.

In addition, why did we want this area kept from drilling? Take a look at that. That is a marsh in Louisiana after the gulf oilspill which took place several years ago. We certainly don't want this in Florida. You will notice that there are not many beaches off of Louisiana, Mississippi, and Alabama. But what do you think Florida is known for? It is known for its pristine beaches all the way from the Perdido River, which is along the Florida-Alabama line and goes down the coast to Naples. This area not only includes the Keys, but it goes up the east coast of Florida. Florida has more beaches than any other State. Florida has more coastline than any other State, save for Alaska, and Alaska doesn't have a lot of beaches.

People not only visit Florida because of Mickey Mouse, but they visit Florida in large part because of our beaches. The gulf oilspill turned these white, sugary sands of Pensacola Beach black. Even though the oil spilled way over here, it drifted to the east and got as far as Pensacola. A little bit more oil reached Destin, and there were just a few tar balls on Panama City's beach. When Americans saw those white, sugary sand beaches black from oil, they assumed that had happened to the entire coast of Florida, and as a result people didn't visit for one whole season.

So what happened to Florida's economy? What happened to the dry cleaners, restaurants, and hotels that are all too happy to welcome their guests and visitors who didn't come? You get the picture of what happened to our economy.

I am speaking about this as the Senator from Florida, but now let me speak as the Senator who is the second-ranking Democrat on the Armed Services Committee. This area is known as the military mission line. Everything east of that line—indeed, almost all of the Gulf of Mexico—is the largest training and testing area for the U.S. military in the world. Why do you think the training for the F-22 is at Tyndall Air Force Base in Panama City? Why do you think the training for the F-35 Joint Strike Fighter, both foreign pilots as well as our own, is at Eglin Air Force Base? It is because they have this area. Why is the U.S. Air Force training, testing, and evaluation headquarters at Fort Walton, Eglin Air Force Base? Because they have 300 miles here where they can test some of our most sophisticated weapons.

If you talk to any admiral or general, they will tell you that you cannot have oil-related activities when they are testing some of their most sophisticated weapons. This is a national asset,



and it is key to our national defense. So for all of those reasons, Senator Martinez and I put in law that this is off-limits up until the year 2022, but now comes the Energy bill, with its sneaky amendments giving additional revenue sharing to these States and upper States on the Atlantic seaboard. It gives those States a financial incentive to get a cut of the oil revenue. What do you think that is going to do to the government of the State of Florida in the future as an excuse to put drilling out here as well as to have drilling off the east coast of Florida?

When I was a young Congressman, I faced two Secretaries of the Interior who were absolutely intent that they were going to drill on the east coast of the United States from Cape Hatteras, NC, all the way south to Fort Pierce, FL, and the only way back then—in the early and mid-1980s—we were able to get that stopped, which this young Congressman had a hand in doing, was to explain that you can't have oil rigs off of Cape Canaveral, where we are dropping the first stages of all of our military rockets that are so essential for us so that we will have assured access into space in order to protect ourselves with all of those assets.

Of course, in the early 1980s, I could talk about what was going to happen for 135 flights of the space shuttle. You can't have oil-related activities where the first stages—the solid rocket boosters on the space shuttle—are going to be landing by parachutes in the ocean because you are going to threaten the launch facilities for the U.S. military as well as NASA if you put oil-related activities out there.

So, too, in another 2 years we will be launching humans again on American rockets, some of whose first stages will still be crashing into the Atlantic and whose military defense payloads continue to launch almost every month, and those first stages splash down into the Atlantic. Yet an amendment that is suspected to be offered by a Senator is going to give incentive in the future—all the more pressure to try to pull oil out of here.

Ever since this Senator was a young Congressman, I have been carrying this battle. This Senator supports oil drilling. This Senator supports it where it is environmentally sound, including fracking in shale rock, because look what it has done for us. But there are times when there is tradeoff. But in this case there is not going to be a tradeoff, in the first place because there is not any oil, in the second place because it would wreck the economy of Florida with our tourism and our sugary white beaches, but in the third place because it would threaten the national security of this country if we eliminated this as our largest test evaluation and training center.

I can tell my colleagues that this Senator is not going to let that happen.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to discuss amendment No. 3016. This is an amendment that would eliminate the corn ethanol mandate from the fuel standards that we have.

I wish to thank my cosponsors on this amendment, including Senator FEINSTEIN from California and Senator FLAKE from Arizona. This is a bipartisan amendment. I think this is a really important issue.

What this amendment does is it eliminates the corn component of the renewable fuel standard. The renewable fuel standard, as my colleagues know, was created in 2007, and this is a Federal mandate that forces drivers to burn, actually, billions of gallons of biofuels, the vast majority of it derived from corn, in our vehicles, in our cars. It is on the order of 100 billion gallons of corn ethanol, and because this mandate establishes specific and increasing quantities of ethanol that has to be burned in our cars, when total gasoline consumption stays flat or declines, then it becomes an increasing percentage that we are all forced to buy.

Let me be clear about one thing. The amendment I am specifically addressing, amendment No. 3016, eliminates the corn portion of the renewable fuel standard mandate, and that is 80 percent by volume. The optimal policy is to get rid of this whole thing. It was a well-intentioned but bad idea to begin with. It is now abundantly clear this is bad policy and we should get rid of the whole thing. But I understand we don't have as broad an interest in getting rid of the whole thing as the interest we have in getting rid of at least the corn component. And since that is, after all, 80 percent, this would be significant progress.

There is probably not an enormous universe of things on which I have agreed with Vice President Al Gore over the years, but he got this right. Vice President Gore has acknowledged that ethanol was a mistake in the first place.

It was created, as I say, with all good intentions. It was thought that by forcing people to make ethanol mostly from corn and burn it in our cars, we would reduce air pollution. It was thought that it would reduce costs for families. It was thought that it might even be good for the economy. All three are completely wrong. Factually, that is not the case. The mandate has failed to achieve any of these goals. Instead, in fact, it increases air pollution, it increases costs for families, and it is harmful to our economy.

Let me take the first one, because the real motivation for this was to do something to improve the environment. The real idea behind ethanol—the impetus in the first place—was that somehow we would reduce air pollution if we are burning ethanol derived from corn rather than gasoline. Well, unfortunately, it hasn't worked out that way. That isn't just my opinion. There is plenty of documentation.

In 2009, Stanford University predicted: "Vehicles running on ethanol

will generate higher concentrations of ozone than those using gasoline, especially in the winter . . ."

In 2011, the National Academy of Sciences observed: "Projected air-quality effects from ethanol fuel would be more damaging to human health than those from gasoline use." That is the National Academy of Sciences.

In 2014, Northwestern University researchers did a little research on the real world. They went down to Sao Paulo, Brazil, where they had recently required an increase in the use of ethanol, and what did they find? A corresponding, significant increase in ground-level ozone, which we all know is a harmful pollutant at the ground level and causes smog and other health problems.

So there is no dispute about this. There is no question about this. Ethanol is harmful to our air quality and our environment.

The Environmental Working Group agrees. The Environmental Working Group, a group of environmentalists, have said: "The rapid expansion of corn ethanol production has increased greenhouse gas emissions, worsened air and water pollution, and driven up the price of food and feed."

I know that many of my colleagues are very concerned about carbon emissions. So separate and apart from ozone, CO<sub>2</sub> that is being released into the atmosphere is a concern for a lot of people. Studies show that ethanol creates more carbon dioxide emission than gasoline. It is just a fact.

The Clean Air Task Force estimates that the carbon emissions from corn ethanol, over the next 30 years at current projected consumption rates, would exceed 1.4 billion tons, which is 300 million tons more than if we used gasoline instead of the ethanol.

So there really isn't any debate that I am aware of anymore about this. Air quality is better if we are not using ethanol than when we are. But there are other impacts of this mandate. One is the higher cost on families.

The fact is that ethanol is more expensive to make per unit of energy than gasoline. So we need to spend more for our cars to go the same distance. The New York Times reported that ethanol increased costs to gasoline purchasers by billions of dollars in 2013. The Wall Street Journal estimated that in 2014 alone, the RFS mandate—this mandate that we burn ethanol in our gas—raised the cost of gas by an average of anywhere from \$128 to \$320 per year for the average family.

So let's be very clear. This mandate is costing American families several hundred dollars a year of their disposable income because they are having to spend to buy the more expensive fuel to move their vehicles.

It is not just the direct effect of having to pay more when we gas up our cars. These ethanol mandates take a huge segment of our corn production off the market and they drive up the price of corn. Again, this isn't just me

saying so. In 2008, USDA Secretary Ed Schafer and Department of Energy Secretary Samuel Bodman acknowledged that ethanol increases the food price. Their estimate is just under 1 percent per year.

In 2012, a study by economist Thomas Elam observed that ethanol increases food costs for the average family of four by just over \$2,000 per year. So the increased food cost is actually multiples of the increased gasoline costs when we fill up our tanks, and families are hit by both.

Of course, the food cost goes up not only because of the direct effect of higher corn—and many of us consume corn directly—but corn is the principal feed for all livestock. So the price of meat and poultry is very much correlated to the cost of the feed, and we make that feed much more expensive than it needs to be because of the ethanol mandate.

There is another way in which this mandate is harmful to consumers and to families, and that is that it increases engine maintenance costs. The EPA acknowledges that ethanol is harmful to engines. They say: “Unlike other fuel components, ethanol is corrosive and highly water soluble.” Gasoline is not. So gasoline doesn’t have this physical property; it doesn’t damage engines. But ethanol does. The moisture that is dissolved in ethanol is corrosive.

In fact, the EPA warns that fuel blends containing as little as 15-percent ethanol—which, by the way, this year there will be gas stations selling gasoline that is 15-percent ethanol—should not be used in any motorcycle, schoolbus, transit bus, delivery truck, boat, ATV, lawnmower or older automobile because of the damage that we know the ethanol will do to these engines.

AAA warns that raising ethanol content—just rising it above 10 percent, which is where we are—will damage 95 percent of the cars that are on the road today. How can this possibly be good for a family to be systematically degrading the engines in their vehicles?

There are other ways in which this is damaging to our economy. I mentioned that part of the reason that food prices for families are higher as a result of the ethanol mandate is because corn is such an important source of food for livestock. Well, in fact, the Federal Reserve and the USDA estimate that the ethanol mandate alone has contributed to a 20- to 30-percent increase in corn prices, and that has had a terrible impact on livestock operations and the dairy industry.

It is also bad for American refineries. There are 137 oil refineries that operate in 28 States and employ thousands of people with good family-sustaining jobs, but because the oil refiner has to either blend in ethanol with the gasoline they make or they have to go out and pay a fine—a penalty, essentially—if they don’t, it diminishes jobs in the refining sector. Again, this isn’t just

my opinion. I got a letter from the Philadelphia AFL–CIO business manager Pat Gillespie, and I will quote from the letter because he lays it out very clearly. He says:

Our resurrected refinery in Trainer, Pennsylvania . . . once again needs your intercession. The impact of the dramatic spike in costs of the RIN credits—the system by which EPA enforces the ethanol mandate—

from four cents to one dollar per gallon will cause a tremendous depression in . . . [our refinery’s] bottom line. . . . Of course at the Building Trades, we need them to have the economic vitality to bring about the construction and maintenance projects that our Members depend on. And the steel workers, of course, need economic vitality so they can maintain and expand their jobs with the refinery. . . . We need your help with this matter.

I completely agree. This is disastrous policy.

Just to summarize, corn ethanol—ethanol generally but corn ethanol in particular—is just bad policy. It is bad for the environment, it increases air pollution, it raises costs for families to drive their vehicles and to put food on the table, and it costs us jobs. It is bad for the economy. Let’s end this practice. Let’s end this mandate. It was well-intentioned at the time, but now it is clear it is doing harm, not doing good.

I will close on one other point. We in Congress, in Washington, should not be forcing taxpayers and consumers to subsidize certain industries at the expense of others. That is what is going on here. The magnitude of the consumption of ethanol is entirely driven by the mandate Congress has required the EPA to impose. That is why this is happening.

We use the power of the government to force consumers to pay more than they need to pay to drive their car and to buy their food. This makes no sense at all.

It seems to this Senator that a big part of what we are hearing on both sides of the aisle in this very unusual and raucous Presidential election cycle is voters who are disgusted with Washington. They don’t trust Washington. They don’t have a very high opinion of Congress. Part of it is because they are convinced that Congress goes around doling out special favors for special industries, special groups, and the politically well-connected. Well, guess what. They are right, and this is an egregious example of that. It is a clear example where the taxpayer and consumer get stuck with the bill so as to benefit a select preferred industry that has a lot of political clout. It is outrageous. The American people are right to be angry and tired of this.

Mr. President, we should end the renewable fuel standard entirely. As I say, it started with good intentions, but the evidence is in and there is no mystery anymore: This policy is bad for the environment, bad for families, bad for budgets, and bad for our economy. There is no reason we should be

continuing this, and I urge my colleagues to support this and any other effort to completely eliminate the renewable fuel standard, and if we can’t do that, at least take the 80 percent out that is comprised of the corn component.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

SECOND AMENDMENT RIGHT TO KEEP AND BEAR ARMS

Mr. GRASSLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a document titled “Just the FACTS” at the conclusion of my remarks.

Mr. President, the problem of gun violence is real, but too many of the proposed responses to this problem would not only represent unwise policy but would also violate a fundamental constitutional right—the Second Amendment right to keep and bear arms.

What does this mean to you and to me as Americans? It means that the right to bear arms falls into the same category as our other most closely held individual rights: the right of free speech, the right of freedom of religion, and the right of due process of law. Basically, what I am saying is that one cannot separate out any one of the Bill of Rights or any of the other constitutional rights that come under the 14th Amendment, as an example. You can’t separate the right to bear arms from those because, and this is not emphasized enough, the Second Amendment, the right to bear arms, is an individual, fundamental constitutional right. Maybe a lot of us believed that over decades, but it has been only within the last 5 to 8 years and in a couple of decisions that the Supreme Court has made that entirely clear, that it is an individual, fundamental constitutional right.

With that firm foundation, I want to straighten out some of the rampant misinformation that is used to advocate for stricter gun control. Correcting these myths is essential so that the issue can be properly deliberated and properly addressed. Unfortunately, many of these myths were reiterated over the past 2 weeks during prime time, nationwide Presidential media appearances.

First, let’s debunk the quote “gun show loophole.” Were you to click on your TV, pick up a newspaper, or read certain mailers, you would be left with the impression that if you buy a firearm at a gun show, you are not subject to a background check. In fact, all gun show purchases made from commercial gun dealers require a background check. These commercial gun dealers—

or, as they are called, Federal firearms

licensees—typically make up the majority of the gun vendors at gun shows.

Let's be very clear. If someone goes to a gun show and at that gun show purchases a firearm from a commercial gun dealer, that individual or those individuals are subject to a background check, period. So then who are these people we hear the President and others speak about who are not subject to a background check? If you are an individual and you want to sell your gun to another individual, you may do so, assuming you don't know or have reasonable cause to believe that such person is prohibited from owning a gun. It is quite common sense that the government does not dictate where this sale takes place. It is peer-to-peer. You can sell your hunting rifle to your neighbors, and you can make that sale in your home, driveway, or parking lot. You can also make that sale to another individual at a gun show. That is what is referred to as a peer-to-peer transaction—simply two adults engaged in a personal transaction. Just as there is no background check required in your driveway, there generally is no background check required when that private, peer-to-peer sale happens to occur at a gun show. Very clearly, this is not a loophole in the pejorative sense of the word; this is simply an American lawfully selling their property to another without the Federal Government involved.

In this same vein, to hear the President discuss it, you would assume that these gun shows were lawless free-for-alls for felons to obtain their newest illegal weapon. In fact, local, State, and Federal law enforcement are often present at gun shows, both in uniform and covertly in plain clothes. These law enforcement officers monitor and intervene in suspected, unlawful firearm sales such as straw purchasing, attempted purchases by prohibited individuals, and the attempted sale of illegal firearms.

As the Washington Times reported last Wednesday, law enforcement arrests at gun shows hit new highs last year. I recently attended a gun show in Iowa, and there was a robust law enforcement presence. So I want to go on to another point beyond the supposed gun show loophole that I just showed isn't much of a loophole.

The second point is that we have been repeatedly told by President Obama, as recently as a couple of weeks ago, that firearms purchased on the Internet don't require a background check. I have seen media reports to that same effect. Once again, this is a blatant inaccuracy and that is an inaccuracy that needs to be corrected. So that is why I am here.

An individual cannot purchase a firearm directly over the Internet. A gun purchaser can pay for a firearm over the Internet, but, if purchased from a firearms retailer, the firearm must then be sent to a brick-and-mortar location. When the purchaser picks up the gun, a background check is per-

formed. Assuming the purchaser passes the background check, he or she may obtain physical possession of that firearm.

In addition, an individual cannot lawfully purchase a firearm on the Internet from an individual who lives in another State. Any interstate sale of a firearm—even between two individuals online—must go through a gun store which, after charging a fee and running a background check on the purchaser, provides the purchaser with the firearm that they bought from another individual on the Internet.

These are two clear instances where Internet purchasers require a background check.

The one exception where a firearm can be lawfully purchased using the Internet without a background check is when two individuals living in the same State establish the terms of a purchase over the Internet and then meet in person to transfer the firearm.

If the firearm is a rifle or a shotgun, a resident may use the U.S. Postal Service to mail the firearm intrastate to another individual, but he may not do so if the item being purchased is a handgun. A handgun can only be mailed intrastate via a contract carrier and, as you can see, once you blow away the smoke and pull down the mirrors, the statement that there are no background checks on Internet purchases rings hollow.

A third point is that with great fanfare President Obama has stated unequivocally that firearms enforcement has been a priority with his administration. This is simply not true. That can be backed up with statistics.

The Obama administration chose to focus its criminal justice resources elsewhere rather than cracking down on illegal gun sales. Federal firearms prosecutions are down at least 25 percent under this President.

In addition, he suspended successful programs specifically designed to thwart firearms offenses. Unfortunately, as has so often been the case with the Obama administration, the rhetoric just does not match the action. As I have repeatedly called for, we need greater enforcement of the existing law, which simply has not happened under this administration.

A fourth point, to set the record straight on the President's statements, is that despite condemnation from both sides of the aisle and even from publications that regularly support increased gun control—such as the LA Times, for example—we have once again heard the President call for tying America's fundamental Second Amendment rights to the terrorist no-fly list. As we all know in this body, the no-fly list is actually multiple lists generated in secret and controlled by the executive branch bureaucrats. The no-fly list is intended to thwart suspected terrorists from flying. Flying is not a constitutional right like the Second Amendment is. So the people who are put on these lists are not given the

chance to challenge their inclusion on those lists. However, it is blatantly unconstitutional to deny a fundamental constitutional right without any type of due process such as notice and the opportunity to be heard.

The fact that the President continues to call for use of the no-fly list as it relates to a fundamental right calls into question his repeated assurances that he fully supports the Second Amendment.

Given unprecedented Executive actions regarding sanctuary cities and a refusal to enforce immigration laws as enacted by this body, we should not be surprised at those statements. But let me state unequivocally that using a secret document—which by its nature and purpose will often be overinflating or contain errors as a basis for denying Americans their Second Amendment right—is clearly unconstitutional.

The fifth point against the President's position is that on multiple occasions the Obama administration has condemned semiautomatic weapons. So let's get it straight right here and now. As any gun owner knows, a semiautomatic firearm is simply a gun that shoots one round with each pull of the trigger. This encompasses the type of shotgun most often used for duck hunting and the type of rifle often used for target shooting. A semiautomatic firearm does not equate to the fabled assault weapon and, of course, it is not a machine gun. We should be concerned when this administration makes proposals on guns that fail to reflect knowledge of even elementary elements of their operation.

I have additional myths that need to be dispelled that I will submit—and I have had permission from the Presiding Officer to submit that—but I want to be mindful of other people's times, and I now wish to respond directly to one of President Obama's challenges.

So let's talk for a moment about bipartisan efforts regarding gun control. Senator DUREN of Illinois, the second-ranking Democrat in leadership, and I are working on drafting a bill on which we hope we can reach agreement and introduce shortly, which prohibits all aliens—with the exception of permanent legal permanent residents and those who fall under a sporting exception—from acquiring firearms. In addition, our bill reinstitutes residency requirements for those noncitizens attempting to purchase a firearm.

The bipartisan legislation we hope we can agree to introduce would close real and actual loopholes, such as those that currently permit refugees or asylees or those from visa-waiver countries to acquire firearms.

I look forward to the opportunity to work on this issue in a bipartisan manner. But if we are going to deliberate and debate the issue, we must clear up the misconceptions and avoid erroneous rhetoric that seems to be dominating the news out there with all the

false positions and false interpretations of the law, which I have discussed in a few minutes with my colleagues.

So I am going to end where I started. The Second Amendment right to bear arms is a fundamental right, and any legislative or Executive action under any President must start and finish with the recognition of the fact that the Second Amendment is as important as other amendments to the Constitution of the United States.

I yield the floor.

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

#### JUST THE FACTS

The President's Executive Actions on Firearms and Other Common Myths.

Myth #1: Firearm purchases at gun shows do not require a background check due to the "gun show loophole."

Facts:

When the President and others refer to the "gun show loophole," they imply that there are no background checks being done at gun shows. As a result, much of the public has been misinformed and are led to believe that individuals who purchase firearms at gun shows are not subject to a background check.

In reality, there is no "gun show loophole." If an individual wants to purchase a firearm from a licensed firearms retailer, which typically makes up the majority of vendors at gun shows, the individual must fill out the requisite federal firearms paperwork and undergo a National Instant Criminal Background Check System ("NICS") background check.

The only firearms that are being purchased at gun shows without a background check are those being bought and sold between individuals, peer-to-peer, as opposed to buying a firearm from a gun dealer. These private sales are no different from selling a personal hunting rifle to the owner's niece or nephew down the road. It is a private sale and no background paperwork is required. The gun is private property and the sale is made like a sale of the family's good silver. The one difference is that the locus of a gun show is being used to make the private sale.

Under current law, an individual is permitted to occasionally sell part, or all, of their personal firearms collection. These private sellers, however, cannot be "engaged in the business" of selling firearms. "Engaged in the business" means they can't repeatedly sell firearms with the principal objective of earning funds to support themselves. Some of the individuals who wish to sell a portion, or all, of their personal firearms collection do so at the show and might display their wares on a table. These "private table sales," however, are private, peer-to-peer, sales and, therefore, do not require a background check. The President cannot change criminal statutes governing requirements for which sellers must conduct background checks. His new actions don't do so and don't claim to do so.

In a peer-to-peer, private firearms transaction, it is already illegal to sell a firearm to another individual if the seller knows or has reasonable cause to believe that the buyer meets any of the prohibited categories for possession of a firearm (felon, fugitive, illegal alien, etc).

Myth #2: Gun shows lack any law enforcement presence and are a free-for-all for felons and other prohibited individuals to obtain firearms.

Fact:

Local, state, and federal law enforcement are often present both in uniform and/or cov-

ertly in plain clothes to monitor and intervene in suspected unlawful firearms sales such as straw purchasing, purchases made by prohibited individuals, including non-residents, and the attempted sale of any illegal firearms.

Myth #3: Individuals who purchase firearms on the internet are not subject to background checks.

Facts:

An individual cannot purchase a firearm directly from a firearms retailer over the internet and have that firearm shipped to them directly. An individual can pay for the firearm over the internet at websites and online sporting goods retailers. The firearm, however must be picked up from a federal firearms licensee ("FFL") such as a gun store. In many cases, this is the brick and mortar store associated with the website where the gun purchase was made. Once at the retail store, the internet purchaser must then fill out the requisite forms, including ATF Form 4473, which initiates the NICS background check process. Thus, an internet purchase of a firearm from a firearms retailer does require a background check.

Individuals, from the same state, are able to advertise and purchase firearms from one another and use the internet to facilitate the transaction. It is unlawful, under current law, to sell or transfer a firearm to an individual who is out-of-state. Any internet sale, even between individuals, that crosses state lines would have to utilize a federal firearms licensee ("FFL"), such as a gun store, and the purchaser would be required to fill out the requisite state and federal paperwork and would undergo a background check.

Myth #4: President Obama's January 5, 2016, executive action on gun control represents landmark change regarding gun control.

Facts:

With few exceptions, President Obama's executive action on firearms is nothing more than rhetoric regarding the status quo. Many senators have long argued for better and more robust enforcement of existing laws that prohibit criminals from owning guns.

It is the current law of the land that anyone engaged in the business of selling firearms must have a federal firearms license. The President's action does not change current law, but merely restates existing court rulings on the meaning of "engaged in the business."

Myth #5: The Obama Administration has made firearms enforcement a priority.

Facts:

The Obama Administration has used its limited criminal enforcement resources to focus on clemency for convicted and imprisoned felons, the investigation of police departments, and on civil rights cases. The latter two categories represent important work, but the Department of Justice lost track of one of its core missions of enforcing criminal law: prosecuting violent criminals, including gun criminals.

The Obama Administration is only now making firearms enforcement a priority. Clearly, enforcing the gun laws is a new initiative, or one of the President's actions would not have been informing all of the 93 U.S. Attorneys about it.

Proof of this lack of enforcement is revealed in the decline of weapons related prosecutions during the Obama administration. As data obtained from the Executive Office of United States Attorneys, through a Freedom of Information Act ("FOIA") request, reveal, firearms prosecutions are down approximately 25 percent under the Obama administration versus the last year of the Bush administration.

Myth #6: Mental health has nothing to do with gun control.

Facts:

People with certain levels of mental illness are not permitted to own guns. Many of the recent mass killings were committed by mentally ill individuals. One of the keys to preventing further mass shootings and violence committed with firearms is addressing the issue of mental health.

Background checks to prevent the mentally ill from obtaining guns can only work if states provide mental health records to the NICS system. Too many states have failed to do so. Many of the worst offenders are states with the most stringent gun control laws. For multiple years now, many members of Congress have repeatedly called for and introduced legislation that would provide incentives for states to submit their mental health records for inclusion in the NICS database.

Myth #7: President Obama's executive action on gun control will thwart criminals' ability to obtain firearms.

Facts:

The President's executive action regarding firearms is focused primarily on individuals who attempt to purchase firearms through the background check process.

Criminals, however, obtain firearms in myriad illegal ways, including home invasion robbery, trading narcotics for firearms, burglary of homes, vehicles, and businesses, as well as straw purchasing.

Grassley legislation, SA 725, was specifically designed to combat the straw purchasing of firearms as well as firearms traffickers who transfer firearms to prohibited individuals and out-of-state residents.

Myth #8: There is a general consensus in America that greater gun control is needed to prevent mass shootings in the United States.

Facts:

Despite the President's statement to the contrary, polls have shown that the majority of Americans do not believe that stricter gun control would reduce the number of mass shootings in the United States.

The American public does not believe that making it harder for law abiding Americans to obtain guns makes America safer. In fact, polls have shown that a majority of Americans think the United States would be safer if there were more individuals licensed and trained to carry concealed weapons. A majority opposes re-imposition of the "assault weapons" ban.

Myth #9: The terrorist "no-fly" list is a proper mechanism to bar Americans from purchasing firearms.—President Barack Obama, January 5, 2016

Facts:

The no-fly list is actually multiple lists, which are generated in secret and controlled by executive branch bureaucrats. The Second Amendment right to bear arms has been determined by the U.S. Supreme Court to be a fundamental right. This puts the right to bear arms in our most closely guarded rights similar to the right to free speech and freedom of religion. It is unconstitutional to deprive an American citizen of their Second Amendment right without notice and an opportunity to be heard.

Myth #10: Gun retailers need to step up and refuse to sell semi-automatic weapons.—President Barack Obama, January 5, 2016

Facts:

There is nothing unlawful about a semi-automatic firearm. A semi-automatic firearm simply means that a round is discharged with each pull of the trigger. These include most shotguns used for waterfowl hunting and rifles commonly used for target shooting.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3140, AS MODIFIED

Ms. COLLINS. Mr. President, I am pleased to join some of my colleagues today to speak about the key role woody biomass can play in helping to meet our Nation's renewable energy needs.

Last night an amendment that several of us offered was adopted by a voice vote. I thank the sponsors of that amendment who have joined with me—Senator KLOBUCHAR, Senator KING, Senator AYOTTE, Senator FRANKEN, Senator DAINES, Senator CRAPO, and Senator RISCH—all of whom worked hard to craft this important amendment.

There has been a great deal of misinformation, regrettably, circulated about the amendment, which I hope we will be able to clarify through a colloquy on the floor today. I know the lead Democratic sponsor of the amendment, Senator KLOBUCHAR, would like to speak on it and has an engagement, so I am going to yield to her before giving my remarks. I thank her for her leadership.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator COLLINS for her leadership and for her illuminating the rest of the Senate. Maybe not everyone has as many trees as we do, and biomass. I appreciate what she has done.

I was proud to cosponsor this bill and be one of the leads on it, with Senator KING. This amendment moves us forward in really recognizing the full benefits of the use of forest biomass as a homegrown energy solution. I also thank Senator CANTWELL and Senator MURKOWSKI for their work on this Energy bill and the inclusion of this amendment—an amendment that encourages interagency coordination to establish consistent policies relating to forest biomass energy.

We have often talked about how we don't want to have just one source of energy, whether hydro, nuclear—you name it. So we want to recognize the importance of this forest biomass energy and talk a little bit about it today.

I sent letters to the EPA and have spoken with administration officials, urging them to adopt a clear biomass accounting framework that is simple to understand and implement. Without clear policies that recognize the carbon benefits—and I will say that again: the carbon benefits—of forest biomass, private investment throughout the biomass supply chain will dry up and the positive momentum we have built toward a more renewable energy future will be lost.

Supporting homegrown energy is an important part in an “all of the above” energy strategy. Biomass energy is driving energy innovation in many rural communities. The forest industry in my State and those who work in that industry are already playing a significant role in the biomass energy economy. There is always room to do more.

I appreciate the discussions between my colleagues yesterday on the language of this amendment and am pleased we ultimately—including Senator BOXER's help and others'—found a solution that moves us forward. I know there is interest in continuing these conversations, and I look forward to doing so.

I thank Senator COLLINS.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank the Senator from Minnesota for her leadership.

I, too, want to thank the two floor managers of this bill, the chairman, Senator MURKOWSKI, and her partner, Senator CANTWELL, for working so closely with us.

The fact is that biomass energy is a sustainable, responsible, renewable, and economically significant energy source. Many States, including mine, are already relying on biomass to help meet their renewable energy goals. Renewable biomass produces the benefits of establishing jobs, boosting economic growth, and helping us to meet our Nation's energy needs. Our amendment supports this carbon-neutral energy source as an essential part of our Nation's energy future.

The amendment, which was adopted last night, is very straightforward. It simply requires the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency to jointly ensure that Federal policy relating to forest bioenergy is consistent and not contradictory and that the full benefits of forest biomass for energy, conservation, and responsible forest management are recognized.

It concerns me greatly that some have suggested that our amendment would somehow result in substantial damage to our forests and the environment. Nothing could be further from the truth. Forests in the United States are robust and sustainably managed, and climate science has consistently and clearly documented the carbon benefits of utilizing forest biomass for energy production. Moreover, healthy markets for biomass and forest products actually help conserve forest land and keep our working forests in this country.

Our amendment also echos the principles outlined in a June 2015 bipartisan letter that was led by Senator MERKLEY and myself and was signed by 46 Senators from both sides of the aisle. Our letter stated: Our constituents employed in the biomass supply chain deserve federal policy that recog-

nizes the clear benefits of forest bioenergy. We urge you to ensure that federal policies are consistent and reflect the carbon neutrality of forest bioenergy.

In response to our letter, the administration noted that “DOE, EPA, and USDA will work together to ensure that biomass energy plays a role in America's clean energy future.”

That is precisely the importance of our amendment, to make sure that happens.

The carbon neutrality of biomass harvested from sustainably managed forests has been recognized repeatedly by numerous studies, agencies, institutions, and rules around the world.

Carbon-neutral biomass energy derived from the residuals of forest products manufacturing has climate benefits. Scientists have confirmed that the ongoing use of manufacturing residuals for energy in the forest products industry has been yielding net climate benefits for many years. These residuals, such as bark and sawdust, replace the need for fossil fuels and provide significant greenhouse gas benefits, which some scientists have estimated to be the equivalent of removing approximately 35 million cars from the roads.

As forests grow, carbon dioxide is removed from the atmosphere through photosynthesis. This carbon dioxide is converted into organic carbon and stored in woody biomass. Trees release the stored carbon when they die, decay, or are combusted. As the biomass releases carbon as carbon dioxide, the carbon cycle is completed. The carbon in biomass will return to the atmosphere regardless of whether it is burned for energy, allowed to biodegrade, or lost in a forest fire.

In November of 2014, 100 nationally recognized forest scientists, representing 80 universities, wrote to the EPA stating the long-term carbon benefits of forest bioenergy. This group weighed a comprehensive synthesis of the best peer-reviewed science and affirmed the carbon benefits of biomass.

A literature review of forest carbon science that appeared in the November 2014 “Journal of Forestry” confirms that “wood products and energy resources derived from forests have the potential to play an important and ongoing role in mitigating greenhouse gas (GHG) emissions.”

So Federal policies for the use of clean, renewable energy solutions, including biomass, should be clear and simple and reflect these principles.

We should not have Federal agencies with inconsistent policies when it comes to such an important issue. Again, I want to thank the sponsors and cosponsors of my bill, my amendment, as well as the chairman and the ranking member of the Energy Committee for their cooperation in getting the amendment adopted last night.

I would like to yield to my colleague from Maine Senator KING, who made this a tripartisan amendment when we offered it.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, as usual, my senior colleague from Maine has outlined this issue exceptionally well and covered the important points. I wish to add and amplify a few.

The first thing I would say is that I yield to no person in this body in terms of their commitment to the environment, their commitment to ending our dependence upon fossil fuel, and our facing of the challenge of climate change. This biomass discussion is a way of helping with that problem rather than hindering it. The important term in all of this discussion is the word “fossil.”

The issue we are facing now with climate change and with increased CO<sub>2</sub> in the atmosphere is because we are releasing CO<sub>2</sub>. We are releasing carbon that has been trapped in the Earth's crust for millions of years, and we are adding to the carbon budget of the atmosphere.

Biomass is carbon that is already here. It is already in the environment. It is in the trees. It is simply being circulated, and there is no net addition of carbon to the atmosphere because of the use of biomass. I have been in the renewable energy business now for more than 30 years and have worked in hydro, biomass, energy conservation on a large scale and wind power. So I have some background in this. A biomass plant typically burns fuel that would not otherwise enter into the economic stream of timber. It is often bark, mill waste, ends of logs, branches—the kind of thing that otherwise lies on the forest floor, dies and decays and releases carbon. There is no net addition of carbon.

To be intellectually honest, you have to say that burning it releases that carbon so much sooner than it would otherwise be released, but in the overall term we are talking about a renewable resource.

In New England and I suspect around the country—I know in Maine—there are substantially more trees in the forest today than there were 150 years ago because of the number of farms that have been returned to their natural state of forestry. That has given us an opportunity to develop an energy source that is a lot more safe and supportive of the environment than the other fossil fuel elements we have seen that have contributed to the CO<sub>2</sub> problem in this country.

I think this is a commonsense amendment. It basically tries to get the Federal Government on the same page on this issue consistently across the agencies. It makes the point that as long as we are talking about sustainable management, we are talking about what amounts to a continuous renewable resource. We are not adding to the carbon burden of the atmosphere, and therefore I think this is a commonsense amendment that will not set back our efforts with regard to climate change but will actually advance them.

I am happy to support this amendment, to support my colleague from Maine. I think this is the kind of commonsense amendment that actually belongs. It is a very important part of this bill. It strengthens it considerably, in my view. I want to again thank my senior colleague for bringing this bill forward.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank my friend and colleague from Maine. He has enormous expertise in the area of renewable energy, and I very much appreciate his adding his expertise to this debate.

Before I yield the floor, I ask unanimous consent to have printed in the RECORD a letter dated June 30, 2015, and signed by 46 Senators, on this very issue, that was addressed to the Administrator of the EPA, the Secretary of Energy, and the Secretary of Agriculture.

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

UNITED STATES SENATE,  
Washington, DC, June 30, 2015.

HON. GINA MCCARTHY,  
Administrator, Environmental Protection Agency, Washington, DC.

HON. DR. ERNEST MONIZ,  
Secretary, U.S. Department of Energy, Washington, DC.

HON. TOM VILSACK,  
Secretary, U.S. Department of Agriculture, Washington, DC.

DEAR ADMINISTRATOR MCCARTHY, SECRETARY MONIZ, AND SECRETARY VILSACK: We write to support biomass energy as a sustainable, responsible, renewable, and economically significant energy source. Federal policies across all departments and agencies must remove any uncertainties and contradictions through a clear, unambiguous message that forest bioenergy is part of the nation's energy future.

Many states are relying on renewable biomass to meet their energy goals, and we support renewable biomass to create jobs and economic growth while meeting our nation's energy needs. A comprehensive science, technical, and legal administrative record supports a clear and simple policy establishing the benefits of energy from forest biomass. Federal policies that add unnecessary costs and complexity will discourage rather than encourage investment in working forests, harvesting operations, bioenergy, wood products, and paper manufacturing. Unclear or contradictory signals from federal agencies could discourage biomass utilization as an energy solution.

The carbon neutrality of forest biomass has been recognized repeatedly by numerous studies, agencies, institutions, legislation, and rules around the world, and there has been no dispute about the carbon neutrality of biomass derived from residuals of forest products manufacturing and agriculture. Our constituents employed in the biomass supply chain deserve a federal policy that recognizes the clear benefits of forest bioenergy. We urge you to ensure that federal policies are consistent and reflect the carbon neutrality of forest bioenergy.

Sincerely,

Susan M. Collins; Jeff Merkley; Kelly Ayotte; Roy Blunt; John Boozman; Richard Burr; Shelley Moore Capito; Bill Cassidy; Thad Cochran; John Cornyn; Tammy Baldwin; Sherrod Brown;

Robert P. Casey, Jr.; Joe Donnelly; Dianne Feinstein.

Al Franken; Tim Kaine; Angus S. King, Jr.; Tom Cotton; Mike Crapo; Steve Daines; Cory Gardner; Lindsey Graham; Johnny Isakson; Ron Johnson; David Perdue; Amy Klobuchar; Joe Manchin, III; Barbara A. Mikulski; Claire A. McCaskill.

Patty Murray; Bill Nelson; Jeanne Shaheen; Debbie Stabenow; Rob Portman; James E. Risch; Jeff Sessions; John Thune; Thom Tillis; David Vitter; Jon Tester; Mark R. Warner; Tim Scott; Richard C. Shelby; Patrick J. Toomey; Roger Wicker.

United States Senators.

Ms. COLLINS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I am delighted to join the two Senators from Maine—Senator COLLINS and Senator ANGUS KING—in this dialogue, as well as Senator KLOBUCHAR. I believe a few other Senators may join us.

Senator COLLINS has been a great leader in advancing the debate or the conversation recognizing the carbon benefits of biomass. Her State and of course Senator KING's State is so much like Oregon. If you fold the map of the United States in the middle and put east and west on top of each other, Oregon and Maine end up closely associated. We have similar coastlines. We have shellfish industries. We have timber industries. We have salmon runs. We having similar initiative systems and our largest cities are named Portland.

I know that when I had the pleasure to visit Maine—and I went there with my wife and children to visit friends from many walks of our two lives, my wife's life and my life—we went from town to town visiting these friends who moved to Maine. We picked up a newspaper, and we felt like we were right at home in Oregon. The same initiatives were being done at that time in the State as we had on the front page back home.

This issue of biomass is close to our hearts in the forests of the Northeast and in the forests of the Northwest. When I first came to the Senate and the conversation was going forward about renewable energy, Senator Dorgan from North Dakota—now retired—said that his home State was the Saudi Arabia of wind energy. I heard Senator REID from Nevada say Nevada is the Saudi Arabia of solar power. There was a county commissioner from Douglas County—the county I was born in—which has the largest concentration of Douglas fir trees, its enormous biomass area—who referred to how Douglas County can be the Saudi Arabia of biomass energy. I thought, with all these Saudi Arabians in the United States, why are we still importing oil from Saudi Arabia? But indeed these efforts to develop an alternative to pivot from fossil fuels to a clean energy economy should include solar, should include wind, and should include biomass.

When I came to the Senate, I undertook the project of helping the Environmental Protection Agency recognize that you have to look at the life cycle. You can't simply look at the moment of combustion. You can't compare coal being burned in a coal furnace or oil in an oil furnace and say that is equivalent to wood being burned in a biomass furnace because, indeed, as you take that biomass, that wood, you are engaged in a life cycle that doesn't involve bringing more carbon out of the Earth and adding it to the cycle of ground. Our colleague, ANGUS KING from Maine, was referring to that difference earlier in his comments.

It has been an effort to make sure our government takes account of this significant contribution of forest biomass. In the Northwest, the biomass is the potential for a win-win as a renewable source and improving forest health, and Senator COLLINS was referring to the goals of responsible forest management and conservation.

Indeed, if you drive along the roads in our national forests in my home State, you will see slash piles. These piles are there because as we go through for forest health, we thin the trees. If they are good saw logs, we take them off to the mill, but the debris remains, and we put them into piles. The goal is to remove those piles, but often there is no economical way to remove those piles, and then you have to burn them in the forest.

A couple of months ago I was in the forest in Southern Oregon with a torch, lighting fire to these piles. In this case it was an area where there is often a temperature inversion and you get smog from the smoke. They only can be burned a couple days a year. It is a big challenge. Isn't it so much better to be able to take those piles of biomass and put them to work instead of burning them in the forest? Burn them in a situation that produces heat and electricity. That is a win-win outcome.

So when you hear people in the Northwest talk about forest biomass, there is a lot of excitement about how to grow this market, a market that has the means of improving the health of our forests while providing renewable energy. On private lands a growing domestic biomass market also has the potential to create a new value stream for our forest landowners. By adding another value stream for forest landowners, biomass can create incentives to keep forestland as forests and avoid conversion to a nonforest use.

The modification made to Senator COLLINS' amendment reflects this dynamic, that one of the contributions to emissions in the forest sector is actually the conversion of forestland and nonforest use because trees are no longer there to sequester carbon. So if we can help prevent this, that is a beneficial side effect of this overall effort on biomass, to amplify the role of the forest, not to remove them.

The most important example that has been brought up as a concern that

doesn't fit this model of conservation or burning the byproducts is whether entire forests might be ground up and used to create pellets and so forth. I believe—and I certainly will be corrected if I am wrong—that certainly is not the framework in which this amendment is crafted with the dedication to enhancing the health of our forests and energy and forest conservation.

I think this amendment sends a clear signal to EPA that in many cases forest biomass is carbon neutral and should be treated as such. It reinforces the conversation we have been having since I came here over the last 7 years and earlier with Senator COLLINS' hard work.

When EPA takes regulatory action, it should reflect the opportunities where biomass is carbon neutral. In fact, policies like the Clean Power Plan should provide an incentive for forest biomass that is carbon neutral.

I look forward to continuing to work with my colleagues on this topic because this is a very significant win-win opportunity for energy, for the environment, and those are the type of opportunities we should seize.

Ms. CANTWELL. Mr. President, yesterday, the Senate passed an amendment from Senators COLLINS and KLOBUCHAR to promote biomass energy.

I would like to take a couple minutes to express my support for biomass energy.

Using biomass to create energy can be significantly better than using coal. I think it is great that people use wood to heat their homes, instead of heating with fossil fuels—like oil—particularly, when they do so with clean-burning, EPA-certified wood stoves or pellet stoves, particularly, when the stoves are produced by great companies—like QuadraFire, based in Colville, WA.

Professors at University of Washington have emphasized the need for such an amendment to encourage the development of new emission-reducing energy facilities that use the types of biomass that will achieve our country's renewable energy and climate mitigation goals.

Last October, EPA recognized that the use of some biomass can play an important role in controlling increases of CO<sub>2</sub> levels in our atmosphere. EPA stated that the use of some types of biomass can potentially offer a wide range of environmental benefits, aside from the important carbon benefits.

We have a wildfire problem in this country, and we need to encourage markets for the small trees, slash, and brush that we want to remove from our most at-risk forests. According to the EPA, the growth in U.S. forests offsets 13 percent of total U.S. CO<sub>2</sub> emissions annually. But the Global Climate Change Office at USDA has reported that increasing wildfires are transforming our forests from "carbon sinks" to "carbon sources." We clearly need to treat some of our forests, and we should use the biomass that is generated. We also know we also need en-

But I think we need to continue to look at the "highest and best use" philosophy when talking about biomass. Clearly, trees filtering water and providing wildlife habitat is a best use. Clear-cutting our forests and burning whole trees for electricity is not a good use. But burning industrial or harvesting waste for energy is a good use.

I am excited that EPA is currently developing a world leading accounting framework for biomass-generated emissions, and we are counting on them to finish this.

I also want to say that cross-laminated timber is a particularly important "good" use of biomass. Building with wood uses less carbon than concrete, and CLT explicitly stores carbon, which in terms of our carbon balance is better than simply burning it.

We agree that some biomass is clearly "carbon neutral" and some biomass is not "carbon neutral." A study by the National Council for Air and Stream Improvement showed that mills using biomass residuals avoid 181 million tons of CO<sub>2</sub> emissions. That is equivalent to removing 35 million cars from the road.

When we modified the amendment yesterday, we did so to make clear that the direction to the agencies was to establish biomass energy policies that are carbon neutral. Regrowing trees to replace those cut to produce energy is "carbon neutral."

But clear-cutting forests and burning them in power plants can lead to increases in atmospheric carbon levels for decades—especially when owners then sell their cut forests for housing developments, this is clearly not "carbon neutral." The trees need to grow back and the forest to stay working in order to replace the carbon taken. That is why we specifically modified the amendment, prior to voting on it, to ensure we are encouraging forest owners to keep their lands in forests.

Senator MARKEY is another leading voice in our carbon conversation, and I am looking forward to hearing his remarks.

Mr. MARKEY. Mr. President, I want to thank Senator CANTWELL for her tireless work on this Energy bill and for her help in improving the biomass amendment that the Senate adopted last night.

Biomass energy is already contributing to the U.S. energy mix in ways that help reduce carbon pollution that causes global warming.

There are great examples of electricity generation coming from wood residues like at the Fort Drum Army installation in New York and the Gainesville Renewable Energy Center in Florida. Both of these projects have included efforts to ensure that their biomass material promotes land stewardship and responsible forestry practices. Projects like these are generating biomass electricity, jobs, and economic value in their local communities.

These are the type of projects that we need to encourage to meet the climate change challenge.

But not all biomass energy is created equal. I understand the amendment's intent to support biomass energy that is determined to be carbon neutral.

I appreciate the modifications made to the amendment to ensure that U.S. bioenergy policy is not encouraging conversion of forest lands to non-forest uses. This protection is important to acknowledge.

But it is also important to acknowledge that the timeframe for any climate benefits from biomass energy can vary. In many instances that timeframe can be very long—on the order of 50 to 100 years.

Some practices like clear-cutting forests and burning whole trees for energy should never be considered carbon neutral.

That is why it is critical to incorporate what science tells us about forests and their interaction with the global carbon cycle into policies governing biomass energy.

EPA has a scientific advisory board working on this issue of bioenergy carbon accounting right now. They will have a meeting in April to hear from stakeholders about their experience in using biomass to reduce carbon pollution. The results of the advisory board's work will be crucial to inform policy across agencies.

It is important to have agencies working together on cross-cutting issues like this one. But efforts to make policies more consistent across Federal agencies shouldn't interfere with individual agency's statutory responsibilities. The amendment should not be interpreted as enabling one agency to block another agency's rule-making or guidance.

I want to thank Senators COLLINS, KLOBUCHAR, KING, and the other cosponsors of the amendment for working with other concerned Senators like myself on modifications to improve the amendment. I look forward to continuing working with them to ensure that the United States has a smart, sustainable, and scientifically backed policy for biomass energy.

Mr. LEAHY. Mr. President, the U.S. Senate is currently considering sweeping legislation to modernize the Nation's energy sector. Despite its laudable goals, it leaves one area unaddressed. The bill does nothing to stop corporate bad actors, including those in the energy sector, from simply writing off their egregious misconduct as a cost of doing business. Today I am submitting a commonsense amendment to close a tax loophole that forces hard-working Americans to subsidize corporate wrongdoing.

Under current law, a corporation can deduct the cost of court-ordered punitive damages as an "ordinary" business expense. For the victims who have already paid the price for extreme corporate misconduct, there is nothing "ordinary" about this at all. It is sim-

ply wrong. It offends our most basic notions of justice and fair play. Punitive damage awards are designed to punish wrongdoers for the reprehensible harm that they cause and to deter would-be bad actors from repeating similar mistakes. Today a company can simply hire a team of lawyers and accountants to deduct this punishment from the taxes the company owes. My amendment would end this offensive practice with a simple fix to our Tax Code.

Let us not forget that our energy sector has been plagued with companies that have recklessly destroyed environments and harmed communities with impunity. In 1994, a jury awarded \$5 billion in punitive damages against Exxon for the Valdez spill in Alaska. This oil spill devastated an entire region, the livelihoods of its people, and a way of life. After Exxon paid white-shoe law firms to fight these damages in the courts for 14 years, it successfully brought its damages down to \$500 million. Then, adding insult to injury, Exxon used the Federal Tax Code to write off its punitive damages as nothing more than an "ordinary" business expense.

In 2010, the Deepwater Horizon drilling rig exploded, and 11 Americans were killed in the worst oil spill in American history. That same year, an explosion in the Upper Big Branch Mine in West Virginia claimed the lives of 29 miners. If forced to pay punitive damages for their misconduct, these companies could also write off that expense.

The Obama administration has requested eliminating this tax deduction in its budget proposals. Our very own Joint Committee on Taxation has estimated that closing this loophole would save taxpayers more than \$400 million over 10 years. If we don't change the law, our deficit will grow by nearly half a billion dollars because we allowed taxpayers to subsidize the worst corporate actors. By failing to act, we are sending the message that pillaging our environment is an encouraged, tax-deductible behavior. This amendment makes fiscal sense, and it is common sense.

Vermonters and Americans are tired of seeing giant corporations getting special treatment under the law—and paying for their reckless mistakes. It should shock the conscience to know that current law compels taxpayers to effectively subsidize the malfeasance of the worst corporate actors. My amendment would change this unacceptable status quo. I urge Senators to support my amendment.

Ms. COLLINS. Mr. President, I wish to speak on my amendment No. 3197, to increase the protection of our critical infrastructure in the electric sector from a debilitating cyber attack. I am pleased to have Senators MIKULSKI and HIRONO join me as cosponsors.

Critical infrastructure refers to entities that are vital to the safety, health, and economic well-being of the Amer-

ican people, such as the major utilities that run the Nation's electric grid, the national air transportation system that moves passengers and cargo safely from one location to another, and the elements of the financial sector that ensure the \$14 trillion in payments made every day are securely routed through the banking system.

The underlying bill includes several provisions that I support to improve the cyber posture of the U.S. electric grid. These include giving the Secretary of Energy new authority to take actions to protect the grid in the event of an emergency and establishing new programs to reduce vulnerabilities and improve collaboration among the Department of Energy, national labs, and private industry.

The underlying bill, however, makes no distinction between the vast majority of local or regional utilities and the very few entities that are so key to the electric grid that they could debilitate the U.S. economy and our way of life if they were attacked.

The Department of Homeland Security has identified the critical infrastructure entities at greatest risk of resulting in catastrophic harm if they were the targets of a successful cyber attack.

While the entire list includes fewer than 65 entities across all sectors of the economy, it warrants our special attention because there is ample evidence, both classified and unclassified, that demonstrates the threat facing critical infrastructure, including our energy sector.

Indeed, the committee report accompanying this bill notes that one-third of reported cyber attacks involve the energy sector.

The amendment I have filed to this energy policy bill would only affect those entities on the list that are already subject to the oversight of the Federal Energy Regulatory Commission, known as FERC.

Our amendment would require FERC to identify and propose actions that would reduce, to the greatest extent practicable, the likelihood that a cyber attack on one of these entities would result in catastrophic harm.

By "catastrophic harm," the Department of Homeland Security means a single cyber attack that would likely result in 2,500 deaths, \$50 billion in economic damage, or a severe degradation of our national security. In other words, if one of these entities upon which we depend each day were attacked, the results would be devastating.

The Director of National Intelligence, Jim Clapper, has testified that the greatest threat facing our country is in cyber space and that the number one cyber challenge concerning him is an attack on our Nation's critical infrastructure.

His assessment is backed up by several intrusions into the industrial controls of critical infrastructure. Since



2009, the Wall Street Journal has published reports regarding efforts by foreign adversaries, such as China, Russia, and Iran, to leave behind software on American critical infrastructure and to disrupt U.S. banks through cyber intrusions.

Multiple natural gas pipeline companies were the target of a sophisticated cyber intrusion campaign beginning in December 2011, and Saudi Arabia's oil company, Aramco, was subject to a destructive cyber attack in 2012.

In an incident that is still not fully understood, 700,000 Ukrainians lost power in December due to an attack that Ukrainian authorities and many journalists have ascribed to Russian hackers.

In a hearing of the Intelligence Committee last summer, I asked Admiral Rogers, the Director of the National Security Agency, which is responsible for cyber space, how prepared our country was for a cyber attack against our critical infrastructure. He replied that we are at a "5 or 6."

Last month, the Deputy Director of the NSA, Richard Ledgett, was asked during a CNN interview if foreign actors already have the capability of shutting down key U.S. infrastructure, such as the financial sector, energy, transportation, and air traffic control. His response? "Absolutely."

When it comes to cyber security, ignorance is not bliss. The amendment we have filed would take the common sense approach of requiring the Federal agency responsible for the cyber security of the electric grid to collaborate with the entities that matter most and to propose actions that can reduce the risk of a catastrophic attack that could cause thousands of deaths, a devastating blow to our economy or national defense, or all of these terrible consequences.

Congress has previously missed opportunities to improve our Nation's cyber preparedness before a "cyber 9/11" eventually occurs. We should not repeat that mistake.

I urge my colleagues to support this vital, bipartisan amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I would be remiss if I didn't rise during this debate on energy to address the administration's continuing efforts to wear down America's coal industry. As the Senate considers reform of our Nation's energy infrastructure, the importance of coal to America's energy portfolio simply cannot be understated, and unfortunately neither can this administration's deliberate attempts to use Executive power to put the coal industry out of business.

This administration has made no secret of its disdain for fossil fuels and has unleashed a series of policies intended to subvert reliable, affordable, traditional energy sources, such as oil and natural gas, in favor of valuable but more expensive and less reliable renewable resources.

We have a lot of wind in Wyoming. In fact, the first wind turbines were put in and the rotors blew off until they discovered they couldn't turn them into the wind at 80 miles an hour. But even though we have a lot of wind—I guess Wyoming could be called the Saudi Arabia of wind and solar, coal, oil, natural gas, and uranium—we have found that sometimes the wind doesn't blow, and we have found that sometimes the Sun doesn't shine and sometimes the wind doesn't blow when the Sun isn't shining, and that creates a problem unless you have alternate fuels.

Coal is at the center of that regulatory battle. The war on coal is not only an affront to coal producers in my home State of Wyoming but to energy consumers across America. Let me explain how the administration's war on coal affects Americans across the country with this chart.

According to the Energy Information Administration, 39 percent of the electricity in the United States was generated by coal in 2014. The only other energy source that comes close to coal for energy production is natural gas, at 27 percent. We need to ask ourselves: If we allow the administration to kill the coal industry, what energy source is going to take its place and provide our constituents with the energy they need? It is actually the only stockpiled resource we have.

This issue hits close to home for me because approximately 40 percent of the country's coal is produced in my home State of Wyoming. Actually, 40 percent is produced in my home county of Campbell County, WY. According to the National Mining Association, coal supports more than 27,000 jobs in my State. Now, 27,000 probably doesn't sound like a lot in California, Washington, DC, New York, or even Texas, but that is 9 percent of our state's workforce. Nine percent of our workforce has jobs related to coal, and they are good-paying jobs. These jobs pay an average of about \$81,500 a year. Multiply that by 27,000 jobs, and we are talking about billions. Let me be clear. This isn't just an issue for Wyoming or other coal-producing States. The Wyoming Mining Association reported that in 2014, 30 States received coal from Wyoming's mines.

The area depicted in red on this chart are the States that receive Wyoming coal, but that doesn't mean some States don't also receive electricity produced in Wyoming from coal. Those States include California, Utah, and Idaho. And, of course on this carbon issue, Wyoming is forced to account for the carbon that produces the energy these other states consume.

The second chart shows that if you represent Texas, Illinois, or Missouri, you should be worried about the coal industry because in 2014 each of those States received more than 10 percent of Wyoming's coal. Wisconsin, Iowa, Kansas, Arkansas, Oklahoma, and Michigan each got about 5 percent of Wyoming's coal. Wyoming's coal was also

distributed to Nebraska, Georgia, Alabama, Colorado, Louisiana, Tennessee, Minnesota, Oregon, Washington, New York, and Arizona. If I didn't list your State, don't think the stability and success of the coal industry doesn't affect you. Ten other States and foreign entities also received Wyoming's coal.

All of these numbers and stats boil down to this: Most of America's energy is powered by coal, and policies that raise the price of coal will hurt industries and households across the country. They will cost jobs in our country and will cause people to have higher utility bills. Unfortunately, the administration is either oblivious or unconcerned with this correlation, as evidenced by the Department of Interior's recent announcement that they will block most new Federal coal leases in order to conduct a programmatic environmental impact statement on coal development on Federal lands.

About 40 percent of our Nation's coal is produced by the Federal coal leasing program. Under that program, which is managed by the Department of Interior, private entities compete for the right to lease and mine the coal mineral estate owned by the Federal Government. After a rigorous multiyear application and land-use planning process, lessees are given an opportunity to mine coal on public land. Again, that is a rigorous, multiyear application process that can and does drag on for years. In return, those companies pay BLM a bonus bid, which is an upfront fee for the right to mine. Besides that, they also pay an annual land rental payment and they pay an additional royalty on the value of the coal after it is mined. Surface mines pay a royalty of 12.5 percent and underground mines pay a royalty of 8 percent. These revenues are shared by the Federal Government and the States in which the coal was mined.

This program, which began in 1920, has been a tremendously successful way to provide affordable energy to the Nation, provide jobs in places such as Wyoming's Powder River Basin, where 85 percent of all Federal coal is mined, and it provides value to the government. According to the BLM—the Bureau of Land Management—the Federal coal leasing program has generated well over \$1 billion a year for the last 10 years: \$7.9 billion in royalties and an additional \$4 billion in rent, bonus bid payments and other fees. Again, that is money that coal leasing earns for the Federal Government—a stark contrast to most Federal programs. That doesn't even mention the taxes that are paid by the workers who mine the coal, but if we eliminate their jobs, that money is not coming in either.

This administration has announced plans to halt new Federal coal leases while it takes years to study the value and efficacy of the program. This Department of Interior rule has the potential to economically devastate my home State of Wyoming and send energy prices around the country through the roof.

The BLM laid the foundation for this farce last summer when it staged a series of listening sessions. I went to the session in Gillette, WY, and based on the administration's recent announcement, I don't think the BLM was listening very closely. If they were, they would know that American taxpayers are already receiving a fair return on coal resources.

One gentleman, who told the BLM his story, moved to Wyoming to be a coal miner. He spoke with pride about his job. He was worried that the job that has allowed him to raise three children will no longer exist if the BLM raises royalty rates.

The owner of a small business not directly related to the coal industry told her story. She was worried about the ripple effect raising royalty rates would have on Campbell County and the State of Wyoming. As a mom, she also told the BLM about the direct support coal companies provide her community through social service agencies, community events, and youth activities. She didn't want to see her kids lose that support.

The benefits she referenced are a reflection of the \$1.14 billion in tax and fee revenues the State of Wyoming collected from the coal industry in 2014. This is money which the State critically relies on to fund things such as schools, highways, and community colleges across the State. Wyoming state lawmakers are going through a process right now to try to figure out how to make up for the lost revenue just from last year. They are making drastic budget cuts which we wouldn't even consider here at the Federal Government even though the State of Wyoming is in better financial shape than the Federal Government.

I mentioned the Gillette woman who is the owner of a small business that is not directly related to the coal industry. She said her business is down by 60 percent. That is almost two-thirds less revenue than what she would have had, which means, of course, that it affects some other jobs in the community. So there is a huge ripple effect to all of this.

Despite these and dozens of similar stories, the administration announced that they need to shut down Federal coal leases and conduct a study to determine if taxpayers are getting a fair return on the Federal coal leasing program. For quite a while now, the resulting revenue coal producers and companies got to keep was less than what they were paying in taxes. If the BLM would have truly listened to the folks in Gillette last summer, they would already know the answer to this. Instead, they have gone forward with a plan to cripple the coal industry and make energy more expensive. In the words of Wyoming's Governor Matt Mead, "Not only will [Interior's new rule] hurt miners and all businesses that support coal mining, it will take away the competitive advantage coal provides to every U.S. citizen." When

it is part of the energy mix, it affects the other energy prices as well.

As we debate energy policy reforms in the coming days, it isn't just the fate of coal that should concern us. Interior's Federal coal leasing review is just the latest in a string of regulations aimed at driving fossil fuel industries out of business. The administration has also proposed a new methane flaring rule aimed at discouraging oil and gas leasing on Federal lands.

This Chamber has spoken clearly in rejecting rules such as the Clean Power Plan and the Waters of the United States, but the administration continues its regulatory war on energy. As we consider energy policy reforms, we need to make sure we are protecting the resources that have and can continue to power America, and that has to include coal.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I ask to speak as in morning business.

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

Mr. MANCHIN. Upon my completion, I ask unanimous consent that Senator HELLER be recognized.

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

#### PRESCRIPTION DRUG ABUSE

Mr. MANCHIN. Mr. President, I rise today to speak for the millions of Americans impacted by prescription drug abuse, particularly those in my home State of West Virginia, where 600 lives are lost every year to opioids. I believe the FDA must start taking prescription drug abuse seriously, and that will not happen without a cultural change in the agency.

The Presiding Officer and I are taking on this issue in the drug prevention caucus and addressing how opioids have affected South Carolina, West Virginia, and the effect the epidemic has had on all of America. We have seen too many examples of the FDA standing in the way of efforts to address the opioid abuse epidemic.

If you look at this chart, you can see the rise in deaths over the last 15 years and what it has done to our country and our States. It is unbelievable and unacceptable. We have been able to face and cure every other epidemic in this country. We seem to be keeping this one out of sight and out of mind.

The FDA delayed for years before finally agreeing to reschedule hydrocodone. My first 3 years in the Senate were consumed by getting the FDA to come around on this important step. Since the change went into effect, we have seen a number of prescriptions for combination hydrocodone products, such as Vicodin and Lortab, fall by 22 percent. That is over 1 billion pills not being put on the market.

After finally taking that step, to add insult to injury after taking so long to reschedule this from a schedule III to a schedule II, the FDA approved the dan-

gerous drug Zohydro even after its own experts voted 11 to 2 against it. This drug has 10 times the hydrocodone of Vicodin and Lortab and has the capability of killing an individual with just two tablets. Can you imagine? Just recently, the FDA outrageously approved OxyContin for use for children as young as 11 years old. This decision means that Pharma is now legally allowed to advertise OxyContin to pediatricians under certain circumstances. We have seen this story before. We have seen the devastating impact of this type of advertising, and we have years of evidence that shows that drug use at an early age will make a child more likely to abuse drugs later in life. These decisions by the FDA are horrifying examples of the disconnect between the FDA's actions and the realities of this deadly epidemic.

Leaders at the FDA, including the director of the division that oversees opioids, are now actively working against the Centers for Disease Control's efforts to reform prescribing guidelines, which represents a reasonable, commonsense approach to help doctors take into account the very real and prevalent danger of addiction and overdose when prescribing opioids. We have found out there is very little education done. Doctors aren't required to cover this as they go through medical school. Most will tell you they have less than 1 week of schooling for this.

That is why last week I announced that I will filibuster any effort to confirm Dr. Robert Califf. This is a good man with a stellar reputation, but he just comes from the wrong end of this crisis for which we have to make the changes that need to be made. That is all I have said: Give us someone who is passionate about the change. The change must come from the top of the FDA.

We need a cultural overhaul of the FDA. When we have the FDA fighting the CDC—the CDC is making recommendations for new guidelines of how drugs are prescribed and how we should protect the public, and the FDA is really taking the position that, no, what pharmaceuticals are putting out is something that we need as a product. It is a business plan. I am sorry, I cannot accept that, and I truly believe there needs to be a cultural change, and that starts at the top.

Over the past week my office has been absolutely flooded with stories from West Virginians who want their voices to be heard. And, as I said, we need to make this real, and it will not be unless I can bring to my colleagues the real-life stories of the tragedies that people are enduring because of the prescription abuse that goes on.

These letters have come from children who have seen their parents die from an overdose; grandparents who have been forced to raise their grandchildren when their kids went to jail, rehab, and the grave; and teachers and religious leaders who have seen their communities devastated by prescription drug abuse. These people need help

from the FDA. They count on this regulatory committee—the Federal Drug Administration—to do what should be done to protect millions of Americans across the United States, as well as those who have been affected.

I am going to read a story and basically bring a person's life to my colleagues—an opportunity to see what happens in a daily situation in an abusive scenario. The first story I wish to read comes from a West Virginian by the name of Haley. Haley lives in Princeton, WV, which is in the southern part, and she is a teacher in Beckley, WV. She is married and has a baby who is about to turn 1. This is Haley's story:

Prescription drug addiction destroyed my childhood. Thanks to prescription drug abuse, I grew up much too quickly and still have trust issues today. My mom's one true love was Xanax and I will always come in second or after that, no matter what.

When I was in fifth grade, my mom went to rehab two hours away from me. My parents are divorced and my step dad worked on the road, so I stayed with my grandparents. We visited my mom on the weekends and I didn't really understand why she was there. None of it made any sense to me and I just wanted my mom. One day, we received a phone call stating that she had checked herself out and we had no idea where she was for about 24 hours. This wasn't the first time my mom had unsuccessfully tried rehab and it would not be her last.

There were times when I would get home from school and have no idea where my mother was, so my grandma and I would have to drive around and search for her. We would eventually find her passed out at one of her "friends" houses.

There is one particular memory that traumatized me and is forever engrained in my memory. I was 10 years old when we found my mom. She was too high to even walk on her own. My 70-year-old grandmother and I had to virtually carry her to the car. When she got home, I took her shoes off so I could put her to bed. I remember being sick to my stomach with worry when I took off her shoe to find a sock completely soaked with blood. She had apparently stepped on glass and hadn't even felt the cut because she was too high on pain pills. This is something no one, especially an innocent 10-year-old, should have to deal with.

My 12th birthday was the worst birthday of my entire life. I was supposed to have a pool party, but my mom did not show up to pay for it, so my 16-year-old sister had to step in. There was no food or drinks because my mom was supposed to handle all of that for me. When she finally showed up at the end of my party, equipped with her unbelievable excuses, her eyes were bloodshot and rolling around in her head. I was hurt, but I was mostly embarrassed that people felt so sorry for me. Everyone knew my mom was a drug addict and everyone always pitied my sister and me for the life we had to live. Yet again, my mother chose her beloved high over me.

My mom's battle with drug addiction did not stop there. She went on to rehab again and jail several more times. When she wasn't home, I would search her room and find Xanax, Lortab, Oxycodone, and many other unknown pills. Nearby, I would always find cut up straws or even parts of a tampon applicator. She was creative, to say the least. When I was in 9th grade, my mom went to jail for stealing. She would get super high and then go into stores and steal ridiculous things like hair scrunchies, makeup, and

whatever else she could get her hands on. I didn't know she was going to jail until two days before she left. She had been depressed and in her bed sick (probably going through withdrawal) for several days. She finally told me that she would be going to jail the day after Christmas. Once again, I would be without a mom. She was in jail the remainder of my 9th grade year until the end of my 10th grade year. I don't know how I passed the 9th grade. I failed almost every class except English and I would have failed that one too if it hadn't been for such an amazing teacher who helped me overcome so much.

My mom went to jail for stealing again while I was in college, and my ex boyfriend had to bail her out of jail. I had a baby via C-Section less than a year ago. My mom and I were starting to have a relationship for the first time in my entire life, but drug addiction would soon ruin it for the millionth time. I was given pain medicine after having my baby and I was terrified to take it because of what I have lived through. I only took it when I absolutely had to, but I was in so much pain. My mom had just been to visit and I never thought to move my pain medication because it was in my bedroom out of sight. The next day I was lying in bed with my two week old baby and I was having terrible pains due to my incision. I reached to the end of the table for my pain medicine. When I opened the bottle, there was only one pill left. I had 8 pills when my mother came to visit and she took 7. My mom finally admitted to stealing my medicine and I refused to talk to her for months.

In November, I received a phone call from my sister telling me the neighbor called and my mom was having a heart attack. When the paramedics arrived they couldn't find a pulse or a temperature. They flew her to the closest town and they had to shock her because her heart stopped. They found narcotics in her system and I will forever believe that years of using drugs is the reason for her heart attack. She spent a month in the hospital. I believe she may be drug free now, but I will never fully trust her. I can't. Each time I call and she doesn't answer, I picture her high somewhere stumbling around.

I could give endless anecdotes and examples of how drug addiction ruined my life, but I don't think I can ever adequately describe what prescription drugs robbed me of. The only thing worse than not having a mother at all is having a mother who chooses drugs over you. Something needs to be done in West Virginia, where the prescription drug abuse is only going to get worse. All addicts have to do is go to a pain clinic and fool the doctors to receive medication. I know too many people who have easy access to drugs because of corrupt doctors in the area and because the pain clinics are not effective. I can only pray the problem is addressed and that my son doesn't have to grow up in an area so overtaken by drug abuse.

Sincerely, a drug addict's daughter.

I know the Presiding Officer has received these same letters, these same circumstances we live with every day. If someone doesn't rise up and say "Enough is enough; we have to stop this abuse," it is going to be an epidemic that is going to ruin this country.

I go to schools and tell them, there is not another country in the world that believes they can take on the United States of America militarily or economically. We are the greatest Nation. We are the hope of the world. Guess what. They don't believe they have to.

They are going to sit back and watch. If we don't have education and we don't have skill sets because of a lack of education attainment, and if we are addicted, if we don't have a clean society, we are not going to be able to be the superpower.

We can't let this generation down. We can't let it fail. I will be coming here every chance I get to read letters from West Virginians to let my colleagues know the epidemic that is going on, the ravaging that is happening in my State and taking away precious lives, whether directly or indirectly, through a child or a parent.

I am hoping we can all change the FDA's direction, that we can get somebody in there that will change the culture of the FDA that will protect us and fight for us and not for the business plan of pharmaceuticals.

Thank you, Mr. President.

I yield the floor to my good friend from Nevada.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Nevada.

Mr. HELLER. Mr. President, I rise today to discuss the bill before us.

Energy and mineral development has been one of the central pillars of the Nevada economy, even before it joined the Union. The discovery of the Comstock Lode transformed the State as miners rushed in and boom towns like Virginia City and Austin were born.

Today we are a world leader in mineral production while being at the forefront of national efforts to implement a 21st century "all of the above" energy strategy. The Silver State produces over 80 percent of the gold and nearly 25 percent of the silver mined domestically. Mining contributes more than 13,500 jobs in Nevada alone, adding \$6.4 billion for our State's gross domestic product annually.

Nevada's renewable energy resources are among the best our Nation has to offer. Over 2,300 megawatts of renewable energy projects have come online, roughly enough electricity to power over 4.6 million homes. In total, more than 23 percent of the State's total electricity generation comes from renewables.

Our State is not only leading the way on clean energy production, it is a hot bed for the research and development on energy efficiency and other alternative technologies that are critical to our Nation's energy future. Tesla's development of its battery gigafactory at the Tahoe Reno Industrial Center and Faraday Future's recent announcement to build its automotive manufacturing facility in North Las Vegas ensure that our State will be at the forefront of energy storage technologies and electric vehicles for years to come.

Energy is not only one of Nevada's but, overall, one of our Nation's greatest assets. But Congress has not enacted comprehensive energy legislation in a decade, so it is time to reform Federal policies to reflect the energy and natural resource challenges of the 21st century.

I commend the majority leader and the chairman of the Energy and Natural Resources Committee who have made energy policy modernization a focus for the 114th Congress. In our first week, we advanced the Keystone XL Pipeline legislation and energy efficiency legislation. In the final days of 2015, we enacted a tax deal which included important policies I fought for and which facilitated renewable energy production while lifting the crude oil export ban. And this week we are focusing on a bipartisan Energy Policy Modernization Act.

I appreciate the hard work of the bill managers, Energy and Natural Resources Committee Chairman MURKOWSKI and Ranking Member CANTWELL, who have put the time in to bring this proposal to the Senate floor. My colleagues all have a wide range of ideas on energy and environmental policy, and often these debates can become bitterly partisan. So both Senators should be commended for approving a bill out of the Energy and Natural Resources Committee by a bipartisan vote of 18 to 4.

In the committee process, I worked with both Senators to incorporate a couple of my stand-alone bills focused on streamlining mine permitting and the exploration of geothermal resources, the Public Land Job Creation Act, S. 113, and the Geothermal Exploration Opportunities Act, S. 562, into this bill. I thank them for that, and I hope to continue to process amendments that modernize Federal energy policy.

I have filed a variety of amendments aimed at spurring innovation, boosting job creation, increasing domestic energy and mineral production, and rolling back some of these burdensome regulations. One has already passed the Senate, and I hope the others will be included as well.

I have put forth two bipartisan proposals with my colleague from Rhode Island, Senator JACK REED, focused on energy storage. Technological developments in energy storage have the potential to be a game changer for the electric grid, benefiting the reliability and efficiency of the overall system. Our first amendment simply adds energy storage systems to a list of strategies that States should consider in an effort to promote energy conservation and promote greater use of domestic energy. The second, which passed the Senate by voice vote on Monday night, enhances the Department of Energy's ability to use existing research dollars to develop state of the art technology that can make our electricity grid faster and much more reliable. Energy storage will play an important role in our Nation's long-term energy strategy.

My Public Lands Renewable Energy Development amendment, which I filed along with Senators HEINRICH, GARDNER, RISCH, TESTER, WYDEN, UDALL, and BENNET, is an initiative I have been working on for many years. It rec-

ognizes that in our Western States, there are millions of acres of public lands suitable for the development of renewable energy projects, but uncertainty in the permitting process impedes or delays our ability to harness their potential. In a State like Nevada, where over 85 percent of our land is controlled by Federal landlords, improving this permitting process is vitally essential.

Our amendment does just that. It streamlines and improves the permitting process for utility-scale geothermal, wind, and solar energy on Federal lands so that the West can continue to lead the Nation in clean energy production.

To advance this amendment, Senator HEINRICH and I had to drop one of the important components of the proposal—provisions that would repurpose revenues generated by these projects to ensure our local communities benefit and to support conservation projects that increase outdoor recreation activities such as hunting, fishing, and hiking.

In the West, where Federal lands are not taxable and outdoor recreation is an important part of our way of life, these provisions are vital, and I hope we can find a path forward for this concept in the near future.

While recent developments on battery storage, renewable energy production, and alternative fuel vehicles is exciting, I want to remind my colleagues that without a domestic supply of critical minerals like gold, silver, copper, and lithium, they all would not be possible. Far too often we take for granted that we need these important resources to manufacture those technologies and devices that are now part of our everyday lives, such as our smartphones, our computers, and our tablets.

I have worked with Chairman MURKOWSKI and others on comprehensive mining legislation over the past few years, and I believe it is key to our economy and our Nation's security that those policies are part of this comprehensive package. I appreciate that our American Mineral Security Act is one of the titles of the bill that is now before the Senate.

One of the biggest issues facing domestic mining—not just mining but all natural resource development—is overly burdensome regulations. If our Nation is truly going to capitalize on our domestic production potential, we need to rein in the Environmental Protection Agency.

Outside of the IRS, the two Federal agencies that draw the most ire from my constituents are the EPA and the BLM. Under this administration, the EPA is continuing down a path of destroying the balance between appropriate environmental oversight and overreaching regulations that lead to further economic gridlock. That is why I put forth an amendment that would block the EPA from finalizing one of their biggest attacks on domestic re-

sources production, a rule to impose new financial assurance fees.

If implemented, these requirements would further de incentivize capital investment in the domestic mining industry. New Federal requirements would be duplicative of financial assurance programs already in place at both the State and Federal level.

The EPA has made it clear that their push on hard rock mining is the first of many of its plans to develop on various natural resources industries, such as chemicals, coal, oil, and gas development. My amendment would prohibit the EPA from developing, proposing, finalizing, implementing, enforcing or administering new financial assurance regulations on natural resources development.

I have also teamed up with my friend and colleague, Environment and Public Works Committee Chairman JIM INHOFE, on my EPA accountability amendment. This amendment mirrors a bill that I introduced in the first weeks of this Congress and was adopted by voice vote as part of the House Energy bill—the North American Energy Security and Infrastructure Act.

The EPA often ignores longstanding statutes that require them to improve their own regulatory coordination, planning, and review. Simply put, my amendment asks the EPA to abide by its own rules. Without oversight, the EPA has the authority to issue unprecedented regulations that could wreak havoc on our energy policy and prices. Energy costs seep into every aspect of American life, and it is past time we stopped the EPA in its tracks.

Again, I want to thank Leader MCCONNELL. I want to thank Chairman MURKOWSKI and Ranking Member CANTWELL for working with me on my comprehensive Energy bill policies. I hope we can take up these amendments and have them included in the final version of the bill, which I am confident will pass the Senate. These commonsense initiatives will go a long way toward ensuring an affordable, secure, and reliable energy supply for our country.

Mr. President, thank you, and 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. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. CARDIN. Mr. President, I take this time as the ranking Democrat on the Senate Foreign Relations Committee to bring to the attention of my colleagues the number of nominees in important foreign policy areas that have been acted on by the Senate Foreign Relations Committee but have not been acted on by the floor of the Senate.

There are currently 15 nominees that have been recommended favorably by the Senate Foreign Relations Committee, and in most of these cases, they were unanimous votes in the Committee. I am confident to say that in each of these cases there has been no question raised as to the qualifications of the individuals to fill these particular positions. We are talking about senior members of the State Department diplomatic team. We are talking about Ambassadors in countries around the world. We are talking about people who have extremely important positions with regard to our national security. These positions are critically important to our country, and they have remained vacant in some cases for over a year. It has been a long period of time that we have not acted on these nominations.

The reason we have not acted on these nominations, quite frankly, is because there is a Member in the Senate, or more than one Member of the Senate, who has put what is known as a hold on these nominations. What that means is that a Senator has indicated that he or she is going to object to the consideration of the nomination on the floor. That is normally done in order to get a little bit of attention on an issue, and it is my understanding that in each of these cases, these holds have nothing to do with the qualifications of the person for the position to be filled, but it is to give the Member an opportunity to get some help on other issues or to raise other concerns.

Here is the problem. In some cases these holds have been in place for over a year. In some cases we are talking about several months that a position has gone unfilled because of the hold.

How can we overcome that? We can overcome that by a Senator releasing the hold, allowing a nomination to come to the floor for a vote. In many cases, I expect, it will be by unanimous consent, since there has been no objection raised, and we can move forward with the nomination.

Quite frankly, it is the majority leader—the Republican leader—who controls the agenda of the floor of the Senate. The majority leader can move to executive session, file a cloture motion, and if 60 Members of the Senate want to move forward with the nomination—and I expect that in each one of these cases we are probably talking about almost unanimous votes in the Senate for these nominations—we would pass a cloture motion. After the hours have passed, we would have an up-or-down vote on the nomination.

If the majority leader were to announce that we would have a cloture vote on a Thursday or Friday and we would stay in over a weekend in order to finish a nomination, which is typically the case here, we would get it resolved before we left for the weekend. As you know, we have been completing our work on a Thursday. There is plenty of opportunity to take up nominations. We have extensive periods of

time that we are in State work periods. There are plenty of opportunities for us to take up nominations on the floor for votes. All we need to do is say: Look, by this date certain, if we don't have your answers, we are going to a cloture vote. It would certainly move a lot of these nominations.

This Senator thinks it is unacceptable that 15 of our positions right now are going unfilled because of holds by Members of Congress. I think we have a responsibility to act. I am talking about positions on OPEC. I am talking about the IMF. I am talking about Ambassadors to the Bahamas, Trinidad and Tobago, Mexico, Norway, and Sweden. I am talking about the U.S. representative to the IAEA. I am talking about the Under Secretary of State. I am talking about Ambassadors to Luxembourg and Burma. There is a whole list of nominations that have gone unfilled.

What does this mean for our country? Well, if you don't have the Under Secretary of State for Political Affairs—that is the No. 4 person in the State Department. That is the person directly responsible for all the regional bureaus—for Europe, the Middle East, East Asia and the Pacific, for our hemisphere, for Africa. We don't have the principal person in the State Department confirmed for those regional concerns. That is a national security risk by not having a confirmed person for Under Secretary of State.

My colleagues are quick to be critical if they don't believe the administration is responding quickly enough to certain concerns. For us not to respond for months on critical positions, to me, is compromising our national security.

But it goes beyond that. In bilateral relationships with countries, the fact that they don't have a confirmed ambassador speaks volumes to that country's belief as to how important we think that relationship is.

So if we are talking about a U.S. businessperson from South Carolina or Maryland who is trying to do business in Trinidad and Tobago and there is no confirmed ambassador, that person is at a disadvantage by not having a confirmed ambassador in that situation. If we are talking about a family member who is trying to deal with a family issue in Norway and we don't have a confirmed ambassador, that makes it more difficult for us to be able to represent our constituents because our No. 1 person, our head of mission, has not been confirmed. So it affects our ability to strengthen bilateral relations, it affects our national security, and it is absolutely wrong.

I want to make one thing clear. It is an honor to serve on the Senate Foreign Relations Committee, and it is an honor to be the ranking Democrat. Senator CORKER, the chairman of that committee, and I work very closely together. I am proud of the record of the Senate Foreign Relations Committee under Senator CORKER's leadership. We

have reported out these nominations in a timely manner. We have gathered information about the person's qualifications. We have questioned the person. We have gone through the confirmation process to make sure this body carries out its constitutional responsibility to approve Executive nominations. We take our work very seriously, but we do it in a timely way. We act in a timely way. Senator CORKER was responsible for these nominations getting out of the committee promptly, but until the Senate acts, the person can't take on the responsibility.

Now it is the responsibility of the Senate. That is why I call upon my colleagues who have made objections to withdraw those objections. They have been there for months. Let's move forward. If they don't, I would ask that the majority leader give us time for a cloture vote or at least announce a cloture vote. If we did that, I would think these nominations would comfortably move forward.

Some of my colleagues are on the floor, and they are going to talk about specific nominees. I will yield to them shortly, but if I might, I am going to raise 2 of the 15 today. I will do others at other points, but I am going to talk about two of the nominees and I could talk about a lot more.

I want to talk about Tom Shannon for Under Secretary of State for Political Affairs. I want to tell the American people more about the qualifications of Ambassador Tom Shannon and the important post for which he has been nominated.

The Under Secretary for Political Affairs is the State Department's fourth-ranking official, responsible for the management of the six regional bureaus of the Department as well as the Bureau of International Organization Affairs. This is a tremendously important leadership post on key national security issues.

Ambassador Tom Shannon, a career member of the diplomatic corps—he is a career diplomat, serving under both Democratic and Republican administrations—is held in universal respect and esteem by his colleagues and has been nominated to this position. He is strongly supported by both Democrats and Republicans on the Foreign Relations Committee.

I have twice spoken on the floor to ask for unanimous consent for Ambassador Shannon, and I am proud to again ask for his confirmation because few diplomats have served our Nation under both Republican and Democratic administrations with as much integrity and ability as Ambassador Shannon.

In his current role as Counselor with the Department, he provides the Secretary with his insight and advice on a wide range of issues. His previous service is formidable. He was our Ambassador to Brazil, was Assistant Secretary of State and Senior Director on the National Security Council staff for Western Hemisphere Affairs, and also

served in challenging posts in Venezuela and South Africa, among others. He is a career diplomat, giving his life to the Foreign Service. As I said, he has served different Presidents for over 30 years. He should be confirmed today.

Mr. Shannon has been waiting on the floor of the Senate for confirmation for 125 days.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 375, which is Thomas A. Shannon, Jr.; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CARDIN. Mr. President, let me now bring to the Chair's attention John Estrada to be our Ambassador to Trinidad and Tobago. John Estrada has been waiting for confirmation on floor of the Senate for 217 days.

The Republic of Trinidad and Tobago in the Caribbean has been used as a way station for drug smugglers who are shipping their products to the United States, which has caused steadily increasing violence and drug activity. We all talk about the War on Drugs. We need a confirmed ambassador if we are going to have all hands on deck in our campaign to keep America safe. In 2015, the State Department gave the island nation the crime rating of "critical."

We need an American of impeccable standing who commands wide respect both here and in the United States and in Trinidad and Tobago itself to effectively represent our interests there. We are very fortunate that the President has nominated John Estrada, a leading business executive and a former 15th sergeant major of the Marine Corps.

Mr. Estrada has a compelling American story. He was born in Trinidad and Tobago and immigrated to the United States when he was only 12 years of age. Mr. Estrada served in the U.S. Marine Corps for 34 years. In 2003 he was made sergeant major of the Marine Corps. I want to make sure my colleagues understand just what an honor that is. It is the ninth highest enlisted rank in the Marine Corps. The sergeant major is the senior enlisted adviser to the Commandant of the Marine Corps and a singular honor. Only one marine is chosen every 4 years to serve as sergeant major. For Mr. Estrada to be chosen as the 15th sergeant major of the Marine Corps is a testament to the degree of trust and confidence the Marine Corps has in his abilities and skills. Mr. Estrada truly exemplifies the Corps' bedrock values of honor, commitment, and courage.

While such virtues are their own rewards, Mr. Estrada's achievements

have been repeatedly recognized over the course of his military service. He received the Distinguished Service Medal in 2007, the Bronze Star Medal in 2003, and the Meritorious Service Medal in 1998, 2000, 2001, and 2003. There are over 50 more honors he earned that I could tell my colleagues about.

The qualification of this highly accomplished nominee remains unchallenged, nor has any objection been advanced due to his experience for the post he is to take. He has twice been favorably reported from the Senate Foreign Relations Committee by unanimous support. I have expressed my disappointment and confusion as to why we have not moved forward with Mr. Estrada.

We all speak whenever we can to say thank you to the men and women who have worn the uniform of this country to preserve the freedom of America. Here is an individual who has devoted his entire life to defending America, his entire life to defending our country. He has accomplished extraordinary results as a member of the Armed Forces and now is prepared to serve our country in a very difficult position where law enforcement is desperately needed. It is for that reason that I would hope that after 217 days, my colleagues would be prepared to vote on this nominee.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 329, John L. Estrada to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Trinidad and Tobago; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I acknowledge that Senator KLOBUCHAR is on the floor. I know she has nominations that she wants to bring to the attention of our colleagues. I thank Senator KLOBUCHAR for being on the floor. She has been very much involved in our nominees, particularly for Norway but also Sweden. I thank her for her leadership in bringing these nominations to the attention of the Senate Foreign Relations Committee and for the work she has done to advance these nominations. She has been steadfast in the need for us to act on these nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator CARDIN and Senator

CORKER for their leadership and their bipartisan work to get these nominees through the Senate, as well as Senator MCCONNELL and Senator REID, who have been supportive of getting this done.

In fact, both of the nominees I am going to talk about for the important allies of Norway and Sweden may be a little bit of a surprise to everyone in the Chamber. The 11th and 12th biggest investors in the United States of America come from companies in Norway and Sweden, which are two of our biggest allies.

What is going on here? Well, this is actually the third time I have come to the floor this year urging Senator CRUZ to remove his hold on these two nominees so that the Senate can move forward and fill these two vital diplomatic vacancies. Various reasons have been raised by him, both to colleagues and then publically.

I was hopeful. I know negotiations are going on, so I always give room for that. But this is not related to these two countries or these two people. I think that is important to remember. Often, our fights are about a particular post because of the post or a particular nominee. That is not what this is, so I am hopeful that this gives us more room to negotiate.

So what is going on here? Well, Norway has been without a confirmed ambassador for 859 days. There was an original nominee who did not work out, was withdrawn by the administration. Then this new nominee was put in and went through the committee without a problem, unlike the first nominee. It still remains that when you are in Norway—and a lot of Norwegians know about this—you haven't had an Ambassador from the United States of America for 859 days. You have ambassadors from Russia, China, but not from the United States of America. In the case of Sweden, it has been 468 days since the President nominated Azita Raji to be ambassador—again, someone who came through our committee without controversy. It is past time to get these nominees confirmed.

We need a U.S. Ambassador in Norway who is deeply committed to strengthening the relationship between our two countries. Sam Heins is our nominee. He is from Minnesota. He is the right person for the job, in addition to being an accomplished lawyer. He has demonstrated his devotion to leadership in the cause of advancing human rights. He founded, organized, and served as the first board chair of the Advocates for Human Rights, which responds to human rights abuses throughout the world. Obviously, this is something Norway cares a lot about, so he is a good fit for this country, not to mention that he is from Minnesota, the home of 1.5 million people of Norwegian descent, more than any other place in the world next to Norway.

Now we go to Sweden. Azita Raji is also an incredibly qualified nominee. She is a philanthropist, a community

leader, and a former business leader. She served as a member of the President's Commission on White House Fellowships, director of the National Partnership for Women and Families, and a member of the Bretton Woods Committee, an organization that supports international finance institutions.

These are qualified nominees, but you don't have to take my word for it. Here is what Senator TOM COTTON, a Republican colleague of the Presiding Officer's, said about Sam Heins and Azita Raji:

I believe both [nominees] are qualified . . . and we have significant interests in Scandinavia. My hope is that both nominees receive a vote in the Senate sooner rather than later.

He said this in part because for a while he had a hold. He resolved those issues. Senator COTTON has said he thinks these two nominees are no problem. As we know, the other Republicans on this committee have not raised any objections. They are right. We have significant interests in Scandinavia, and leaving these key positions vacant is a slap in the face to Sweden and Norway, which are two of our best economic and military allies.

In a December New York Times op-ed, former Vice President Walter Mondale—himself of Norwegian descent—highlighted the U.S. national security interest in confirming these nominees, saying: “[I]n a time of dangerous international crises, we need to work with friends and allies, using all the tools of diplomacy.” Vice President Mondale understands that now is not the time to forsake a 200-year-old diplomatic relationship.

Norway and Sweden share a vital security partnership. Norway is one of our country's strongest and most dependable international allies, a founding member of the NATO alliance, and its military works with the United States. This is key to my colleagues who care about the aggression of Russia.

Norway works with us in standing up to Russia's provocations in the Ukraine and in countering ISIS, the spread of violence, and Islamic extremism. May I say that Norway actually has a portion of its border that it shares with Russia.

Norway is also playing an important role in addressing the Syrian refugee crisis. It expects to take in as many as 25,000 refugees this year. It has already provided more than \$6 million to Greece to help respond to the influx of refugees seeking a way to enter Europe.

I would also add from a military standpoint that Norway recently purchased 22 more fighter planes—22 more fighter planes, bringing their total to over 50—from Lockheed Martin, based in Senator CRUZ's district in Fort Worth. That is where these planes are being built, and they are worth nearly \$200 million apiece. That is what Norway is investing in the United States. They deserve an ambassador.

Sweden, like Norway, plays an important role in our national security. Sweden is a strong partner in our fight against ISIS, in our attempts to curb North Korea's nuclear program, in supporting Ukraine against Russian aggression, and in promoting global democracy and human rights.

Sweden is also on the front lines of the Syrian refugee crisis. More than 1,200 refugees seek asylum in Sweden every day, and Sweden accepts more refugees per capita than any other country in the EU.

All of us on both sides of the aisle have talked about the importance of a strong Europe during this very difficult time. Yet every other major nation in Europe has an ambassador except for Sweden and Norway.

So I ask my friends and colleagues on the other side who are not obstructing these nominations to help us work this out with Senator CRUZ because this has gone on for far too long. This isn't a joke. These are two major allies.

We also have economic relationships. As I mentioned, Norway represented the fifth fastest growing source of foreign direct investment in the United States between 2009 and 2013—that is in the world—and is the 12th largest source of foreign direct investment in the United States overall. Maybe they are too quiet about it and people don't realize it. We would never think of blocking an ambassador to England or to France, but right now the ambassadors to these two countries are being blocked.

There are over 300 American companies with a presence in Norway. By not having an ambassador in Norway, we are sending a message to one of the top investors in the country: Sorry, you are not important enough to us to have an ambassador in your country. But all the other major nations have an ambassador. In October, as I mentioned, they reiterated their commitment by buying all those fighter planes from the State of Texas, from Lockheed Martin.

Norwegian Defense Minister Espen Barth Eide said Norway's F-35 purchase marks “the largest public procurement in Norwegian history.” It has been 30 years since Norway ordered new combat planes, and instead of choosing a European manufacturer, whom did they choose? They chose a manufacturer in the United States, right in Texas. Do you think those other European countries don't have Ambassadors in Norway? They do. I hope Senator CRUZ and his friends are listening to this right now because they chose to buy those planes from the United States, right from his home State of Texas.

Sweden, like Norway, is also one of the biggest investors in the United States. Sweden is the 11th largest direct investor in the United States. Swedish foreign direct investment in the United States amounts to roughly \$56 billion and creates nearly 330,700 U.S. jobs. The United States is Swe-

den's fourth largest export market, with Swedish exports valued at an estimated \$10.2 billion. Sweden, like Norway, deserves an ambassador.

Scandinavian Americans are understandably frustrated by the fact that Senator CRUZ is obstructing these nominees. As the Senator from a State that is home to more Swedish Americans and Norwegian Americans than any other State, I know it because I hear it every day. I hear it from people across the country, and most importantly, I hear it from the Foreign Minister and others in countries who are waiting to get an ambassador.

So, again, we have an ambassador in France, we have one in England, and we have one in Germany. We have an ambassador in nearly every European nation but not in these two key Scandinavian countries.

There is really no doubt about the important relationship between our country and Norway and Sweden. We need to confirm Sam Heins and Azita Raji immediately.

I do appreciate the support of nearly every Republican Senator for these nominees, the support of the chairman of the Foreign Relations Committee, Senator CORKER, the great leadership of Senator CARDIN, the leadership of Senator REID and Senator MCCONNELL on these issues, and the leadership of my colleague Senator FRANKEN whom we will hear from shortly. It is time to get these done.

I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 263; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. KLOBUCHAR. I note that Senator LEE, as I assume he did with the other objections, was making this objection on behalf of Senator CRUZ and that, secondly, that was the Ambassador to Norway whom I asked consent for.

I now ask unanimous consent for the Ambassador to Sweden.

I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 148; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. KLOBUCHAR. I believe we will now hear from Senator FRANKEN, my colleague from the State of Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, that is too bad. There is no one else in this body who believes that Sam Heins shouldn't be Ambassador to Norway or that we shouldn't be sending an ambassador to Norway, and/or that Azita Raji wouldn't be perfect to be Ambassador to Sweden. This is really a shame. It is another sad moment, frankly.

Let me talk a little bit about Sam Heins. Sam is from Minnesota, home of more Norwegian Americans than any other State. I think we have more Swedish Americans, as well, than any other State. Norway is an important NATO ally, as Senator KLOBUCHAR so ably put it. We coordinate on important security issues. We have important collaborations in Minnesota among our universities and in the private sector in this country on research projects, renewable energy, health care, and other areas.

Confirming an ambassador to Norway—especially such a highly qualified ambassador—is especially important to the people in my State. More than 20 percent of Minnesotans trace their ancestry to Norway. There are more Norwegian Americans living in Minnesota than any other State.

Sam Heins is a very distinguished Minnesotan who has worked on behalf of women's rights, human rights, and victims of torture. We have a center in Minnesota for victims of torture. It is a shining example of our State and of our country.

Sam has been nominated to serve as our next Ambassador to Norway. He is being blocked, unfortunately, for reasons that are totally unrelated to his qualifications. I believe that blocking this nominee from confirmation is completely irresponsible. As I said, Norway is an important ally, and it is in our mutual interests to have an ambassador to Norway who represents the United States. I hope the next time we do this, we can get unanimous consent.

This is unfortunate, and I think it has not been done in a way that is consistent with the protocol of the Senate in terms of Senators creating conditions for the lift of a hold and then changing what that position is. I think that is too bad.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am here to join my colleagues because I share the concerns they have expressed so eloquently about the failure of this body to act on the nominees whom they have been talking about. But the other nominees, particularly the 27 national security nominees who are pending on the floor of the Senate—these nominees are not being held up due to concerns about their qualifications or

their experience. As my colleagues have said, they are being held up for political reasons—political reasons that are often wholly unrelated to the nominee, and in most cases they are being held up by just one Member of this body.

I find it particularly ironic that, in many cases, they are being held up by a Member of this body who is out on the campaign trail, campaigning for President. He is not here dealing with the work of this country and not here fighting to address the national security of this country by making sure that we confirm these nominees. So I am disappointed that, once again, we see my colleague from Utah here on his behalf to object to our efforts to move forward with these unanimous consent requests for Tom Shannon, John Estrada, Azita Raji, and Samuel Heins.

As Senator CARDIN noted, I want to begin with Ambassador Shannon, because Ambassador Shannon would fill one of the most senior positions at the State Department as the Under Secretary for Political Affairs. He would be responsible for working with the Europeans on implementation of the Iran agreement, on coordinating the G-7 to combat Russian aggression, as well as providing daily oversight and direction to all of the Department's regional bureaus.

We had a hearing this morning before the Foreign Relations Committee, talking about the strains on the European Union and the implications for American foreign policy. One of the things our witnesses who were testifying on behalf of the majority and the minority discussed was the challenges we are facing from Russian aggression. I am sure we all appreciate that in this body. The fact that we are holding up Ambassador Shannon, who would be responsible for coordinating the G-7 response to Russian aggression, is just hard to fathom. I don't get it. I don't understand why anybody in this body would want to hold up the appointment of one of the key leaders of the team to fight Russian aggression.

Ambassador Shannon is clearly qualified for the job. He is a career Foreign Service officer. He has served with distinction in five administrations—two Democratic and three Republican. He was nominated for this position in September. He had his confirmation hearing in October. He was unanimously approved by the Senate Foreign Relations Committee, and now he has been waiting 98 days for the full Senate to act on his nomination.

There isn't much I can add to the outrage and eloquence of my colleagues from Minnesota, Senator KLOBUCHAR and Senator FRANKEN, who talked about their frustration at the holdup in confirming Azita Raji, who has been waiting 398 days—over a year—to be Ambassador to Sweden; Samuel Heins, who has been waiting 265 days to be Ambassador to Norway.

Again, I would go back and point to the hearing we had this morning before

the Foreign Relations Committee, where one of the issues that our witnesses testified to was the importance of working with our Scandinavian allies as we look to combat Russian aggression. Here we are. And I said: So, what does it mean to Sweden and Norway that we have been holding up the nominees to be Ambassadors to those two countries—one for over a year and one for almost a year? And they said: It sends a very bad message to Europe, at a time when Europe is challenged, that we don't care what is going on in Sweden and Norway.

In 1914, Norway, a NATO ally, scrambled their F-16 fighters 74 times to intercept Russian warplanes. They are there on the frontlines helping to fight Russian aggression. Where are we in the Senate? We can't even confirm the Ambassador to Norway because we have one person in this body who doesn't care enough about the national security of this country to be here to help make sure this person gets confirmed. That is not acceptable.

I also want to talk about two other nominees whose qualifications are unquestioned. Yet they remain unconfirmed. Brian Egan is the President's nominee to be a principal advisor to the State Department and the Secretary of State on all legal issues, domestic and international. This role includes assisting in the formulation and implementation of the foreign policies of the United States and promoting the development of law and institutions as elements of those policies. It is something that is very important, especially as we look at some of the countries that are being threatened now by Russian aggression—Ukraine, Georgia, and Moldova.

Mr. Egan's qualifications to hold this position are clear. He began his career as a civil servant and government lawyer in the office of Secretary of State Condoleezza Rice. He subsequently worked at Treasury, at the National Security Council, and as a Deputy Assistant to the President.

He was nominated more than a year ago—384 days to be exact. He was unanimously approved by the Senate Foreign Relations Committee in June. Yet he is still in this "hold" position because of one or two individuals in this body for reasons unrelated to his qualifications.

Mr. President, at this time I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 204, Brian James Egan to be Legal Advisor of the Department of State; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Mr. TOOMEY). Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.



The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Again, that is disappointing. Again, it is unfortunate that somebody who has served so honorably in both Republican and Democratic administrations is being held up for reasons totally unrelated to his qualifications and to the job he would do at the Department of State.

UNANIMOUS CONSENT REQUEST—PRESIDENTIAL NOMINATION

I know that many Republicans in this body are as outraged as we are about the holdup. I hope they will act with us to move these nominees. One of those people is still being held up, this time by the Banking Committee, which has refused to schedule a vote on the nomination of Adam Szubin to be the Treasury Department's Under Secretary for Terrorism and Financial Crimes. This position leads to policy, enforcement, regulatory, and intelligence functions of the Treasury Department aimed at identifying and disrupting the lines of financial support to international terrorist organizations, proliferators of weapons of mass destruction, narcotics traffickers, and other actors who pose a threat to our national security or foreign policy. This position is critical, as we look at legislation that we are talking about taking up next week with respect to sanctions on North Korea, with respect to continued sanctions on Iran, on Russia, to other bad actors, to terrorists who are out there. Mr. Szubin is extremely well qualified for this position. He has served in both Republican and Democratic administrations.

He was nominated 294 days ago. Yet even Banking Committee Chairman SHELBY called Szubin "eminently qualified" during his September confirmation hearing. The fact that the committee has not held a vote and the Senate has not confirmed him lessens his ability to influence our allies and to undermine our enemies around the world, which is what we want to happen. If we are worried about our ability to enforce sanctions, if we are worried about the national security of this country and one of the weapons that we have to use to protect this country, then we ought to be confirming Adam Szubin.

It is very disappointing that my Republican colleagues continue to object and that my colleague from Utah is here on behalf of Senator CRUZ from Texas, objecting to moving forward. Even though I understand that he is going to object, I am going to put forward another unanimous consent motion because I think we need to come back here every day from now until the end of this session and ask unanimous consent to move forward on these nominees because it is unacceptable that we are still here at this time without confirming these people.

Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Banking Committee be discharged from further con-

sideration of PN371, the nomination of Adam J. Szubin to be Under Secretary for Terrorism and Financial Crimes; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, 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. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the senior Senator from Alabama, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Again, it is very disappointing that the objection has been made, this time on behalf of the Senator from Alabama, who is here, so it is disappointing that he is not on the floor to talk about what his objections to Adam Szubin are. I believe that refusing to move these nominations does a profound disservice not only to these Americans who have sacrificed to serve this country but to the national security of the United States.

I call on the majority leader to schedule votes on these nominees and other pending national security nominees to let the Senate do its job at a time when the world is facing national security challenges on a number of fronts. When nations are looking to the United States for leadership, we cannot afford to sideline ourselves by failing to confirm these important nominees.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FLINT, MICHIGAN, WATER CRISIS

Mr. PETERS. Mr. President, I rise today to urge my colleagues on both sides of the aisle to come together as we continue to seek a bipartisan path forward to help the people and the children living in the city of Flint, MI. Nearly 2 years ago, an unelected emergency manager appointed by Michigan's Governor changed the city of Flint's water source to the Flint River in an attempt to save money while the city prepared to transition to a new regional water authority.

After switching away from clean water sourced from the Detroit Water Authority, Flint residents began to receive improperly treated Flint River water, long known to be contaminated and potentially very corrosive. The result of the State government's actions

was and continues to be absolutely catastrophic. Flint families were exposed to lead and other toxins that will have lasting effects for generations. The ultimate cost of this misguided, dangerous decision will not be known for decades, but we now have a chance to begin to make it right.

Last week, Senator STABENOW and I introduced an amendment that would, one, provide water infrastructure funding for Flint; two, create a Center of Excellence to address the long-term public health ramifications of lead exposure; three, forgive Flint's outstanding loans that were used for water infrastructure that has now been damaged by the State's actions; and four, require the EPA to directly notify consumers instead of going through State and local regulators if their drinking water is contaminated with lead.

We have spent the last week working with Senator MURKOWSKI and Senator CANTWELL to find common ground and a path forward to provide some relief to the people of Flint as we consider this bipartisan energy legislation. These discussions are ongoing. They are happening as we speak now. But now is not the time to use procedural roadblocks to justify inaction.

Throughout the United States history, when a natural or manmade disaster strikes, the Federal Government has stepped in to help those in need. Hurricanes, superstorms, earthquakes, flooding, and a fertilizer plant explosion—those types of activities or incidents all across the Nation have received Federal assistance as communities come together to rebuild.

While the cause of this crisis and the ultimate responsibility to fix it lies with the State Government, we need to bring resources from all levels of government to bear to address the unprecedented emergency that we face. This is why I urge my colleagues to work with us as we continue efforts to make a down payment on the years of rebuilding and healing that Flint needs.

I was in Flint earlier this week, and while volunteering with the Red Cross to deliver bottled water from house to house, I heard directly from impacted residents. Months after the public became aware of the depth of this crisis, families still have questions: Can I use my shower? When will the water be safe? Will the pipes ever get replaced?

My question for this body is very straightforward. Who will stand up for the children of Flint? These children have been impacted the most by this crisis and through no fault of their own. I know we all have priorities that we care about in this Energy bill, but I simply cannot agree to move forward on action on this bill until we deal with Flint and help Flint rebuild to provide safe, clean drinking water.

This should not be a Republican or a Democratic issue. Clean water is, quite simply, a basic human right. Let's together show the American people that when a crisis hits any city in this country, we will stand with them.

America is a great country, and it is great because at times of difficulty, we all stand together as one people.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TRANS-PACIFIC PARTNERSHIP AGREEMENT

Mr. HATCH. Mr. President, later today, at around 5:30 p.m., DC time, U.S. Trade Representative Michael Froman and representatives from 11 other countries will meet at a ceremony to sign the Trans-Pacific Partnership, or TPP, Agreement. It is no secret that the TPP Agreement has the potential to do a lot of good for our country.

Taken as a whole, the 12 countries involved in this agreement had a combined GDP of \$28.1 trillion in 2012, nearly 40 percent of the world's total economy. In that same year, our goods and services exports to TPP countries supported an estimated 4 million jobs here in the United States.

According to the International Monetary Fund, the world economy will grow by more than \$20 trillion over the next 5 years and nearly half of that growth will be in Asia. This agreement, if done right, will give the United States a distinct advantage in setting the standards for trade in this dynamic and strategically vital part of the world.

It is also no secret that many stakeholders and Members of Congress, including myself, have some doubts as to whether the agreement meets the high standards necessary to gain congressional approval. I have expressed those concerns many times here on the floor and elsewhere. I won't go into any more detail about them today. Instead, I want to talk about what will happen after the agreement is signed.

Even though there is a signing ceremony in New Zealand today, that is not the end of the process for TPP in the United States. In fact, in many ways, we are really just beginning.

In the coming months, we will have ample opportunity to debate the merits of each and every provision of this agreement and to consider how it will impact workers and job creators in our country and how it will affect the health of our economy.

Today I will focus on the process by which Congress will consider and debate this agreement. I want to do so in part because I believe it is important that our people—including Members of Congress, the administration's stakeholders, and the media—have a full understanding of how this is going to work. All too often when a trade agreement is concluded or signed, the pundits, commentators, and lobbyists in this town immediately jump to one

question: When will Congress vote on it? I get asked that question almost every day. While I have offered my own opinions and occasional speculation about when would be the best time to have the vote, the fact of the matter is I don't know exactly when the vote will take place and no one else does either.

As we all know, last year Congress passed and the President signed legislation renewing trade promotion authority, or TPA, and setting out a series of timelines for Congress to consider and eventually vote on signed trade agreements. While I am quite sure that interested parties and observers have already pored over the text of the TPA statute to add up all the statutory timelines and have tried to calculate the exact date when Congress will vote on the agreement, that exercise is unlikely to yield an accurate result. Let me take a few minutes to explain why that is the case.

Under the TPA process, there are a number of milestones, checkpoints, and associated timelines that begin at the outset of negotiations, long before any agreement is reached. With regard to TPP, we have gone through several of those already. President Obama has determined—despite some concerns expressed by a number of sources—to take the next step in the process and sign the agreement.

Under the TPA statute, once an agreement is signed, the President has 60 days to provide Congress with a description of changes to U.S. law that he believes would be required under the deal. That is one of the more specific deadlines in the law. That 60 days is a maximum time period imposed on the administration, not on Congress.

Assuming the agreement does in fact get signed today, that information must arrive no later than April 3. On top of that, the statute requires the International Trade Commission—or ITC—to compile and submit a report on the likely economic effects of a signed trade agreement. That report must be completed within 105 days—another specific deadline of the signing date. For a deal signed today, that deadline is May 18.

So far I have just talked about deadlines or maximum time periods for compiling and submitting specific documents and materials, but once again those maximum timelines are imposed on the administration, not on Congress. After Congress receives the President's description of legislative changes and the ITC's economic analysis, the administration is required to provide to Congress the final text of the agreement and a detailed plan on how they intend to administer it. The exact date and timing by which the administration has to submit the final text of the agreement is not set out in the statute. Under established practices, the timing of that submission, like other relevant decisions in this process, is generally determined after close collaboration and consultation with leaders in Congress.

However, the TPA statute is clear that the final text of the agreement and the detailed administrative plan must be provided to Congress at least—and those two words are very important—at least 30 days before formally submitting legislation to implement the agreement.

This is one of the more important timelines in the statute, and it notably provides a floor, not a ceiling. It sets a minimum timeframe to ensure Congress has at least—there are those two words again—30 days to review all necessary information and documents before the implementing legislation is formally submitted to Congress.

I would like to point out that this minimum 30-day window is a new requirement. We included this requirement for the first time in the most recent TPA statute to provide increased transparency and ensure adequate consideration and debate in Congress. There are many additional steps that take place once Congress has all of the required information and before the implementing bill is formally submitted, and those steps each take time.

First, Congress, in consultation with the administration, has to develop a draft implementing bill for the agreement. Then the committees of jurisdiction will hold hearings to examine both the agreement and the draft legislation. Following these hearings, another very important step occurs: the informal markups in the Senate Finance and House Ways and Means Committees. Most people call this process “the mock markup.” The mock markup—which once again occurs before the President formally submits the trade agreement to Congress—is similar to any other committee markup. The committee reviews the draft legislation and has votes on amendments, if any are offered. If the Finance and Ways and Means Committees end up with different versions of the draft implementing bill, they can proceed to a mock conference to work out the details and reconcile any differences.

The mock markup process is well established in practice and is an essential part of Congress's consideration of any trade agreement. It is the best way for Congress to provide direct input—complete with vote tallies and on-the-record debates—to the President to demonstrate whether the implementing bill meets the criteria set out in the TPA statute and whether there is enough support in Congress for the agreement to pass.

After those steps are taken, a final implementing bill may be introduced in the House and Senate. Only after the final implementing bill is introduced is Congress under any kind of deadline to vote on the agreement. The votes must take place within 90 session days. You will notice the word “session.” Of course, in this case I am using the word “deadline” pretty loosely. The vote doesn't have to occur within 90 calendar days. It must take place within 90 session days, and only Congress can

decide when it is and is not going to be in session. Long story short, no one should be under any illusions that because the TPP is being signed today, an up-or-down vote on the agreement is imminent or that our oversight responsibilities are at an end.

If history has taught us anything, it is that this process can, and often does, take a very long time to complete. In fact, it is not an exaggeration or even all that remarkable to say that it can take years to get an agreement through Congress after it is signed. Historically speaking, the shortest period of time we have seen between the signing of an agreement and the introduction of the implementing legislation, which once again triggers a statutory deadline for a vote in Congress, is 30 days. That was with our bilateral trade agreement with Morocco. Needless to say, that agreement is an outlier and quite frankly it isn't a useful model for passing an agreement as massive as the TPP.

Other trade agreements, like our agreements with South Korea, Colombia, and Panama, took more than 4 years to see an implementing bill introduced in Congress, and that was 4 years from the time the agreement was signed, which is what is happening today with the TPP, and the time the clock started ticking for a vote in the Senate. Our trade agreement with Peru took 533 days or about a year and a half. Our agreement with Bahrain took just over a year. All of these, while significant in their own right, were bilateral agreements and paled in comparison to the size and scope of the Trans-Pacific Partnership.

The closest parallels to the Trans-Pacific Partnership we have in our history—and they are not really that close at all—are the North American Free Trade Agreement, or NAFTA, and the Dominican Republic-Central America Free Trade Agreement, or DR-CAFTA, both of which took more than 10 months. Once again, that wasn't 10 months between the signing day and the vote. That was 10 months between the day the agreement was signed and the introduction of the implementing bill, which triggers a required-yet-fluid timeline for a vote in Congress.

Of course, none of these timelines for previous trade agreements are all that illustrative because the TPP is nothing like our other agreements. By any objective measure, the TPP is a historic trade agreement without a comparable precedent. Its approval would be a significant achievement. That is all the more reason to ensure it gets a full and fair consideration in Congress, however long that process takes. All of us—on both sides of the aisle, on both sides of the Capitol, and on both ends of Pennsylvania Avenue—should be careful when we talk about timelines and deadlines for votes.

I am quite certain the President wants to get a strong TPP agreement passed as soon as possible. I personally share that goal, but Congress has a his-

tory of taking the time necessary to consider and pass trade agreements, and the process set out under TPA demands that we do so. Despite a number of claims to the contrary, Congress does not rubberstamp trade agreements, and we will not do so in this case. We cannot short circuit the process. With an agreement of this significance, we must be more vigilant, more deliberative, and more accountable than ever before. We need to take the necessary time to carefully review the agreement and engage in a meaningful dialogue with the administration.

If that occurs and if the administration is prepared to engage with our TPP partners to address new concerns, I am confident the TPP agreement can be successfully approved by Congress. That may take more time than some would like, but the process of achieving favorable outcomes in international trade is a marathon, not a sprint. There are no shortcuts. To get this done, we have to do the work and lay a strong foundation in Congress.

As I have said many times, the TPP is an extremely important agreement, and we need to get it done, but given that importance, we need to focus more on getting it right than getting it done fast.

Mr. President, millions of Americans depend on coal energy to heat their homes, power their electronics, and keep their businesses running. Coal is an indispensable asset in our Nation's energy portfolio. It accounts for nearly one-third of U.S. energy production and generates half of all our electricity today. Quite literally, coal keeps the lights on, but the Obama administration's war on coal could pull the plug on an industry essential to our energy needs.

America's coal miners have no greater antagonist than their own President. Ever since President Obama took office, he has deliberately targeted coal producers, subjecting them to onerous, job-destroying regulations that threaten our economic future. The administration's recently announced decision to halt coal leasing on Federal lands is just the latest assault in a calculated campaign to cripple the coal industry.

The President's moratorium on new coal leases undermines our ability to produce one of the least expensive and most reliable fuel sources at our disposal. The long-term consequences of this rule will be disastrous not only for coal companies and all of their employees but for any industry that depends on coal for its energy needs.

Beyond the economic costs of this extraordinary action, consider the human toll. The U.S. coal industry directly employs more than 130,000 people. These individuals are more than a mere statistic. They are real people with mortgages, car payments, and children to feed. They are honest men and women whose very livelihood depends on the future of coal.

Sadly, the President's moratorium puts their jobs in danger. As the junior

Senator from Wyoming observed, the administration's action effectively hands a pink slip to thousands of hard-working individuals across the Mountain West who work in coal production.

As Members of the legislative branch, we have a constitutional duty to check Executive overreach. With the amendment I have introduced, we have the opportunity to rein in the President's actions and protect hard-working American families from overly burdensome Federal regulations.

My amendment reasserts the authority of Congress in this matter by prohibiting the Secretary of the Interior from halting coal leases on Federal land without congressional approval. It also requires the Secretary to begin leasing Federal assets immediately pursuant to the Mineral Leasing Act of 1920.

If the Secretary wishes to enforce a moratorium on coal leasing, she must first provide a reasonable justification for doing so. To that end, my amendment requires the Secretary to submit to Congress a study demonstrating that a moratorium would not result in a loss of revenue to the Treasury. The study must also examine the potential economic impacts of a moratorium on jobs and industry. Once the House and Senate have had the opportunity to review this study in full, the Department of the Interior may suspend coal leasing on Federal lands if and only if Congress approves the action.

Mr. President, my amendment not only protects middle-class Americans from harmful government regulations, it also rightly restrains the President and his abuse of Executive power by restoring authority to the duly-elected Members of Congress, not unelected bureaucracies. I strongly urge my colleagues to support this amendment as we continue consideration of the legislation at hand.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### FLINT, MICHIGAN, WATER CRISIS

Ms. STABENOW. Mr. President, I want to talk again about the complete disaster, the catastrophe that has befallen a community in Michigan called Flint, MI, through no fault of their own.

We assume that when we turn on the faucet, we can make coffee, take a shower, make breakfast, take care of our children or our grandchildren, and that we are going to have safe, clean water. That has been a basic right in America. If you own a business, a restaurant, you assume you are going to be able to turn on the water and make the food and serve your customers. If you are a barber, you can turn on the

faucet and clean water comes out. That is basic in our country.

For 100,000 people in Flint, MI, the dignity of being able to turn on a faucet and have clean water has been ripped away. It started 20 months ago. They were lied to. They were told the water was safe. Finally, we are told it was not safe. People told them that somehow this brown water that smelled was safe—clearly not.

We now know that about 9,000 children under the age of 6 have been exposed in some cases to astronomical lead levels. There was one story about a home that was tested where the lead levels were higher than a nuclear waste dump. How would you feel if that were your house and somebody told you your children had been exposed to that? I can only imagine. I know how I would feel.

A little while ago I met with some pastors from Flint who are here desperately trying to get beyond this. They don't want partisanship; they don't want political fighting; they just want some help. They said: We are not interested in the back-and-forth of all this; we just want clean water, and we want to be able to provide good nutrition for these children who are already impacted.

The scary thing about this lead is that it stays in your body forever. I am learning more about lead than I ever wanted to know, and one of the things we know is that it does not leave. There is no magic pill. It is nutrition, so you have to give them more iron and milk and calcium and vitamins. There is a whole range of things I am working on now. I am grateful for the support from the Department of Agriculture to help us do that.

We have too many children—if anyone saw *Time* magazine—we have children with rashes, babies, people losing their hair. I met with pastors, and after that I met with another group of citizens from Flint: moms who are trying to figure out a way to avoid mixing this water with their baby formula. I had been told by the Michigan State department of WIC that they were giving ready-to-feed formula, and I just met with a group of moms who said that was not true.

We are talking about children whose brains are being developed and right now whose futures are being snatched away from them. They didn't cause it. Their moms didn't cause it. Their dads didn't cause it. Others caused it, and we can debate who that is. I am happy to have that discussion. Right now I just want to help those people.

I want people to see the people of Flint. They have not been seen or heard on this issue for almost 2 years. The folks who were supposed to care, who were supposed to see them, didn't. We have a chance to say to them: We see you. We hear you. We know that you as Americans have a right, if there is a catastrophe in Flint, to have the same sense of urgency, of support that we give to other things, such as a fer-

tilizer explosion in West Texas, where we brought in millions of dollars, or hurricanes in Texas and South Carolina—emergency spending, I understand. We all know that something can happen beyond the control of citizens, and they look to us.

I know we all have other issues around aging pipes. We all have infrastructure issues, and frankly, we should be addressing those. There are very positive bipartisan proposals to address water and sewer infrastructure, and I support those. I want to do what we can, and hopefully this will serve as an impetus for that, but nowhere in America do we have an entire city's drinking water system shut down from usage.

We have other situations in other parts of Michigan. I am not asking—although I would love to provide help in all the cities in Michigan, I understand that is a broader issue we have to address together. But this is about a catastrophe, a crisis, something that we do emergency spending on when there is a situation where we see lead levels in some parts of this community that are higher than a toxic waste dump.

Even in areas now where it is OK, we have small businesses—it just breaks your heart. Downtown Flint has been doing a great job of rebuilding the downtown. Everyone focuses on the exciting things in Detroit, but Flint also has done great things, bringing great restaurants downtown. Even when folks invest in their own water system so they are absolutely sure their water is safe, people won't come in because now it is Flint, MI. Nobody believes any of the water is safe. It is now a joke: If you go to Flint, don't drink the water. So we have businesses closing. We have a community collapsing that needs help, and the bottom-line help they need is to fix the pipes.

Senator PETERS and I are not suggesting that it is entirely a Federal responsibility. In fact, it is a joint responsibility. In fact, we would argue that more of the responsibility be on the State than the Federal Government. But we do have a shared responsibility to step in and help and give some immediate help to be able to get this going. That is what we are asking for.

Up until yesterday afternoon, we thought we had a bipartisan solution. I appreciate the work that has been done by the chair and the ranking member. We thought we were there. We found a source to pay for it. Even though we don't always pay for other emergencies, we found a way to do it. We go to the Congressional Budget Office. We find there are a couple of technical things. Lord, help us, we love the CBO. There is a technical thing that doesn't affect the Senate called a blue slip to deal with. We do it all the time—another issue around scoring that we are working hard around. Suddenly, everything stops over procedure, over bureaucracy and procedure.

I know that when we did a transportation bill, we waived every single

point of order because we wanted to do it. I wanted to do it. I supported it. But now when we are talking about helping an important community in the State of Michigan be able to get some help out of a disaster, all of a sudden, no, no, no; there are all kinds of procedures and reasons. I don't buy it for a second. I don't buy it for a second. When we want to help Americans, we help Americans. That is what we do. It is our job to do those things.

One of the things that I now find such an insult, such a slap in the face—I don't know if this means that folks aren't—we are still trying to work this out, Mr. President, and I am hopeful that we will so there can be an energy bill. But now there is an amendment that has been filed to pay for helping Flint by taking dollars away from new development of technologies for automobiles—something Senator PETERS and I have been champions of. Back in the 2007 Energy bill, I was able to get a provision in, when we raised CAFE standards, to support companies to create that new technology here in America so the jobs wouldn't go overseas, they would be here. It is work that has made a real difference, that brought jobs back from other countries.

Senator CASSIDY and I have been working on a provision to expand that because of trucks because they are getting CAFE standard increases and so on. I had a commitment and we had a commitment to actually do that on the floor, to get that done, but now, all of a sudden, the money from that is being proposed to pay for fixing the drinking water system in Flint.

Flint is the home of the automobile industry. Flint, MI, is where much of this started, where the middle class started, where the auto industry started. General Motors is still there, although they won't use the water because it corrodes their auto parts. So they won't use the water.

But now we are hearing in an amendment for the people of Flint: Well, you have a choice. You can either drink the water and have safe water or you can have a job.

Well, that is an insult. I personally feel it is an insult. It is being done to just jam us and trying to embarrass us—that we don't care about the people of Flint because we are not willing to spend money from a new technology source that is being used to create new jobs.

I don't buy it. That is certainly not going to be getting support. When we are trying to work in good faith to get this done, I am amazed that this would be offered, which is clearly just an effort to jam us.

I don't know where we are. I still am a very positive person. I tend to spend most of my time working behind the scenes to get things done—I am very proud of that—and so does my colleague Senator PETERS. We are people who like to get results. We are not into demagoguing about this. Lord knows it is ripe for it. We want to do something that will help people who need help.

So we are going to continue to do that. We are going to continue to work to try to do that. We are not going to stop, and we are not going to support moving forward until we have something that is a reasonable way that we can tell the people of Flint that we have done something to help them.

At this point in time, I can't look at this child or his mom in the face—or any other children or parents—and not tell them we did everything humanly possible to be able to make sure we could help them as quickly as possible to stop using bottled water and be able to actually give their kids a bath, cook for them, and have the dignity of what every one of us has—the gift of clean water, which is a basic in the United States, or should be.

So we are meeting, and we are doing everything we can. We have agreed to cut in half the original request we have asked for. We have agreed to a structure proposed by the Republican majority. We have said we are going to be flexible here, but we are not willing to walk away from Flint. We will not walk away from Flint. Too many people in the State of Michigan have done that for too long, and we are not going to do that. We are going to continue to do everything we can to fix this problem.

If clean water in America is not a basic human right, I don't know what is. I hope in the end we are going to be able to stand up and say in a bipartisan basis that we did this. That is all we are asking for—that we actually do something to fix this problem.

I see that face and the face of other children every night before I go to bed. Every morning when I get up I think about what is happening this morning, what is happening tonight, what is happening tomorrow in Flint. We are going to do everything we can to make sure other people remember and are willing to step up and treat them with the dignity and respect they deserve as American citizens.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WYDEN. Mr. President, I come to the floor today to talk about the Energy bill and, particularly, a very important and missing part of the Energy bill. But before I turn to that subject, I want to particularly note, with our colleague Senator STABENOW on the floor this afternoon, that I think she is doing extraordinary work on behalf of Flint and the people of Flint. I commend her and also her colleague Senator PETERS for trying to tackle this issue.

It seems almost unconscionable that in this age, when there is all this infor-

mation and technology at our fingertips, a community is put at risk the way Flint has been put at risk. The idea that innocent children would suffer this way is why it is so important that we move now to address this issue. This is urgent.

There are questions we deal with in the Senate that if we take another few months or a half a year even, Western civilization isn't going to exactly change, but what my colleague from Michigan has said is that what we know about youngsters—and particularly brain development—if we don't get there early and we don't get there quickly, we play catchup ball for years and years to come, everything we know about neurological development. My friend knows that my wife and I are parents of small kids. We are so lucky they are healthy and have what a lot of youngsters in Flint aren't going to have. They are not going to have the kinds of problems that my colleague has brought to light here.

I saw one report in the news—it is almost beyond comprehension—that a State nurse told a Flint patient, "It's just a few IQ points. . . . It is not the end of the world." The idea that a health professional—who I guess has been in a number of the national publications—just highlights how important it is that this Congress move, and move now.

My colleague and Senator PETERS, who is also doing a terrific job on this, have indicated there are some procedural and constitutional questions for the Finance Committee on which my colleague serves so well. I want her to know I am with her and the people of Flint every step of the way—not just this week and this month. This is going to be a challenge that is going to go on for some time. I just so appreciate what my colleague is doing. I am with her every step of the way.

Mr. President, I turn now to the Energy bill before us. I also want to commend the chair, Senator MURKOWSKI, and the ranking member, Senator CANTWELL, who have put together a bipartisan bill in the Energy Committee, which is something I know something about because I was the chair of the committee. I think my chairmanship began and ended before we had the opportunity to work more directly with the Presiding Officer, the Senator from Colorado. I look forward to working with him in the committee and very much appreciate our colleagues putting together this important package.

If there is one backdrop to this debate, it is the extraordinary challenge of climate change. In order to meet that challenge and beat back the threat of irrevocable damage that has climate scientists ringing such loud alarm bells, there are going to have to be some serious changes in energy policy. The legislation in this bipartisan bill moves in that direction, the details of which I intend to get into in a minute.

I do want to first discuss a part of this bill that frankly is missing. It is

missing to this debate. That is because the reality is the heart of America's energy policy is in the Federal Tax Code. The last big energy tax proposal to become law passed in 2009. According to the National Oceanic and Atmospheric Administration, 5 of the 7 hottest years in recorded history have come since then. On the books today is an outdated, clumsy patchwork of energy tax incentives that in my view is anti-innovation and nothing short of a confusing, incomprehensible policy that does our country a disservice at a time when we have these great challenges.

There are 44 different energy tax breaks, and they cost about \$125 billion each decade. Some industries—the oil and gas industry in particular—have some certainty about their taxes with permanent provisions. The fact is, renewable energy sources don't have that certainty. Some technologies get a lot of support. Others get little or none. It is a disjointed system that has far outlasted its sell-by date, and it is ripe for simplification.

The amendment Senators CANTWELL, BENNET, and I submitted replaces this tattered quilt of tax rules with a fresh approach, an approach I hope will appeal to colleagues on both sides of the aisle. The Presiding Officer and I have talked about energy policy being more market oriented. The kind of proposal we have made here does just that. It supports innovators with fresh, creative ideas. Particularly, I hope my colleagues on the other side of the aisle, because we talked about it often when I was chairman of the committee and also on the Finance Committee—concern about subsidies, a big concern about subsidies, and I am very concerned about that as well. The amendment we will be offering cuts the \$125 billion pricetag in half. So when colleagues say we ought to be cutting back on tax subsidies, that is exactly what this proposal does. It replaces wasteful tax rules with a new, simple group of incentives that have just three goals: cleaner energy, cleaner transportation, and greater energy efficiency. Gone would be the system where oil companies get a direct deposit out of the taxpayer account each year while expired renewable incentives just sort of hang in limbo. For the first time, fossil fuel-burning plants would have a big financial reason to get cleaner by investing in high-tech turbine or carbon-capture technology. So that means everybody benefits by getting cleaner. Everybody in the energy sector—renewables, fossil fuel industries, everybody gets the incentive to be cleaner under the amendment I am offering.

The amendment is all about harnessing the market-based power of the private economy to reward clean energy, promote new technologies, and attack climate change. My view is this Congress ought to be doing everything it can to fight the steady creep toward a hotter climate. When we have legions

of scientists lining up to warn the American people about the dangers of climate change, and when we have policymakers, business leaders, and investors worldwide saying that clean energy is the 21st century gold rush, this is a bold energy policy transformation. The proposal I offer with Senators BENNET and CANTWELL ought to become law.

This may not happen in the context of the Energy Policy Modernization Act. I think we all understand the rules of the Senate, but I am very much looking forward to working with my colleagues to build support for this proposal in the days ahead. In my view the lack of tax provisions in this legislation is unfortunate. They ought to be in there. Tax policy is right at the heart of energy policy, but it certainly doesn't undermine my support for a great deal of what is in the overall package. That includes several provisions I authored and my colleagues and I on the Energy Committee included.

One focuses on geothermal energy. It is a proposal that is all about bringing the public and private sectors together to figure out where geothermal has the most potential in getting the projects underway. Another proposal in the package is the Marine and Hydrokinetic Renewable Energy Act, which says that with the right investments and innovations, our oceans, rivers, and lakes ought to be able to power millions of homes and contribute to the low-carbon economy. Note those words because we talk a lot in the Energy Committee about these issues. My view is there is an awful lot of bipartisan support for a lower carbon economy in this country, particularly one that grows jobs in the private sector, and this legislation does that.

In addition to promoting low-carbon sources of energy, the legislation will help communities be significantly more energy efficient. It will spur the development of a smarter electric grid that cuts waste, stores energy, and helps consumers save money on their utility bill. Finally, it will permanently reauthorize the Land and Water Conservation Fund, and that in my view is a win-win for the rural communities of my State and rural communities across this country. The Land and Water Conservation Fund brings more jobs and more recreation dollars to areas that need an economic boost, and it ensures that future generations of Americans are going to be able to enjoy our treasures for years and years to come.

I noted my concern about help for the city of Flint. I think it is so important that in the days and months ahead, when we come back to talk about important public health legislation—because that is really what this is, a public health crisis—I hope what we will say is we made a start, we made a beginning. We said it was too important to just delay moving ahead to address these enormous concerns that the families and the children of

Flint are dealing with this evening. We have to ensure that this Congress takes action on this public health crisis quickly. I am committed to working with colleagues on both sides of the aisle, and as a member of both the Finance Committee and the Energy Committee I will have two opportunities to do it. I think we need to make this bill bipartisan and bicameral as quickly as possible.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. 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.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, the Senate is still at work crafting a package of energy legislation that can earn the support of a broad majority and potentially become this body's first comprehensive energy efficiency legislation since 2007.

This is my 126th weekly call to arms to wake us up to the duty we owe our constituents and future generations of Americans, not only to unleash the clean energy solutions that will propel our economy forward but also to stave off the devastating effects of carbon pollution.

I commend Energy Committee Chairman MURKOWSKI and her ranking member Senator CANTWELL for bringing us a bipartisan bill that builds upon some of the best ideas of the energy efficiency legislation championed not long ago by Senators SHAHEEN and PORTMAN. According to a report assessing the emissions reductions related to Shaheen-Portman done by the American Council for an Energy-Efficient Economy, the cumulative net savings of these provisions would reach around \$100 billion over the years 2014 to 2030, along with a reduction of about 650 million metric tons of carbon dioxide emissions over that 15-year period.

While these are welcomed reductions, they are a fraction of what we expect just from the clean energy tax credit extensions that were included in the end-of-year omnibus. Those 5-year incentives for wind and solar will yield cumulative emissions reductions of over 1 billion metric tons of CO<sub>2</sub>. And even then, we are still far from what we need to do to stem our flood of carbon pollution into the atmosphere and oceans.

Last year, the ranking member of the Energy and Natural Resources Committee, Senator CANTWELL, offered an ambitious legislative vision for growing our clean energy economy while tackling the growing climate crisis. Her Energy bill outlines achievable reductions in carbon pollution. It would repeal oil subsidies and level the playing field for clean energy. Estimated carbon reductions under her plan would

be 34 percent below 2005 levels by 2025, which would help us achieve our international climate commitment. Our goals in the legislation now before us should be just as ambitious.

Of course, the big polluters always shout that any steps to reduce emissions will invariably hobble the economy. They have the nerve to say this while they are sitting on an effective subsidy every year, just in the United States, of \$700 billion, according to the International Monetary Fund. It really takes nerve to complain while sitting on that big of a public subsidy.

In the bill before us, I was glad to add an amendment with my colleague from Idaho, Senator CRAPO, with the bipartisan support of Senators RISCH, BOOKER, HATCH, KIRK, and DURBIN, to strengthen the development of advanced nuclear energy technologies in partnerships between the government and our national labs and the private sector. The Holy Grail here is advanced reactors that could actually consume spent fuel from conventional reactors and help us draw down our nuclear waste stockpile.

I know that many of my Republican friends have supported commonsense climate action in the past. Senator MCCAIN ran for President on a strong climate change platform. Senator COLLINS coauthored an important cap-and-dividend bill with Senator CANTWELL. Senator KIRK voted for the Waxman-Markey cap-and-trade bill in the House. Senator FLAKE has written an article in support of a carbon tax that reduces income taxes. And there are more. So I hold out some hope, but it is hard.

There is a whole climate denial apparatus that helps manufacture doubt and delay action. The fossil fuel industry players controlling this machinery of denial use a well-worn playbook—the same tactics employed by the tobacco industry and the lead industry: Deny the scientific findings about the dangers their product causes, question the motives of the scientists they oppose, and exaggerate the costs of taking action. They tend to look only at the costs to them of having to clean up their act. They tend never to look at the cost to the public of the harm from their product. If accountants looked at only one side of the ledger like that, they would go to jail.

In each case, tobacco, lead, climate change, and other sophisticated campaigns of misinformation were used to mislead the public. So this is why I have submitted an amendment declaring the sense of the Senate disapproving corporations and the front organizations they fund to obscure their role that deliberately cast doubt on science in order to protect their own financial interests and urging the fossil fuel companies to cooperate with investigations that are now ongoing into what they knew about climate change and when they knew it.

I have also pressed to have the political contributions of these same polluters made transparent to the American people. The Supreme Court's awful Citizens United decision flung open the floodgates of corporate spending in our elections, giving wealthy corporate interests the ability to clobber, and perhaps even more important, to threaten to clobber politicians who don't toe their line.

My Republican colleagues have refused to shine the light on this spending, so since the amendment failed, Americans will remain in the dark about who was trying to influence their elections and how.

The Koch brothers-backed political juggernaut, Americans for Prosperity, has openly promised to punish candidates who support curbs on carbon pollution. The group's President said if Republicans support a carbon tax or climate regulations, they would "be at a severe disadvantage in the Republican nomination process. . . . We would absolutely make that a crucial issue." The threat is not subtle: Step out of line, and here come the attack ads and the primary challengers, all funded by the deep pockets of the fossil fuel industry, powered up by Citizens United.

Unfortunately, a large portion of the funding behind this special interest apparatus is simply not traceable. Money is funneled through organizations that exist just to conceal the donor's identity. The biggest identity-laundering shops are Donors Trust and Donors Capital Fund. Indeed, these are by far the biggest sources of funding in the network or web of climate-denial front groups. These twin entities reported giving a combined \$78 million to climate-denier groups between 2003 and 2010. Dr. Robert Brulle of Drexel University, who studies this network of fossil fuel-backed climate-denial fronts, reports that the Donors Trust and Donors Capital Fund operations are the "central component" and "predominant funder" of the denier apparatus, and at the same time, they are what he calls the "black box that conceals the identity of contributors."

The denial apparatus runs a complex scheme to delegitimize the honest, university-based science that supports curbing carbon emissions and to intimidate officials who would dare cross this industry. And, regrettably, it is working.

Since Citizens United let loose the threat of limitless dark money into our elections, a shadow has fallen over the Republican side of this Chamber. There is no longer any honest bipartisan debate on climate change, nor is there a single serious effort on the Republican side of the Presidential race.

So, anyway, I have submitted the amendment to require companies with \$1 million or more in revenues from fossil fuel activities to disclose their hidden spending on electioneering communications, to bring them out of the dark. The amendment is cosponsored

by Senators MARKEY, DURBIN, SANDERS, SHAHEEN, BALDWIN, LEAHY, MURPHY, BLUMENTHAL, and MENENDEZ.

Corporate and dark money, and particularly fossil fuel money, is now washing through our elections in what one newspaper memorably called a "tsunami of slime." All my amendment would have done is show the American people who is trying to sway their votes from behind the dark money screen. It is a pretty simple idea. It is, in fact, precisely the solution prescribed by the Supreme Court Justices in the Citizens United decision. Moreover, it is an idea the Republicans have over and over again supported in the past. But now that dark money has become the Republican Party's life support system, all the opinions have changed.

Well, I believe fossil fuel money is polluting our democracy, just as their carbon emissions are polluting our atmosphere and oceans. It ought to be time to shine a light on that dark money. In a nutshell, we have been had by the fossil fuel industry, and it is time to wake up.

#### STUDENT LOAN DEBT

Mr. President, if I may change topics for a moment, we had a meeting this morning with a number of students from around the country who came in to share with us their concerns about the growing burden of student loan debt in this country, which I would argue has now reached a point of crisis.

Time and again, we tell young people that the path to the American dream runs through a college campus. Young people get this, and they respond to it. They overwhelmingly want to go to college, and they work hard to get there.

But the cost can be more than many students bargain for, especially once they leave school, with a degree or without, and get hit with student loan payments. Young people are graduating with more debt than ever before. For the past several years, as springtime rolls around and graduates get ready to cross the stage, we hear reports that average debt loads have increased yet again. Each new class seems to set a new record. The average graduating senior in the class of 2014 held \$28,950 in student loan debt. Indeed, over the past decade, student loan debt has quadrupled. Total outstanding student loan debt held by 40 million Americans is now over \$1.3 trillion. That makes student loans the second highest type of consumer debt after home mortgages. Student loans are more than both credit card debt and car loans. Rhode Islanders alone owe upward of \$3.6 billion. Students who graduate from 4-year colleges and universities in Rhode Island emerge with an average of \$31,841 in student loan debt.

I asked my colleagues, most of whom graduated many decades ago, can you imagine starting out in your life that deep in the red? This is the reality for so many Americans today. It is the re-

ality for so many Rhode Islanders I have met with.

Tammy is a childcare provider from Warwick, RI. She spoke at a roundtable discussion Senator REED and I held in Rhode Island to hear firsthand from our constituents about the challenges they face in repaying student loan debt. Tammy has a master's degree in child development and early childhood education. The original principal balance on her student loan was \$43,530.56. But even with a master's degree in child development and early childhood education, the pay has not been great. We went through that Wall Street-caused financial crisis and now, 16 years later, her balance has grown to \$88,000. Instead of making headway on her debt, she slips further into the red.

Danielle from Narragansett, RI, racked up roughly \$60,000 in student loan debt between her undergraduate and master's degrees from the University of Rhode Island. Now, she says, the burden of that debt is affecting the decisions her son, Talin, is making about his own college education. When a parent works and studies to make a better life for her child, the last thing she expects is for the cost of her education to limit her son's opportunities.

Ryan, also from Warwick, is a special education teacher. He was my guest at the State of the Union Address. He is going back to graduate school to become an even better educator. "I've made a conscious choice," he says, "to invest in my education and my ability to make a difference in the lives of my students as a teacher." But his loans are a heavy burden on his finances. He works a second job on top of his teaching job to help cover his expenses and pay down his loans. His debt is affecting his life decisions about things like marriage or buying a home. Why should becoming a better teacher mean postponing the dreams of adulthood?

Young people should enter the workforce ready to get their lives started—to earn, to create, to invest. College should be a path to opportunity, not a decades-long sentence of debt and instability, not deferred dreams of starting a family or buying a house.

The average age of the Senate today is just over 60, meaning most Senators were in college about 40 years ago. So we have no idea. Between then and now, the cost of college has increased more than 1,000 percent. According to Bloomberg Business, from 1978, when the records began, through 2012, the costs have increased by twelvefold—1,120 percent. Going to college in the seventies generally didn't leave students with insurmountable debt. Today it is a fact of life. We must work not just to stop but to reverse these trends.

It is because of this crisis in college affordability that my Democratic colleagues got together to create the Reducing Education Debt Act, or the RED Act. This important bill would do three vital things:

First, it would allow students to refinance their outstanding student debt

to take advantage of lower interest rates. That would put billions of dollars back into the pockets of people who invested in their education. Refinancing would help an estimated 24 million borrowers save an average of almost \$1,900.

Second, the RED Act would make 2 years of community college tuition-free, helping students earn an associate's degree, the first half of a bachelor's degree, or get the skills they need to succeed in the workforce, all without having to take on so much debt. Free tuition at community college would save a full-time student an average of \$3,800 per year and could help an estimated 9 million college students.

Third, the RED Act would help ensure that Pell grants—named for our great Rhode Island Senator Claiborne Pell—keep up with the rising costs by indexing part of the Pell grant to inflation permanently. By indexing the Pell grant, compared to current law, the maximum Pell grant award would increase by \$1,300 for the 2026–2027 school year, resulting in larger awards for over 9 million students, helping to reduce their debt.

We think the RED Act is a critical step toward an essential goal: debt-free college.

The American middle class was built in part on the opportunity provided by higher education. Believe it or not, it was once common to be able to go to college and graduate with no debt. We owe it to today's college students to be able to leave college and begin to build their lives free of debt and ready to achieve their dreams.

We look forward to bipartisan participation on this issue in the Senate, although regrettably it has virtually never appeared in the Republican Presidential debates as an issue. There are 40 million students with \$1.3 trillion in debt—not interested, not compared to Benghazi. So I am hoping we will do better than those candidates in this Chamber and be able to pull a bipartisan solution together that will relieve that burden of debt on our next generation.

Mr. President, I yield the floor.

I see the senior Senator of Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, I commend Senator WHITEHOUSE, my colleague from Rhode Island, for his very thoughtful leadership on this issue of education and particularly the situation where so many young people are so deeply in debt after a college education.

It was Senator WHITEHOUSE who organized a meeting in Rhode Island. I was there and I listened to the story he just related. It is astounding, the debt these young people and in some cases middle-aged people are shouldering. We have to do something. I would like to commend and thank him for his leadership and urge a bipartisan effort in this regard.

Mr. President, I was on the floor last week, and I spoke about a series of two amendments that I was working with Senator HELLER on, and they are all focused on enhancing energy storage. I thank Senator HELLER for his efforts in so many ways but particularly this bipartisan effort to enhance the Energy bill that is before us. Indeed, earlier this week, we were able to pass one of these amendments, No. 2989, that we introduced together to improve coordination of Department of Energy programs and authorities in order to maximize the amount of money that goes toward energy storage research and development.

Let me particularly thank Energy and Natural Resources Committee chairperson LISA MURKOWSKI and ranking member MARIA CANTWELL for their great efforts overall and particularly for their help in getting the Reed-Heller amendment through. They have done an extraordinary job on this legislation.

As I have indicated, we have two amendments. I have also joined Senator HELLER on another amendment. He is the lead author. This amendment would amend the Public Utility Regulatory Policies Act—or PURPA, as it is known—to require industry and State regulators to consider energy storage when making their energy efficiency plans. By encouraging energy storage usage by public utilities, we will help expand the reach of this needed technology.

There are many technical, financial, and security benefits to energy storage, including: improving grid utilization by storing and moving low-cost power into higher priced markets, thereby reducing the amount we all pay on our utility bills; increasing the value and the amount of renewable energy in the grid, thereby reducing greenhouse gas emissions; and enhancing the security of the grid, thereby ensuring critical access to power in an emergency. We are all each day much more cognizant of the threat not just through natural disasters but through particular cyber intrusions which could affect our energy grid. This would be another way in which we could not only protect ourselves but respond more quickly in the case of any of these natural or manmade disasters.

I want to conclude by again thanking my colleague and friend Senator HELLER and urge our colleagues to work with us in a bipartisan fashion to adopt this amendment.

With that, Mr. President, I thank you.

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 (Mr. PERDUE). Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 757

Mr. McCONNELL. Mr. President, I ask unanimous consent that following morning business on Wednesday, February 10, the Senate proceed to the consideration of Calendar No. 359, H.R. 757; that there be up to 7 hours of debate equally divided in the usual form; that following the use or yielding back of that time the committee-reported amendment be agreed to, the bill, as amended, be read a third time, and the Senate vote on the bill with no intervening action or debate.

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

Mr. McCONNELL. Mr. President, I would just say what we have just done is lock in a vote on the North Korea sanctions bill that has been crafted by Chairman CORKER and Senator GARDNER, a very important piece of legislation that I am pleased to say the whole Senate thinks ought to be taken up, voted on, and passed. It will be an important change in our policy toward this rogue regime.

#### UNITED STATES-JORDAN DEFENSE COOPERATION ACT OF 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 907 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 907) to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

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

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

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

The amendment (No. 3278) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “United States-Jordan Defense Cooperation Act of 2015”.

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) As of January 22, 2015, the United States Government has provided \$3,046,343,000 in assistance to respond to the Syria humanitarian crisis, of which nearly \$467,000,000 has been provided to the Hashemite Kingdom of Jordan.

(2) As of January 2015, according to the United Nations High Commissioner for Refugees, there were 621,937 registered Syrian refugees in Jordan and 83.8 percent of whom lived outside refugee camps.