

Provides Fair Credit for Local Levies—Removes the penalty on locally-financed flood protection projects and ensures that local and state investments in mitigation are accurately factored into the flood mapping process.

I thank the following Senate cosponsors for all their hard work throughout this process:

ROBERT MENENDEZ, JOHNNY ISAKSON, MARY L. LANDRIEU, THAD COCHRAN, JEFF MERKLEY, DAVID VITTER, JOHN HOEVEN, TIM SCOTT, ROGER WICKER, HEIDI HEITKAMP, CHUCK SCHUMER, KIRSTEN GILLIBRAND, ED MARKEY, BILL NELSON, MARK BEGICH, ELIZABETH WARREN, AL FRANKEN, JOE MANCHIN, ROBERT CASEY, AMY KLOBUCHAR, CORY BOOKER, KAY HAGAN, LINDSEY GRAHAM, BRIAN SCHATZ, RICHARD BLUMENTHAL, JACK REED, SHELDON WHITEHOUSE, LISA MURKOWSKI, RON WYDEN, SUSAN COLLINS and DEBBIE STABENOW.

This bill does not incentivize unsustainable development—In order to participate in the National Flood Insurance Program, communities have to adopt national building codes governing new development in flood prone areas. Our bill provides basic consumer protections to homeowners that build to code and played by the rules. It does not alter or amend any rules governing new construction. The National Flood Insurance Program is one of the earliest examples of federal land use planning.

It does not put American Taxpayers on the hook for a small sub-set of NFIP policyholders. Prior to Hurricanes Katrina and Sandy, NFIP was basically self-sustaining with an average annual deficit under \$20 million over that 26-year span. The \$24 billion debt incurred as a result of 2005 and 2008 storm seasons was the driving force behind the rate reforms in Biggert-Waters which required NFIP policyholders, not American taxpayers, to pay down that debt and establish a reserve fund for future catastrophic events. Our bill does not change that, it merely gives responsible policyholders a little more time to adjust to the higher premiums they have to pay as a result of Biggert-Waters.

FEMA Administrator Craig Fugate estimates that the NFIP saves taxpayers \$1.6 billion every year in avoided flood losses and disaster response costs due to the national building codes each participating community and policyholder were required to adopt and adhere to.

I would also like to thank the following staff members for their hard work throughout this process: Jason Tuber, Kirby Mayo, Karissa Willhite and Tim Del Monico in Senator MENENDEZ' office; Zack Rosenblum and Meghan Tiara in Senator SCHUMER's office; Joan Kirchner in Senator ISAKSON's office; Adam Telle in Senator COCHRAN's office; Travis Johnson in Senator VITTER's office; Claire O'Rourke, Liz Craddock, Matt Lehner and Wes Kungel in my office; Lisa

Lederberger in MAXINE WATERS' office; Zach Butterworth in CEDRIC RICHMOND's office; Dill Dauster and Alex McDunah in Senator REID's office and all of the exceptional floor staff. On behalf of myself, the Senate cosponsors, and the entire flood insurance reform coalition, thank you.

NATIONAL FLOOD INSURANCE PROGRAM PREMIUM REFUNDS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 2137, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2137) to ensure that holders of flood insurance policies under the National Flood Insurance Program do not receive premium refunds for coverage of second homes.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on S. 2137.

Who yields time?

Mr. COBURN. Madam President, we yield back the time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2137) was passed, as follows:

S. 2137

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NO REFUNDS UNDER NATIONAL FLOOD INSURANCE PROGRAM FOR COVERAGE OF SECOND HOMES.

(a) DEFINITION.—In this section, the term “National Flood Insurance Program” means the program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

(b) NO REFUNDS FOR COVERAGE OF SECOND HOMES.—Notwithstanding section 3(a)(4) of the Homeowner Flood Insurance Affordability Act of 2014 or any other provision of law, in the case of flood insurance coverage under the National Flood Insurance Program for a residential property that is not the primary residence of an individual (as that term is used in section 1307(a)(2)(A) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(2)(A))), the Administrator of the Federal Emergency Management Agency may not refund any premium for such coverage collected in excess of the rates required under the provisions of, and amendments made by, section 3 of the Homeowner Flood Insurance Affordability Act of 2014.

EXECUTIVE SESSION

NOMINATION OF ARUN MADHAVAN KUMAR TO BE ASSISTANT SECRETARY OF COMMERCE AND DIRECTOR GENERAL OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE

NOMINATION OF TIMOTHY M. BROAS TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Arun Madhavan Kumar, of California, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service; and Timothy M. Broas, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of the Netherlands.

VOTE ON KUMAR NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Kumar nomination.

Mr. REID. Madam President, I ask that all time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Arun Madhavan Kumar, of California, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service?

The nomination was confirmed.

VOTE ON BROAS NOMINATION

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Broas nomination.

Mr. REID. Madam President, I yield back that time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Timothy M. Broas, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of the Netherlands?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid

upon the table and the President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. The Senate will resume legislative session.

LEGISLATIVE SESSION

SUPPORTING SOVEREIGNTY AND DEMOCRACY IN UKRAINE—MOTION TO PROCEED—Continued

The Senator from Oklahoma.

FLOOD INSURANCE

Mr. COBURN. I will try to make my remarks short. I know several of my colleagues have places they need to be and have a time schedule they are on. I was involved in a committee hearing this afternoon and could not contribute to the debate on the floor on the Flood Insurance Program.

I have about 8 months left in the Senate. I just want to remind us of what we have just done. We have solved a very short-term problem and made a long-term problem significantly worse. We did not really do our work because we were in such a hurry to take the political pressure off of the increases in the flood insurance rate.

Addressing that issue was important, and I agree that we needed to make some adjustments. But what we did is we chose politicians to win and the future to lose when it comes to flood risk mitigation and flood risk cost for the American public. Are there some positive things in the bill? Yes. But what we did once again is we put our political positions ahead of the best interests of this country.

The Biggert-Waters bill was a great reform bill. What happened is when we passed it, we did not recognize the tremendous rate increases many people would have. In the last 5 years in this country, we spent \$1.6 billion at FEMA reevaluating all of the flood plains in this country. The whole purpose behind that was to really put a risk of what is out there based on what we have and slowly get to a point where we are actually measuring the risk.

What have we actually done when we just passed this bill and sent it to the President? What you did is you asked everybody in the future to continue to pay an exorbitant amount of money for their insurance so people who are at risk will not have to pay ultimately what is due them. The only time we are going to see that actually happens now is when a property sells. That is when we are going to see it. Vacation homes are excepted. I understand that. We are not going to give rebates to people. I understand that. But the big problem is we undermined the incentive to mitigate for risk. We undermined it.

So we now have a new flood insurance program. We have \$18 billion worth of problems. We are getting ready to go to \$26, \$28 billion worth of problems, and that is on the heads of our kids. So we once again chose a position that put our kids at risk so we

politically can be better off because we are going to alleviate the parochial scream. Rather than actually fix the scream, we are going to alleviate it, and we have eliminated all of that.

So my disappointment is not that we responded to parochial requests; it is that we did not do the hard work of actually fixing the problem and addressing some of the parochial problems and anecdotal notes of massive increases in flood insurance. We could have done both, but we chose not to.

It is so heartbreaking to me and to this country that we continually choose the politically expedient path that will bury our kids when we do not have to. That is a function of a lack of real leadership, of solving the real problems rather than treating the symptoms of the problems, which is what we did. We have wasted \$1.6 billion now, essentially. We might recover it 30 years from now. But the Flood Insurance Program is now not in any better shape and will not be in any better shape 20 years from now than it is today.

So I hope we are happy that we have solved the parochial problems, but when you go to sleep tonight think about who is going to pay that bill. It is not the people who are getting the benefit from the very large subsidized flood insurance. It is the kids of this country and what is not going to be provided for them. It is those on the really low rung of the ladder economically. We are not going to have the finances to actually care for those who need the care from us the most. Really, it is the well-healed or the more well-healed and the more well-connected. They won again. The builders and the developers won. The real estate firms won. Less than two-tenths of 1 percent of this whole thing, without even modifying Biggert-Waters, applied to people in the lower 40 percent of income in this country. Less than two-tenths of 1 percent. Seventy percent applied to the top 20 percent of the people. So we gave a break to the most well off people. Those are the numbers. You cannot dispute those numbers. So because they screamed and do not want to pay their fair share, we have now damaged the future potential for our children.

I would say congratulations. We continue to do the same thing. No wonder the American people say: What is up with Congress? They do not have the courage to make a difficult, tough decision. What they do is they always make the politically expedient one.

That is exactly what we did today. That is what the House did today. To me, it is sickening.

The majority leader.

Mr. REID. Madam President, what now is the pending business?

The PRESIDING OFFICER. The motion to proceed to S. 2124 is the pending business.

Mr. REID. What is the subject matter of that bill?

The PRESIDING OFFICER. The Ukraine bill.

Mr. REID. I ask unanimous consent that at a time to be determined by me, after consultation with Senator MCCONNELL, the motion to proceed be agreed to; that there be 1 hour of debate equally divided between the two leaders or their designees; that upon the use or yielding back of that time, the bill be read a third time and passed, with all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Reserving the right to object—I will not object—Madam President, the majority leader has asked that we move and pass this legislation which was considered in the Senate Foreign Relations Committee. It was open for amendment. Several amendments were adopted. Several were rejected. By a vote of 14 to 3, the Senate Foreign Relations Committee reported out this bill.

Why should we care about this legislation? I will try to be as brief as possible, but I urge my colleagues' attention to the latest New York Times report today: "Russia Massing Military Forces Near Border With Ukraine." Russian forces are massing near the border with Ukraine. Airborne; ground capabilities; the parachute drop was on a scale not seen since the collapse of the Soviet Union; the units involved artillery batteries, assault helicopters, and at least 10,000 soldiers.

In other words, right now as we speak, Vladimir Putin is either planning on or contemplating an invasion of eastern Ukraine. We have seen the movie before: provocateurs, people having to come and restore order, and there is no order, so then we see military intervention, and then there is going to be another referendum such as is supposed to take place on Sunday in the Crimea, which I predict 80 percent of the vote will do so when that is clearly not what the will of the people of Crimea is.

So, incredibly, incredibly, there will be an objection from this side to this legislation when the people of the Ukraine are crying out for our help and our assistance.

My friend Senator BARRASSO will now be proposing the House bill that has not one single sanction in it—not one sanction. I am surprised that the Senator would want to propose a bill that does not have any punishment for the Russians for what they are doing right now.

Then another one of my colleagues will probably come out and object to us taking up and passing the bill that was put through the Senate Foreign Relations Committee—open to amendments—in a process that could not be criticized by anyone.

So what is the message we are sending to the Ukrainian people? What is the message we are sending them? That we have a problem with a fix for the IMF.

Then also there are some who are demanding changes in the regulation by