

I ask my colleagues to join me in thanking Joan Barron for 48 years of reporting. She has recorded over one-third of Wyoming's history—and her perspective will be missed. Wyoming owes her a great debt of gratitude.

#### WOMEN'S ACCESS TO PREVENTIVE SERVICES

Mr. WYDEN. Madam President, the U.S. Supreme Court will soon hear arguments on the Tenth Circuit's overly expansive decision to allow a secular, for-profit corporation's owners or shareholders to impose their religious beliefs on employees by denying female employees access to preventive health care, including insurance coverage for contraception.

As detailed in the amicus brief filed by myself and 18 fellow Senators in January, Congress never intended such a broad and unprecedented expansion of the Religious Freedom Restoration Act, RFRA, to deny women access to health care benefits. We urged the Court to clarify that RFRA does not allow for-profit companies to deny health coverage to employees based on the religious objections of the company's owners.

It should be clear that the Tenth Circuit's decision runs counter to a plain-text reading of RFRA and the law's extensive and informative legislative history. Congress passed RFRA to advance a single, limited purpose: to restore the compelling-interest test to government actions that burden the free exercise of religion. But the test only extended free-exercise rights only to individuals and religious, non-profit organizations. No Supreme Court precedent had extended free-exercise rights to secular, for-profit corporations.

Congress enacted the Affordable Care Act with full understanding of RFRA—and of its limited purpose. Congress also recognized the need to balance the government's compelling interest in extending women's access to preventive health care with respect for the traditional free-exercise rights of individuals and religious organizations, which is why Congress included the Affordable Care Act's religious exemptions for individuals and religious organizations. These exemptions strike such a balance precisely and accurately, and appropriately recognize the free-exercise rights Congress intended for RFRA to protect.

It's unacceptable and inappropriate for bosses at for-profit corporations to pick and choose which health care services their employees can receive. So far, 360,000 Oregon women have benefited from expanded access to preventive services, including contraceptives. Women's health choices should be made between them and their doctors—not their bosses.

#### TAIWAN RELATIONS ACT

Mr. JOHNSON of South Dakota. Madam President, I wish to speak

about U.S.-Taiwan relations. In just a few weeks, on April 10, 2014, we will recognize the 35th anniversary of the enactment of the Taiwan Relations Act, TRA. This important legislation has served as the legal basis for our relations with Taiwan and has been critical in defining our diplomatic, economic, and strategic relationship.

Although I was not yet a Member of Congress in 1979 when this legislation was passed, I have had the pleasure over the past 28 years to be active in U.S.-Taiwan matters and have seen the benefits of the TRA.

Over the past several decades we have seen our relationship with Taiwan grow. Taiwan's innovative and expanding economy has led to significant trade opportunities for both of our countries. Particularly in the area of agriculture—which is South Dakota's No. 1 industry—Taiwan has grown to be a key trading partner, representing one of the most significant consumers of South Dakota corn, soybeans, and wheat. Our trade relationship has only strengthened over the years, and I am hopeful that market opportunities will continue to expand.

While we mark this important milestone in U.S.-Taiwan relations, I would also like to say farewell to Representative King Pu-tsung, Taiwan's chief envoy to the United States. Ambassador King was recently appointed to be the Secretary-General of the Republic of China (Taiwan)'s National Security Council, a position equivalent to our National Security Advisor to the President. I congratulate him on this new opportunity and trust that in his new role we will continue to work together to further strengthen close ties between our two countries.

The people of Taiwan have proven to be true friends of the United States, and I look forward to continuing this friendship well into the future.

#### SUPPORTING JOSH HARDY

Mr. WARNER. Madam President, I would like to take a moment to express sincere gratitude to the students, faculty and staff of Hugh Mercer Elementary School and the entire Fredericksburg, VA region—for the way the community has rallied together to support one of their own: seven-year-old Josh Hardy.

Josh is at St. Jude Children's Research Hospital in Memphis recovering from a life-threatening virus following a bone marrow transplant in January. This week, I am pleased our office had an opportunity to work with Josh's family and Josh's friends and fans in Fredericksburg to get this young fighter access to an experimental medication that could save his life.

Since Josh was an infant, he has battled cancer—successfully. While he was undergoing chemotherapy—in kindergarten, mind you—Josh and his two brothers worked to raise almost \$5,000 to help other sick children who were being treated at St. Jude Children's Hospital.

Doctors at St. Jude Children's Hospital believe the only drug that can help Josh is still in the testing phase by its manufacturer, Chimerix. And unfortunately, it appeared that policies of the FDA and Chimerix would prevent Josh from receiving the drug.

Upon hearing that news, family, friends, Mercer teachers and classmates, local businesses, and nonprofit groups across the Fredericksburg region rallied together to make sure that Josh's voice was heard, here on Capitol Hill and across the country.

They used social media to enlist the support of tens of thousands of people from across the country and around the world. Josh's family and friends contacted our office to see if we might be able to help.

That is when we reached out both to the FDA and the drug manufacturer to try to expedite the process to allow Josh to get access to this potentially life-saving medication. We got the good news Tuesday night, directly from the CEO of Chimerix. By the following morning, Josh was undergoing treatment with this new drug. It is still too soon to know if this experimental medication will help, but we are all pulling for this remarkable boy.

Today I want to salute Josh's teachers and classmates at High Mercer Elementary School for all that they have done to rally around this family. The commitment of Josh's teachers to advocate on behalf of the Hardy family is a testament to their dedication to public service and to creating stronger communities and a better Virginia.

And I am grateful and proud of the Fredericksburg community, where folks truly came together in a good cause on behalf of Josh and his family. Their persistence and dedication exemplifies what we call “the Virginia spirit.”

I also want to publicly thank the executives and employees of Chimerix, and officials at the Food and Drug Administration, for moving so quickly to look for a way to be helpful to the Hardy family. My staff is already in conversation with the FDA about ways we might streamline the process to allow families in the Hardy's situation to have easier access to potentially life-saving drugs even as these drugs are being evaluated by the FDA.

We are all pulling for Josh Hardy. We are praying for his family and his medical team, and we are so grateful for the tremendous support Josh Hardy is receiving from his Hugh Mercer teachers and classmates and the entire Fredericksburg community.

#### ADDITIONAL STATEMENTS

##### OUR ENERGY FUTURE

• Mr. ALEXANDER. Madam President, I ask that a copy of my remarks to the National Association of Regulatory Utility Commissioners be printed in the RECORD.

The remarks follow.

NATIONAL ASSOCIATION OF REGULATORY  
UTILITY COMMISSIONERS

Five years ago, all the talk in the United States was about a cap-and-trade program and deliberately raising the price of energy as a way of achieving clean energy independence. Two years ago, I visited Germany—a country that has adopted such a policy—and what I found was an energy mess.

The Germans are subsidizing wind and solar, and closing their nuclear plants—but because they are a big manufacturing country they still need nuclear, coal and natural gas for reliable electricity. So to meet those needs, the Germans are buying nuclear power from France, and gas from an unreliable partner, Russia. They're even building their own new coal plants in order to have enough reliable electricity.

The end result of this bizarre policy is that Germany has among the highest household electricity prices in the European Union. When I asked an economic minister what he would say to a manufacturer concerned about energy costs in Germany, he said, "I would suggest he go somewhere else."

This concern in Germany is spreading across Europe. A recent headline in the New York Times reads "Europe, Facing Economic Pain, May Ease Climate Rules." The accompanying article stated that "the European Union proposed an end to binding national targets for renewable energy production after 2020."

Europeans may end some of their climate targets to avoid throwing a big, wet regulatory blanket over their economies. The point is: in a competitive world, energy policies have a lot to do with a country's economic well-being.

When you compare our country's energy needs with the example of Germany, you can see that we are at a fork in the road on our national energy policy. Which path we take will help determine how well the United States competes in a 21st-century economy.

The surest path toward cheap, clean, reliable energy is to end Washington's obsession with wasteful energy subsidies and to instead rely on free enterprise and government-sponsored research.

Or, we can take the path of Germany, which is where we are headed if we continue to waste tax dollars on subsidies that prop up one type of energy over another.

In the United States today, production of electricity from natural gas has grown to 28 percent of total production. This is at the expense of coal, which is down to 39 percent. Nuclear power holds relatively steady at 19 percent. Hydro is 7 percent. Wind, solar, biomass and geothermal make up only 6 percent, of which 4 percent is wind.

In Washington and in state capitols, there are debates about whether to push this 6 percent of electricity by renewables to a much higher number by forcing a so-called national renewable energy standard, or by further subsidizing an energy source because it's deemed "clean," or by implementing carbon regulations even though Congress has never approved carbon regulations. To avoid the path of Germany and maintain our competitiveness, I suggest four grand principles for the United States' energy future: 1) cheaper, not more expensive, energy; 2) clean, not just renewable, energy; 3) research and development, not government mandates; and 4) free market, not government picking "winners and losers."

The first step on the right path to our energy future—and a prime example of how to apply these principles—is to not extend the massive wind production tax credit that expired on January 1. I believe energy companies basically should enjoy the same tax ben-

efits non-energy companies receive, which is largely the case today with traditional forms of energy.

I believe that through tax reform we should simplify the tax code and eliminate most preferences for specific types of energy production. This would save a lot of money, which could be better spent on doubling energy research and reducing the federal debt.

The worst culprit for wasteful energy subsidies is Big Wind. Under current law, the wind production tax credit will have provided an estimated \$22 billion to wind producers between 1992 and 2022, according to the Congressional Research Service. And that doesn't include the \$12.9 billion that wind received from President Obama's federal stimulus bill.

I've been fighting against this subsidy for years because I think it is a bad deal for American taxpayers, a bad deal for rate payers, and a bad deal for U.S. competitiveness. And if we want to see what the result of those policies would be let's look again at Germany, and other parts of Europe.

Just last week energy expert Daniel Yergin wrote that one of the biggest themes at this year's World Economic Forum in Davos was "competitiveness." "This particular rivalry [competitiveness] pits the United States head-on against Europe," he said.

Yergin says that energy is one way to measure competitiveness, and that was the focus at Davos. He went on to say, "European industrial electricity prices are twice as high as those in some countries and are much higher than those in the United States. To a significant degree, this is the result of a pell-mell push toward high-cost renewable electricity (wind and solar), which is imposing heavy costs on consumers and generating large fiscal burdens for governments." A January 2014 New York Times article entitled "German Energy Official Sounds a Warning" reports that, "The minister, Sigmar Gabriel, in his first major policy speech, said at an annual energy conference organized by the publication Handelsblatt in Berlin that annual consumer costs for renewables of about 24 billion euros, or about \$32.5 billion, were already pushing the limits of what the German economy, Europe's most powerful, could handle." In a BBC News article, "Can Germany afford its energy bender? shift to green power?" a minister for economics in Germany says that Germany's "law on renewable energy will not only lead to increased electricity prices, but it is also a non-market, planned system that endangers the industrial base of" the German economy.

This doesn't sound like the path down which America should go to build a 21st-century economy. And yet, forces in Congress are preparing to renew the expired wind subsidy and continue to take us down the path that's currently causing problems in Germany. The problem here is not being "for or against renewable" energy or just wasting taxpayers' tax dollars. The problem is that these huge subsidies are propping up renewable energy at the expense of reliable energy. In the case of wind, this increases the occurrence of negative pricing.

Government subsidies are so generous that in some markets wind developers can give away electricity and still make a profit. Such negative pricing rewards expensive, unreliable power like wind and undercuts and punishes cheap, reliable power from nuclear and coal plants. This is a growing problem in the U.S. The more wind we subsidize and the more we build, the bigger the problem becomes. For a snapshot of where we are going, let's take another look at Europe.

A Wall Street Journal opinion piece by Rupert Darwall entitled "Europe's Stark Renewables Lesson" reports that "the Euro-

pean Commission acknowledges that, because member states over-incentivized investment in renewables, they compounded the challenges" posed by non-dispatchable electricity generation like wind.

The same threat applies to some markets here in the U.S., according to the Center for Strategic and International Studies. Negative pricing caused by wind power tied to energy subsidies undercuts the operation of nuclear plants and could contribute to closing as many as 25 percent of our nuclear plants by 2020.

So, these subsidies are putting at risk our largest source of clean, cheap, reliable electricity—nuclear—and more importantly, putting at risk energy diversity.

This audience understands more than most the importance of energy diversity to help reduce price spikes and have a more reliable grid.

The recent polar vortex cold wave reminded us of the importance of diversity. When natural gas prices spiked, and demand was unusually high, nuclear and coal generations saved the day. You can't put a price on diversity, but when you need the lights to come on and the heater to kick in, diversity can be lifesaving, and wind subsidies are threatening that.

We need to go down a path to cheap, clean, reliable electricity.

That path would provide a pro-growth, pro-jobs energy policy that puts us more firmly on the path toward a competitive future and protects households and business across the country, especially during extreme conditions.

To start, the best way to achieve cheap, clean, reliable energy is through market-driven solutions. Some will say, well what about oil and gas, what about nuclear subsidies? The president in his State of the Union address called for an end to tax policy that gives "\$4 billion a year to fossil fuel industries." To begin with, fossil fuels contribute 67 percent of our electricity. "Big Wind" received \$1.4 billion through the wind production tax credit last year but only produces 4 percent of America's electricity.

The president often likes to cite the billions of dollars in subsidies for the oil and gas industry. But here's the catch: many of these "Big Oil" subsidies the president likes to highlight are the same or similar to tax provisions that benefit other industries.

For example, Xerox, Microsoft and Caterpillar all benefit from tax provisions like the manufacturing tax credit, amortization, or depreciation of used equipment that the president is counting as "Big Oil" subsidies. And, of course, wind energy companies also benefit from many similar tax provisions—but the production tax credit for wind is in addition to regular tax code provisions that benefit many companies.

We should end wasteful, long-term special tax breaks, both for "Big Oil" and "Big Wind." We should use the money we save from ending wasteful subsidies to reduce the federal debt and double energy research. Then we can let the free market determine the course forward, rather than the government picking "winners and losers."

In addition to supporting research, I believe it is appropriate for the government to jumpstart new technologies to allow time for the free enterprise system to take the reins, but these should be narrowly defined and temporary.

For example: Unconventional gas benefited from government research and a temporary tax credit—that expired in 1992. The full tax credit for plug-in electric cars was capped at 200,000 vehicles per manufacturer. The government provided research and licensing support for small modular reactors—but that ends after five years. There is a production

tax credit for nuclear power plants but it's limited to 6,000 megawatts.

On the other hand, we have the temporary wind production tax credit that was enacted in 1992 to jumpstart an industry, and according to the Congressional Research Service will cost taxpayers a total of \$22 billion from 1992 through 2022. The most recent one-year extension—which gives wind developers 10 years of subsidies—would cost \$12 billion over 10 years, according to the Joint Committee on Taxation. This is for what President Obama's former energy secretary called a "mature technology" that produces only 4 percent of our electricity and only works when the wind blows.

President Reagan used to say "the nearest thing to eternal life we'll ever see on this Earth is a government program" and that's too often the case with energy subsidies. The most glaring example is the more than 20-year-old subsidy for wind power, a technology that has matured. The United States uses 20 percent of all the electricity produced in the world for our computers, our businesses, our homes and our national defense. To rely on unreliable wind power when nuclear, coal and natural gas are available is the energy equivalent of going to war in sailboats. Those who oppose the path I am suggesting like to say that nuclear and coal aren't clean forms of electricity.

While this path isn't without its challenges, I'll take that argument on. Nuclear power is our largest source of air-pollution-free electricity, 60 percent. Then people opposing nuclear power will say, "what about the waste?" This is an issue of great concern to many of you. To address this challenge, I have cosponsored legislation with Senators Wyden, Murkowski and Feinstein that would implement the recommendations of the Blue Ribbon Commission on America's Nuclear Future.

The bill would create a new federal agency to oversee the nuclear waste program, and ensure that progress on consolidated storage sites and repositories moves along parallel tracks. The federal government should not be collecting fees without keeping its promise to dispose of the nuclear waste now sitting in your states. The D.C. Court of Appeals opinion in your case has made this point clear.

The Senate Energy and Natural Resources Committee has held two hearings on the legislation, and we are working toward having the committee hold a markup and favorably report the bill so it can move to the Senate floor.

We know how to control mercury, smog and soot, and many utilities are leading the way in installing these technologies, including the Tennessee Valley Authority.

So in order to burn coal in a clean way, the only remaining obstacle is carbon emissions from coal plants. The best way to solve that problem is not through a cap-and-trade system, which would raise prices, but instead through research and development, which could lower them. Finding a way to capture carbon from coal plants and turn it into a product that can be sold is the Holy Grail of energy research—and we are working on solutions that will do just that.

ARPA-E, a small energy research agency, is working with private companies to take the carbon from coal plants and feed it to microbes that with electricity can produce liquid transportation fuels. Such a solution might even make coal cheaper than it is today.

When you think about it that way, this crossroads I'm talking about—this fork in the road between clean, cheap, reliable energy and the mess of Germany and other European countries—is not just a challenge, but an opportunity.

It's true that our energy needs are great, and that there are obstacles to meeting them. But we also have an opportunity to get Washington out of the way and to liberate our free enterprise system. If we do, the path toward cheap, clean, reliable energy is full of possibility.●

#### TRIBUTE TO MITCH FOX

● Mr. HELLER. Madam President, today I wish to honor Nevadan Mitch Fox for his dedication to journalistic fairness and quality of character.

With almost 39 years of experience working for Las Vegas PBS, Mitch has come to be recognized as a journalist of integrity. Facilitating debate over a multitude of topics, Mitch has shown nothing but respect to his guests, always appreciating and inviting differences of opinion. Whether moderating a debate or a roundtable interview, the respect that Mitch commands encourages quality conversation and civil dialogue.

Mitch's legacy of nonpartisan journalism has made him a go-to source for news coverage. He serves as a shining example within his profession.

I will remember Mitch's welcoming and professional demeanor fondly, and I wish him luck on the next phase of his already distinguished career.

I ask my colleagues to join me in honoring this respectable Nevada journalist.●

#### TRIBUTE TO WILLIE McTEAR

● Mr. HELLER. Madam President, I wish to honor long-time Las Vegas resident and veteran, Willie McTear, who served our Nation in Vietnam.

Our Nation's veterans—the very men and women who put themselves in harm's way—protect the freedoms that Americans enjoy every day. I am grateful to these brave men and women in the Armed Forces, as well as their families, who make significant sacrifices in service to our Nation.

I am humbled to honor Mr. McTear for his dedication while serving in the military as a Rifleman/90mm Specialist. Mr. McTear is a veteran of Charlie Company, which was one of the last combat infantry units of 160 men to be drafted, trained, and sent to fight in Vietnam. Despite significant risks and challenges, the men of the 4th Battalion of the 47th Infantry saw their service as a rite of passage. However, it did not come without the wounds of war and the loss of close comrades, and for that, our Nation is indebted to these servicemembers.

Serving on the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals, but to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation.

Today, we commend Mr. McTear for his acts of valor and the continuous

sacrifices made by all of our servicemembers to ensure the safety and security of our Nation. We owe them and their families a great deal of gratitude for their commitment to America. I am proud to join the citizens of Nevada in recognizing Mr. McTear, and I ask my colleagues to join me in honoring him for his service on behalf of this great Nation.●

#### 2014 PARALYMPIANS

● Mr. HELLER. Madam President, today I wish to extend a well-deserved congratulations to Amy Purdy, a Nevadan who has earned the unique distinction of being named to the 2014 United States Paralympic Team. Amy is the only double amputee competing in snowboard cross. Ranking internationally as the No. 2 athlete in the sport in her field, I am proud to recognize her and some of our Nation's greatest athletes as members of Paralympic Team USA.

A Las Vegas native, Amy embodies the epitome of battle born having defeated a number of setbacks after contracting a deadly strain of meningitis at only 19 years of age. Amy overcame this significant challenge without hesitation and stands stronger than ever today. Just 3 months after her release from the hospital in 2001, Amy was back on her snowboard, shredding all statistics that said she should not have been alive.

The snow is not the only place where Amy showcases her talents. Upon her return from Sochi, Amy will compete on season 18 of *Dancing with the Stars*, where she hopes to raise awareness for the Paralympic movement.

In addition to challenging herself athletically, Amy champions all unique levels of abilities through her founding work with Adaptive Action Sports, an action sport development program for youth, young adults, and wounded veterans, all with permanent, physical disabilities.

I wish Amy the best of luck on her trip in Sochi. I ask my colleagues to join me in congratulating this remarkable athlete and Silver State citizen as we show support for the entire U.S. Paralympic Team.●

#### TRIBUTE TO ED VOGEL

● Mr. HELLER. Madam President, I wish to honor Nevadan Ed Vogel for his longtime dedication to journalistic integrity and for providing Nevadans with quality reporting. Working 35 years with the Las Vegas Review-Journal, Ed has covered the gamut of news stories as the RJ's Capital Bureau Chief.

My fondest memories of Ed go as far back as when I served as secretary of state. It was with great pleasure that Ed and I operated with an open-door policy. Whenever he walked into my office, I knew I should settle in for an interesting story or an entertaining