S. 1909

At the request of Mr. SCOTT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1909, a bill to expand opportunity through greater choice in education, and for other purposes.

S. 1911

At the request of Mr. SCOTT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1911, a bill to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century, and for other purposes.

S. 1913

At the request of Mr. UDALL of Colorado, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1913, a bill to make permanent the Payments in Lieu of Taxes program.

S. 1921

At the request of Mr. BLUNT, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1921, a bill to require a Federal agency to include language in certain educational and advertising materials indicating that such materials are produced and disseminated at taxpayer expense.

S. 1926

At the request of Mr. MENENDEZ, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Louisiana (Mr. VITTER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1926, a bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 and to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. CON. RES. 13

At the request of Mr. CASEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. Con. Res. 13, a concurrent resolution commending the Boys & Girls Clubs of America for its role in improving outcomes for millions of young people and thousands of communities.

S. CON. RES. 26

At the request of Mr. BLUMENTHAL, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Con. Res. 26, a concurrent resolution recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself, Mr. MCCAIN, and Mr. KING):

S. 1939. A bill to repeal the War Powers Resolution and to provide for proper war powers consultation, and for other purposes; to the Committee on Foreign Relations.

Mr. MCCAIN. Mr. President, I am pleased today to join my colleague, the junior Senator from Virginia, as we introduce the War Powers Consultation Act of 2014.

This legislation is the final product of the National War Powers Commission, which was a bipartisan effort co-led by former Secretary of State Jim Baker and former Secretary of State Warren Christopher. The commission was set up by the Miller Center at the University of Virginia to devise a modern and workable war powers consultation mechanism for the executive and legislative branches. It included some of our Nation's most distinguished and respected thinkers and practitioners of national security policy and law. In 2008, after more than a year of hard work, the commission released the final product—an actual legislative proposal to repeal and replace the War Powers Resolution of 1973, which no American President has ever accepted as constitutional.

As does my colleague, I view our introduction of this legislation today as the start of an important congressional and national debate, not the final word in that debate. We wish to pick up where the National War Powers Commission left off 6 years ago, and we do so fully understanding and hopeful that this legislation should be considered and debated and amended and improved through regular order.

My colleague from Virginia has done a great job on this legislation, and I am proud to join him. I wish to expand a bit on why updating the War Powers Resolution is such a worthwhile endeavor for the Senate to consider right now.

The Constitution gives the power to declare war to the Congress, but Congress has not formally declared war since June of 1942 even though our Nation has been involved in dozens of military actions of one scale or another since that time. There is a reason for this. The nature of war is changing. It is increasingly unlikely that the combat operations our Nation will be involved in will resemble those of World War II, where the standing armies and navies of nation states squared off against those of rival nation states on clearly defined fields of battle. Rather, the conflicts in which increasingly we find ourselves and for which we must prepare will be murkier, harder to reconcile with the traditional notions of warfare; they may be more limited in their objectives, their scope, and their duration; and they likely will not conclude with a formal surrender ceremony on the deck of a battleship.

The challenge for all of us serving in Congress is this: How do we reconcile the changing nature of war with Congress's proper role in the declaration of war? It is not exactly a new question, but it is a profound one, for unless we in Congress are prepared to cede our constitutional authority over matters of war to the executive, we need a more workable arrangement for consultation and decisionmaking between the executive and legislative branches.

We have seen several manifestations of this challenge in recent years. In 2011 President Obama committed U.S. military forces to combat operations in Libya to protect civilian populations from imminent slaughter by a brutal, anti-American tyrant. I, for one, believe he was right to do so. But 6 months later, when our armed services were still involved in kinetic actions in Libya—not just supporting our NATO allies but conducting air-to-ground operations and targeted strikes from armed, unmanned aerial vehicles—the administration claimed, as other administrations would, that it had no obligations to Congress under the War Powers Resolution because our Armed Forces were not involved in combat operations. That struck many Members of Congress, including me, as fundamentally at odds with reality, and unfortunately it pushed more Members of Congress into opposition against the mission itself.

More recently, we saw the opposite problem manifested with regard to Syria. Perhaps due to the backlash in Congress that the administration's handling of the Libya conflict engendered, President Obama decided to seek congressional authorization for limited airstrikes against the Assad regime after it slaughtered more than 1,400 of its own citizens with chemical weapons last August. An operation that likely would have lasted a few days and thus been fully consistent with the President's authority under the existing War Powers Resolution had he decided to act decisively and take limited military action instead devolved into a stinging legislative repudiation of executive action. The tragic result was that the Assad regime was spared any meaningful consequences for its use of a weapon of mass destruction against innocent men, women, and children, and, as with Libya, the forces that want to turn America away from the world were not checked but empowered.

Some of us may see the problem in these two instances as a failure of Presidential leadership, and I would agree, but I also believe the examples of Libya and Syria represent the broader problem we as a nation face: What is the proper war power authority of the executive and legislative branches when it comes to limited conflicts, which are increasingly the kinds of conflicts with which we are faced?

It is essential for the Congress and the President to work together to define a new war powers consultative agreement that reflects the nature of conflict in the 21st century and is in line with our Constitution. Our Nation does not have 535 commanders in chief. We have one—the President—and that role as established by our Constitution

must be respected. Our Nation is poorly served when Members of Congress try to micromanage the Commander in Chief in matters of war.

At the same time, now more than ever, we need to create a broader and more durable national consensus on foreign policy and national security, especially when it comes to matters of war and armed conflict. We need to find ways to make internationalist policies more politically sustainable.

After the September 11 attack, we embarked on an expansive foreign policy. Spending on defense and foreign assistance went up, and energy shifted to the executive. Now things are changing. Americans want to pull back from the world. Our foreign assistance and defense budgets are declining. The desire to curb Presidential power across the board is growing, and the political momentum is shifting toward the Congress. America has gone through this kind of political rebalancing before, and much of the time we have gotten it wrong. That is how we got isolationism and disarmament after World War I, that is how we got a hollow army after Vietnam, and that is how we weakened our national security after the Cold War in the misplaced hope of cashing in on a peace dividend. We can't afford to repeat these mistakes.

A new war powers resolution—one that is recognized as both constitutional and workable in practice—can be an important contribution to this effort. It can more effectively invest in the Congress the critical decisions that impact our national security. It can help build a more durable consensus in favor of the kinds of policies we need to sustain our global leadership and protect our Nation. In short, the legislation we are introducing today can restore a better balance to the way national security decisionmaking should work in a great democracy such as ours.

Let me say again. Neither the Senator from Virginia nor I believe the legislation we are introducing today answers all of the monumental and difficult questions surrounding the issue of war powers. We believe this is a matter of transcendent importance to our Nation, and we as a deliberative body of our government should debate this issue, and we look forward to that debate. This legislation should be seen as a way of starting that discussion both here in the Congress and across our Nation. We owe that to ourselves and our constituents. Most of all, we owe that to the brave men and women who serve our Nation in uniform and are called to risk their lives in harm's way for the sake of our Nation's national defense.

Before I yield to my tardy colleague from Virginia, I wish to mention again another reason why I think this legislation should be the beginning of a serious debate which we should bring to some conclusion. The fact is that no President of the United States has recognized the constitutionality of the War Powers Act. That is a problem in itself. That is a perversion, frankly, of the Constitution of the United States of America. That is one reason, but the most important reason is that I believe we are living in incredibly dangerous times. When we look across the Middle East, when we look at Asia and the rise in the tensions in that part of the world and we look at the conflicts that are becoming regional—and whose fault they are is a subject for another debate and discussion, but the fact is that we are in the path of some kind of conflict in which—whether the United States of America wants to or not—we may have to be involved in some ways.

We still have vital national security interests in the Middle East. It is evolving into a chaotic situation, and one can look from the Mediterranean all the way to the Strait of Hormuz, the Gulf of Aqaba, and throughout the region. So I believe the likelihood of us being involved in some way or another in some conflict is greater than it has been since the end of the Cold War, and I believe the American people deserve legislation and a clear definition of the responsibilities of the Congress of the United States and that of the President of the United States.

Again, I thank my colleague from Virginia, whose idea this is, who took a great proposal that was developed at the University of Virginia and was kind enough to involve me in this effort. I thank him for it. I thank him for his very hard work on it, despite the fact that, as the Chair will recognize, he was late for this discussion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I thank my colleague from Arizona for pointing out to all in the Chamber my tardiness, and I should not have been tardy because I do not like to follow the Senator from Arizona. I would rather begin before him. But I want to thank him for his work with me, together, on this important issue and amplify on a few of the comments he has made.

Today, together, as cosponsors we are introducing the War Powers Consultation Act of 2014, which would repeal the 1973 War Powers Resolution and replace it. I could not have a better cosponsor than Senator MCCAIN and appreciate all the work he and his staff have done over the last months with us.

I gave a floor speech about this issue in this Chamber in July of 2013, almost to the day, 40 years after the Senate passed the War Powers Resolution of 1973. Many of you remember the context of that passage. When it was passed in the summer of 1973, it was in the midst of the end of the Vietnam war. President Nixon had expanded the Vietnam war into Cambodia and Laos without explicit congressional approval, and the Congress reacted very negatively and passed this act to try to curtail executive powers in terms of the initiation of military hostilities.

It was a very controversial bill. When it was passed, President Nixon vetoed it. Congress overrode the veto at the end of 1973. But as Senator MCCAIN indicated, no President has conceded the constitutionality of the 1973 act, and most constitutional scholars who have written about the question have found at least a few of what they believe would be fatal infirmities in that 1973 resolution.

It was a hyperpartisan time, maybe not unlike some aspects of the present, and in trying to find that right balance in this critical question of when the Nation goes to war or initiates military action, Congress and the President did not reach an accord.

I came to the Senate with a number of passions and things I hoped to do. But I think I came with only one obsession, and this is that obsession. Virginia is a State that is most connected to the military of any State in the country. Our map is a map of American military history—from Yorktown, where the Revolutionary War ended, to Appomattox, where the Civil War ended, to the Pentagon, where 9/11 happened. That is who we are. One in nine Virginians is a veteran. If you add our Active Duty, our Guard and Reserve, our military families, our DOD civilians, our DOD contractors, you are basically talking about one in three Virginians. These issues of war and peace matter so deeply to us, as they do all Americans.

The particular passion I had in coming to this body around war powers was because of kind of a disturbing thought, which is, if the President and Congress do not work together and find consensus in matters around war, we might be asking our men and women to fight and potentially give their lives without a clear political consensus and agreement behind the mission.

I do not think there is anything more important that the Senate and the Congress can do than to be on board on decisions about whether we initiate military action, because if we do not, we are asking young men and women to fight and potentially give their lives, with us not having done the hard work of creating the political consensus to support them. That is why I have worked hard to bring this to the attention of this body with Senator MCCAIN.

The Constitution actually sets up a fairly clear framework. The President is the Commander in Chief, not 535 commanders-in-chief, as Senator MCCAIN indicated. But Congress is the body that has the power both to declare war and then to fund military action. In dividing the responsibilities in this way, the Framers were pretty clear. James Madison, who worked on the Constitution, especially the Bill of Rights, wrote a letter to Thomas Jefferson and said:

> The constitution supposes, what the History of all Governments demonstrates, that the Executive is the branch of power most interested in war, and most prone to it. It

has accordingly with studied care vested the question of war in the Legislature.

Despite that original constitutional understanding, our history has not matched the notion that Congress would always be the initiator of military action. Congress has only declared war five times in the history of the United States, while Presidents have initiated military action prior to any congressional approval more than 120 times.

In some of these instances where the President has initiated war, Congress has come back and either subsequently ratified Presidential action—sometimes by a formal approval or sometimes by informal approval such as budgetary allocation—but in other instances, including recently, Presidents have acted and committed American military forces to military action without any congressional approval. The Senator from Arizona mentioned the most recent one. President Obama committed military force to NATO, action against Libya in 2011, without any congressional approval, and he was formally censured by the House of Representatives for doing so.

The current context that requires a reanalysis of this thorny question, after 40 years of the War Powers Resolution, was well stated by the Senator from Arizona. Wars are different. They start differently. They are not necessarily nation state against nation state. They could be limited in time or, as of now, we are still pursuing a military force that was authorized on September 18, 2001, 12 or 13 years later. Wars are of different duration, different scope, different geography. Nation states are no longer the only entities that are engaged in war.

These new developments that are challenging—what do we do about drones in countries far afield from where battles were originally waged—raise the issue of the need to go back into this War Powers Resolution and update it for the current times.

As the Senator from Arizona mentioned, this has been a question that Members of Congress have grappled with and thought about, as have diplomats and scholars and administration officials and Members of Congress for some time.

In 2007, the Miller Center for the study of the presidency at the University of Virginia convened a National War Powers Commission under the chairmanships of two esteemable and bipartisan leaders—former Secretaries of State Warren Christopher and James Baker. The remaining members of the Commission were a complete A list of thinkers in this area—Slade Gorton, Abner Mikva, Ed Meese, Lee Hamilton. The Commission's historian was no less than Doris Kearns Goodwin, who looked at the entire scope of this problem in American history and what the role of Congress and the President should be.

The Commission issued a unanimous report, proposing an act to replace the War Powers Act of 1973, briefed Congress and incoming President Obama on the particular act in 2007 and 2008, but at that time, the time was not yet ripe for consideration of this bill.

But now that we are 40 years into an unworkable War Powers Resolution and now, as the Senator indicated, we have had a string of Presidents—both Democratic Presidents and Republican Presidents—who have maintained that the act is unconstitutional and now that we have had a 40-year history of Congress often exceeding to the claim of unconstitutionality by not following the War Powers Resolution itself, we do think it is time to revisit.

Let me just state two fundamental, substantive issues that this bill presents in the War Powers Consultation Act of 2014.

First, there is a set of definitions. What is war? The bill defines significant military action as any action where involvement of U.S. troops would be expected to be in combat for at least a week or longer. Under those circumstances, the provisions of the act would be triggered.

There are some exceptions in the act. The act would not cover defined covert action operations. But once a combat operation was expected to last for more than 7 days, the act would be triggered.

The act basically sets up two important substantive improvements on the War Powers Resolution.

First, a permanent consultation committee is established in Congress, with the majority and minority leaders of both Houses and the chairs and ranking members of the four key committees in both Houses that deal with war issues—Intel, Armed Services, Foreign Relations, and Appropriations.

That permanent consultation committee is a venue for discussion between the executive and legislative branches—permanent and continuous—over matters in the world that may require the use of American military force.

Because the question comes up often: What did the President do to consult with Congress? Is it enough to call a few leaders or call a few committee chairs? This act would normalize and regularize what consultation with Congress means by establishing a permanent consultation committee and requiring ongoing dialogue between the Executive and that committee.

The second requirement of this bill is that once military action is commenced that would take more than 7 days, there is a requirement for a vote in both Houses of Congress. The consultation committee itself would put a resolution on the table in both Houses to approve or disapprove of military action. It would be a privileged motion with expedited requirements for debate, amendment, and vote, and that would ensure that we do not reach a situation where action is being taken at the instance of one branch with the other branch not in agreement, because to do that would put our men and women who are fighting and in harm's way at the risk of sacrificing their lives when we in the political leadership have not done the job of reaching a consensus behind the mission.

To conclude, I will acknowledge what the Senator from Arizona said. This is a very thorny and difficult question that has created challenges and differences of interpretation since the Constitution was written in 1787. Despite the fact that the Framers who wrote the Constitution actually had a pretty clear idea about how it should operate, it has never operated that way.

Forty years of a failed War Powers Resolution in today's dangerous world suggests that it is time now to get back in and to do some careful deliberation to update and normalize the appropriate level of consultation between a President and the legislature.

The recent events as cited by the Senator—whatever you think about the merits or the equities, whether it is Libya, whether it is Syria, whether it is the discussions we are having now with respect to Iran or any other of a number of potential spots around the world that could lead to conflict—suggest that while decisions about war and initiation of military action will never be easy, they get harder if we do not have an agreed-upon process for coming to understand each other's points of view and then acting in the best interest of the Nation to forge a consensus.

With that, I appreciate the opportunity to stand with my colleague, after a number of months of discussion, to introduce this bill, and I look forward to the opportunity to carry this dialogue forward with my colleagues in this body.

Thank you very much.

By Mr. LEAHY (for himself, Mr. DURBIN, and Mr. COONS):

S. 1945. A bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, almost five decades ago, President Lyndon Johnson signed the original Voting Rights Act into law. At the signing, he spoke eloquently about the central purpose of the law. He said:

> This act flows from a clear and simple wrong. Its only purpose is to right that wrong. Millions of Americans are denied the right to vote because of their color. This law will ensure them the right to vote. The wrong is one which no American, in his heart, can justify. The right is one which no American, true to our principles, can deny.

A lot has changed since 1965 and much progress has been made, but 7 years ago the Senate and House examined whether racial discrimination in voting was still a problem that required a Federal solution. After a long series of hearings in both Chambers and based upon a mountain of evidence,

Democrats and Republicans came together to conclude that racial discrimination in voting is still a problem and the protections that voters have had under the Voting Rights Act were still needed. Yet, last summer, the U.S. Supreme Court issued a decision that struck at the heart of the Voting Rights Act when it held that the coverage provision of section 5 was unconstitutional because it was not sufficiently based on current conditions. In doing so, the Court made clear that Congress could update the law to reinstitute the protections of section 5 coverage if it were based on more recent conduct.

Today, I am pleased to announce that we are responding to the Court's decision by introducing a bill that helps reinvigorate the most vital protections of the act. Through months of cooperation, negotiation, and compromise, Congressmen SENSENBRENNER and CONYERS and I have agreed on a bipartisan and bicameral proposal to restore the protections of the Voting Rights Act that were weakened by the Supreme Court's decision last summer. Our sole focus throughout this entire process was to ensure that no American would be denied their constitutional right to vote because of discrimination on the basis of race or color. We believe that this is a strong bipartisan bill that accomplishes this goal and that every Member of Congress can support.

Under our bipartisan bill, all States and jurisdictions are eligible for section 5 protections under a new coverage formula, which is based on repeated voting rights violations in the last 15 years. This coverage provision is based solely on a State's or local jurisdiction's recent voting rights record. Significantly, the 15-year period ''rolls'' or continuously moves to keep up with ''current conditions,'' as the Supreme Court stated should be a basis for any coverage provision. If a State that is covered establishes a clean record moving forward, it will fall out of coverage. In addition, the existing bailout provision would still be available for States or jurisdictions that can establish that they had a clean record in a 10-year span. These provisions ensure that the coverage provision is not over-inclusive because jurisdictions that have not repeatedly violated the voting rights of its constituents can come out from under preclearance requirements.

Our bill would also improve the Voting Rights Act to allow our Federal courts to bail-in the worst actors for preclearance. Current law permits States or jurisdictions to be bailed in only for intentional voting rights violations, but to ensure that the worst discrimination in voting is captured, the bill would amend the act to allow States or jurisdictions to be bailed in for results-based violations, where the effect of a particular voting measure is to deny an individual his or her right to vote.

In recognition that voters need to be aware of changes in laws affecting their right to vote, the bill provides for greater transparency in elections. Sunlight is a great disinfectant, as Justice Brandeis once observed, and in this instance, the additional sunlight will protect voters from discrimination. The transparency provisions provide for public notice and information in three areas. The first part requires public notice of late breaking changes in Federal elections. The second part requires information on polling place resource allocation for Federal elections. The third part requires information on changes to electoral districts, including demographic information, to prevent racial gerrymandering, impermissible redistricting, and infringement on minority voters. The last part requires this information for Federal, State, and local elections because the most impermissible conduct oftentimes occurs in State and local elections.

Finally, our bill revises the preliminary injunction standard for voting rights actions. The principle behind this part of the proposal is the recognition that when voting rights are at stake, obtaining relief after the election has already concluded is too late to vindicate the individuals' voting rights. We recognize that there will be cases where there is a special need for immediate, preliminary relief where the plaintiff can establish that the voting measure is likely to be discriminatory.

This proposal is a bipartisan effort to provide a narrow fix to address the Supreme Court's Shelby County decision to ensure that all Americans are protected from racial discrimination in voting. I am confident and hopeful that the Congress can work together as a body—not as Democrats or Republicans but as Americans—to ensure that we root out all voter discrimination with a strong and reinvigorated Voting Rights Act.

I am confident we can do this because protecting voting rights has always been a bipartisan effort. In 1965 President Johnson signed the Voting Rights Act into law. That law was passed with overwhelming bipartisan support in Congress. In the Senate the vote was 79 to 18. In the House the vote was 328 to 74. In the four times since it was reauthorized, the support for the law has only increased. In fact, when President George W. Bush signed the most recent reauthorization in 2006, the vote in the Senate was 98 to 0 and the vote in the House was 390 to 33. Too often there is gridlock in Congress, but when it comes to the Voting Rights Act, there is almost unanimous agreement on the principle that no American should be denied his or her right to vote or to participate in our democracy.

My hope is that we can continue this legacy of bipartisanship on the issue of voting rights. As we prepare to celebrate Martin Luther King, Jr. Day on Monday, we should remember the words of Dr. King, who, in a powerful speech about the right to vote, said:

So long as I do not firmly and irrevocably possess the right to vote I do not possess myself. I cannot make up my mind—it is made up for me. I cannot live as a democratic citizen, observing the laws I have helped to enact—I can only submit to the edict of others. So our most urgent request to the president of the United States and every member of Congress is to give us the right to vote.

I believe that the bipartisan bill we are introducing today honors the spirit of those words. I thank Senators DURBIN and COONS for working with me and I look forward to working with all Senators on this important legislation.

By Mr. WYDEN (for himself, Mr. SCHATZ, and Mrs. FEINSTEIN):

S. 1946. A bill to amend the Reclamation Safety of Dams Act of 1978 to modify the authorization of appropriations; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I rise to introduce a bill to protect valuable water resource infrastructure across the West. I am pleased to be joined by Senators SCHATZ and FEINSTEIN who share my concern for dam safety. The Bureau of Reclamation's Dam Safety Program is not a new program, but it is vital for farmers, local economies, and communities in 17 Western States. Because the Safety of Dams, SOD Program is running out of money, it is essential that Congress extend the program and allow projects to proceed by permanently authorizing the funding needed.

The SOD Program has a straightforward mission: ''to ensure that Reclamation facilities do not present unreasonable risks to the public, public safety, property, and/or the environment.'' The challenge of meeting that mission is complicated by the strains of aging infrastructure and population growth within dam failure zones. Reclamation manages 476 dams and dikes, 370 of which are listed within the high or significant hazard class, meaning failure of the dam or dike would cause life loss or significant damages. Once Reclamation begins risk modifications to a dam, the local partners share 15 percent of the associated costs. Since the creation of the SOD Program, Congress has seen fit to raise the program's authorized ceiling four times—in 1984, 2000, and 2002. Twelve years later, it is time to keep this program going once more before we hit the ceiling.

My bill would do away with the authorization ceiling and permanently authorize this important program. No longer would the ceiling be a hindrance on advancing dam safety. A project in my home State helps to illustrate the problem. Scoggins Dam is located in Washington County, OR. The dam forms the heart of the water system in the Tualatin Basin, providing drinking water to residents, irrigation for valuable croplands, and support for nearly a quarter million jobs. The risk to Scoggins Dam comes from its position within the Cascade subduction zone, where a typical earthquake has a magnitude of 8.7 to 9.2. As the first U.S. Senator to visit Fukushima after its

devastating subduction zone earthquake and resulting tsunami, I saw firsthand the incredible damage a seismic event can have on a region and its infrastructure.

The Bureau of Reclamation is already well into the process of risk assessment on Scoggins Dam, and the current SOD Program ceiling poses a significant obstacle to advancing the project to concrete risk-mitigation actions. Reclamation has evaluated Scoggins Dam and predicted that an earthquake could cause spill wall failure and potential embankment failure due to deformation, overtopping, or erosion through cracks. Reclamation completed the correction action study for Scoggins in late 2012; however, no modifications can proceed until there is room in the SOD Program budget. The uncertainty around fixing this Federal facility is taking a toll on economic development at a time when pivotal Oregon companies like Intel and Nike are undertaking expansions in Washington County. Scoggins Dam joins a list of other dam projects on the near horizon that won't be able to proceed without this bill.

Ensuring that dams continue to provide the benefits they do across the West in a safe manner is an important responsibility. I want to express my thanks to the Tualatin Basin Water Supply Partners for their diligent work to see that safety modifications are made for the public's benefit and to meet the region's long-run water needs. I look forward to working with Senator SCHATZ, Senator FEINSTEIN, and other colleagues and the bill's other supporters to continue the work of the SOD Program.

By Mr. SANDERS:

S. 1950. A bill to improve the provision of medical services and benefits to veterans, and for other purposes; read the first time.

Mr. SANDERS. Mr. President, today as the chairman of the committee I have introduced the most comprehensive piece of veterans legislation that we have seen in a very long time. The Comprehensive Veterans Health and Benefit and Military Retirement Pay Restoration Act of 2014 delivers on the promises that we have made to our servicemembers and I believe will have the support of Members of the Senate and of the House. It addresses virtually every single issue the veterans community has been concerned about.

What we have done now is taken two omnibus bills and wrapped them into this legislation. In addition, we have taken other pieces of legislation passed by the committee, and we have added to that based on some recent developments.

This legislation is the product of a year of bipartisan work and includes provisions important to almost every single veterans service organization and dozens of Members of the Senate, Republican, Democrat, and Independent, many of which were reported out of the Veterans' Affairs Committee with strong bipartisan support.

This legislation completely eliminates the cuts that were made to the military retiree cost-of-living adjustments. I know there was great concern here in the Senate from Democrats and Republicans about that cut, as well as in the House of Representatives. I am happy to say this legislation completely eliminates the cuts that were made to the military retiree cost-of-living adjustments.

As we all know, the Bipartisan Budget Act of 2013 that was passed a few days ago would lower cost-of-living adjustments for military retirees by reducing the annual adjustment by 1 percent until age 62. The American people have spoken very loudly and very clearly. They have told the Congress to restore those cuts to military retirees and we have listened. I applaud the House and the Senate for restoring these cuts for disabled military retirees and survivors in the appropriations act we passed today. Today we took care of part of the problem. But we have to do more. What the comprehensive veterans bill I have introduced today does is restore the full COLA to all military retirees, every single retiree. This bill restores these COLAs and does much more.

I wish to take a moment to highlight some of the key provisions of this comprehensive piece of legislation. Let me say, this legislation is based on listening very carefully to what the veterans organizations have told us in private meetings, in hearings, and at some of the very large hearings we have held with the American Legion, the VFW, the DAV, and many other service organizations. Let me briefly touch on some of the provisions we are addressing, some of the concerns we are addressing in this comprehensive veterans legislation which, I should add, is fully paid for. It is fully paid for.

In the first omnibus bill that we passed, S. 944, the Veterans Health and Benefits Improvement Act of 2013, we dealt with in-State tuition assistance for post-9/11 veterans, an issue of great concern to young veterans and to all of the veterans organizations. This package includes provisions the committee's ranking member Senator BURR and I worked together on, that would help servicemembers transition back into civilian life by making recently separated veterans eligible for tuition at the in-State rate.

Given the nature of our Armed Forces, servicemembers have little to no say as to where they reside during military service. Therefore, many of these servicemembers have not had sufficient time to establish residency by the time they go back to school. This legislation would help the transition of our brave men and women who have sacrificed so much in defense of our country by giving them a fair shot at attaining educational goals without incurring an additional financial burden. We address that issue in this legislation.

Clearly one of the issues that has been an embarrassment to all of us is the degree of sexual assault we have seen in the military. What this legislation does is address that issue as well. While the Pentagon, Congress, and other stakeholders continue to work to end sexual assault within the military, something we have to focus on, we must nonetheless do everything we can to ensure that the VA is a welcoming place for those who have survived sexual assault. That is why this legislation includes important provisions that would improve the delivery of care and benefits to individuals who experience sexual trauma by serving in the military. These provisions were inspired by Ruth Moore, a veteran who struggled for 23 years to receive VA disability compensation.

It would expand access to VA counseling and care to active-duty servicemembers and members of the Guard and Reserve who experienced sexual assault during inactive-duty training. It also takes a number of steps to improve the adjudication of disability compensation claims based on military sexual trauma.

This legislation will give the VA additional tools to provide victims of sexual trauma with the care and benefits they need to confront the emotional and physical consequences of these horrific acts. Sexual assault in the military is unacceptable and this committee is, in a significant way, addressing that issue.

One of the concerns we have heard from many veterans and veterans organizations is the issue of overmedication. Many of our veterans come back and receive in some cases 5, 10 different types of pills to address some of the very serious problems they have. What this bill does is expand, among many other things, access to complementary and alternative medicine. The VA already does a good job in that area. This would expand their capability to provide complementary and alternative medicine.

Maintaining the VA's world-class health care system remains a priority for our committee. I am pleased we were able to respond to calls from veterans to increase access to complementary and alternative medicine for the treatment of chronic pain, mental health conditions, and chronic disease. By expanding access to these treatment options—options such as acupuncture, meditation, massage therapy, and many others—we can enhance the likelihood veterans get the care they need in the way that works for them. These treatments are becoming more and more popular. More and more veterans want access to them and that is what we do in this legislation.

Additionally, this legislation calls for the VA to promote healthy weight in veterans by increasing their access to fitness facilities as a healthy weight is critical to combating multiple chronic diseases, including diabetes and heart disease. In other words, the

most cost-effective and best way to treat disease is to prevent that disease by making sure our veterans have the opportunity to keep healthy. This legislation does that as well.

This legislation further honors as veterans certain persons who performed service in the Reserve components of the Armed Forces. I know how important this provision is for all those who wore this Nation's uniforms as members of the Reserves. I am pleased we will finally honor their service with passage of this legislation.

This legislation also expands benefits for surviving spouses, for the spouses of those who gave their lives to defend this country. I want to make special note of provisions that will be included in this package that would also strengthen the benefits and services provided to surviving family members by addressing a number of concerns brought to the attention of this committee by the Gold Star Wives in testimony last year.

Obviously the Gold Star Wives are the spouses of those soldiers who died in combat. Specifically, this bill would provide additional dependency and indemnity compensation for surviving spouses with children in order to provide financial support in the difficult period following the loss of a loved one. This bill would also expand the Marine Gunnery Sergeant John David Fry Scholarship to include surviving spouses of members of the Armed Forces who died in the line of duty. That means surviving spouses would become eligible for post-9/11 GI bill benefits, setting them and their families up for success in the years to follow.

One of the issues that has occupied a great deal of time and energy on the committee deals with claim processing. We all know that for the last number of years the VA has had a very significant backlog. That is clearly not acceptable. When a veteran brings forth a claim, that claim should be processed in a reasonable period of time with a reasonable degree of accuracy. We are all too well familiar with the challenges of the claims backlog. I am very pleased to see that the VA is making significant progress on this complex issue. They are going from paper to digital. That is a huge process. As a result, the backlog is declining. That is good news, but we have to do more.

This legislation would support VA's ongoing efforts and would make needed improvements to the claims system. Among a number of claims-related provisions, this bill for the first time would require the Department to publicly report on both claims processing goals and actual production. This would allow Congress and the public to closely track and measure VA's progress on this difficult issue. The Secretary of the VA Eric Shinseki has proposed a very ambitious goal for the end of 2015. We want to make sure they are on track.

That is some of the provisions included in the first bill. Let me talk a little about bit about the second omnibus bill. Both of those bills passed unanimously out of committee. The Comprehensive Veterans Health and Benefits and Military Retirement Pay Restoration Act of 2014 includes provisions from S. 1581, a second omnibus bill that moved out of the committee with unanimous support at the November markup. Here are some of the provisions in that omnibus.

The improvement and expansion of dental care. I don't know about New Mexico, but I can tell you that in Vermont, and in fact in many parts of this country, inability to access affordable dental care is a major crisis. It is true for the general public and it is true for veterans as well. The truth is, right now the VA, with the exception of service-connected oral problems, does not provide dental care to our veterans. I think that is a very significant omission.

What this legislation does is, starting off with a large-scale pilot project, begin the effort to make sure dental care becomes part of VA health care. This is something that I think the veterans throughout this country will be very excited to learn about and to participate in.

Those are some of the provisions that were in the two omnibus bills, and they passed unanimously.

Let me talk about some other legislation that came out of the committee, in some cases with bipartisan support, but not unanimously. The first one deals with advanced appropriations for the VA; that is, S. 932, the Putting Veterans Funding First Act of 2013. That was introduced, as I recall, by Senators BEGICH and BOOZMAN in a bipartisan way. Here is the story, which is very important: As we saw last year, in the event of a prolonged government shutdown, the Veterans' Administration would not have been able to issue disability compensation or pension payments or provide educational benefit to millions of deserving veterans.

The truth is that during that shutdown, we were perhaps a week or 10 days away from disabled veterans, and others, not getting the benefits so many of them depend upon. It is what they depend upon to buy groceries, it is what they depend upon to pay a mortgage, and to make their car payments. We were a week or 10 days away from those veterans not getting those benefits.

I am happy to say that in this legislation we have addressed that issue, and we have moved forward with advanced appropriations for mandatory accounts at the VA.

Our economy is making slow progress. We are creating jobs, but nobody believes we are anywhere near where we want to be. Real unemployment in this country is close to 13 percent. In my view, we owe a great deal to our veterans who have left their families, their jobs, gone abroad, and then when they come back, they are unable to find employment. What our legislation does is put into this comprehensive bill the Renew Our VOW to Hire Heroes, S. 6, the Putting Veterans Back to Work Act of 2013. This legislation would reauthorize provisions from the VOW to Hire Heroes Act, including a 2-year extension to the Veterans Training Assistance Program which retrains unemployed veterans for high-demand occupations. There are other employment provisions in this legislation as well.

Several years ago, under the leadership of our colleague PATTY MURRAY, who was my predecessor as chair of the Veterans' Affairs Committee, we proudly passed the Caregivers Act. The Caregivers Act was a very important piece of legislation which said to families who were taking care of disabled veterans: We understand what you are doing is very difficult, and we are going to give you some assistance.

The legislation we had passed dealt with post-9/11 veterans and their families. After listening to the concerns of pre-9/11 veterans and their family members, I introduced S. 851, the Caregivers Expansion and Improvement Act of 2013 to extend eligibility for the caregivers programs to veterans' families of all eras. So we took this program, which was working well, and we said we are going to pay attention to the needs of all families who are taking care of men and women who put their lives on the line to defend us and have become disabled, and that is in this legislation as well.

Also in this legislation is language which will extend eligibility to enroll in VA health care, and that is S. 1604. We all know that early diagnosis of health care conditions is critically important. Under the current law, recently separated veterans have 5 years of free health care from the VA. This legislation would extend the period of time for these individuals, including members of the active component, the National Guard, and Reserves. They will be eligible to enroll in the VA health care system for 10 years post deployment. We go from 5 years to 10 years.

This benefit has been incredibly helpful to our most recent generation of servicemembers, and extending the enrollment period will allow more individuals to take advantage of VA's high-quality, cost-effective health care system, including important access to mental health care services.

Additionally, this legislation simplifies the process for determining eligibility for enrollment in VA health care for lower income veterans. Currently VA uses an extremely complex calculation of geographic income thresholds that vary from county to county. You can have one veteran in one county in Vermont, another person living a mile away, and one is eligible for VA health care because of his or her income, but another person with the same income is not eligible. My legislation establishes one income threshold per State, simplifies the process, and

will enable more veterans to be eligible for VA health care.

This legislation also includes S. 131, the Women Veterans and Other Health Care Improvements Act of 2013. With the widespread use of improvised explosive devices throughout Iraq and Afghanistan, both female and male servicemembers have found themselves with increased risk of spinal cord, reproductive, and urinary tract injury. Many of these veterans dreamed of starting a family, but their injuries prevented them from conceiving, and this legislation will help them fulfill their dreams.

We have three more important provisions I want to briefly touch upon, and that is, once again, the restoration of full COLA for all military retirees. In an effort to address concerns regarding the cost-of-living adjustments for all military retirees, this bill would reaffirm the commitment Congress made to our servicemembers and veterans by ensuring consistent and appropriate funding for military retirees and veterans. This very important provision is in this legislation.

Furthermore, there has been a concern that many CBOCs, community-based outreach clinics, that have been planned all over this country have been unable to be built for a variety of technical reasons. We addressed that issue as well. This bill also improves access to mental health treatment for veterans.

Let me conclude by saying we give a lot of speeches about the respect we have for the men and women who put their lives on the line to defend this country. They have come forward through the veterans committee and they have said: We have concerns. We have concerns about health care; we have concerns about how quickly the benefits that we apply for come to us. They have been very loud and clear in saying—and we agree with them—that it is unacceptable that pensions promised to veterans have been cut. There have been many other issues dealing with employment and dealing with education.

What this bill does in a comprehensive way is to say to the veterans of this country—the millions and millions of people who have given so much to us—we hear your concerns. We hear your concerns, and we are going to address your concerns.

I want to take this moment to thank majority leader Senator REID. He has been very supportive of not only veterans in general but supportive of this effort to make sure we keep our promises to the veterans of this country. That bill has been introduced. My hope is we can get it to the floor as soon as possible.

I hope very much that although there is a partisan climate, that on this issue of keeping our promises to the men and women who have put their lives on the line to defend this country, we can come together as a Senate and as a House and have the President sign this bill which will mean so much to so many.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Mr. President, I want to start by thanking Chairman SANDERS of the Veterans' Affairs Committee, where I serve, for his extraordinary vision and leadership and join him in thanking the majority leader for his commitment to this kind of comprehensive and aggressive approach to revise and reinvigorate, reinvent and reform, veterans programs in a comprehensive and overarching approach.

I will be speaking at greater length in the days and weeks to come, but I want to join the Senator in committing all of us—I hope on a bipartisan basis—to this effort to fix the flaws and fulfill the vision this Nation owes to the men and women who have served and sacrificed year after year.

This program recognizes a fundamental truth: We are dealing with different populations of different ages, and within those populations, people with different needs and challenges, and a comprehensive program is necessary to address the obligation. It is an obligation we owe them to make sure that we leave no veteran behind and keep faith with every man and woman who has served and sacrificed for this Nation.

It fixes the flaws of the last budget agreement that reduced the cost-of-living adjustment on retirees' pensions. It commits the Nation to economic opportunity and real jobs—training for the jobs that exist now and the jobs of the future. It reforms loan and aid programs for college education and also for noncollege education.

It addresses the gaps in health care, not just by promising but performing. And, of course, it will also necessarily help veterans who may be preyed upon by schemes and scams, legal or illegal, and that is a very desperate and challenging need for this Nation to address, and hopefully it will do so on a bipartisan basis.

There should be no reason and no justification for opposing an effort that is paid for—and I stress paid for. My hope is we will have bipartisan support for this visionary and courageous measure that says to America's veterans: We will keep faith with you. We will leave no veteran behind.

One of the first promises I made 3 years ago in the first speech I gave on the floor of this Chamber was I would work and fight aggressively for the veterans of this Nation. I intend to work for this program—work to improve it—and continue to listen to the Veterans of Foreign Wars, the Vietnam Veterans of America, the American Legion, and all of the groups that represent our veterans so ably, and speak for them. The voices and faces of Connecticut's veterans have been with me always, and I see them always when I return. I will work tirelessly for this program.

Again, my thanks to all of the members of the Veterans' Affairs Committee who will be supporting this program, and to our chairman Senator SANDERS for his great leadership.

SUBMITTED RESOLUTIONS

By Mr. MCCONNELL (for himself, Mr. VITTER, Mr. MORAN, Mr. SCOTT, Mr. HOEVEN, Mr. PORTMAN, Mr. THUNE, Mr. PAUL, Mr. HATCH, Mr. INHOFE, Mr. BLUNT, Mr. BARRASSO, Mr. ENZI, Mr. ROBERTS, Mr. SESSIONS, Mr. ISAKSON, Mr. FLAKE, Mr. RUBIO, Mr. JOHANNS, Mr. BOOZMAN, Mrs. FISCHER, Ms. MURKOWSKI, Mr. CORNYN, Mr. JOHNSON, of Wisconsin, Mr. RISCH, Mr. BURR, Mr. SHELBY, Mr. CHAMBLISS, Mr. COBURN, Mr. GRASSLEY, Mr. MCCAIN, Mr. ALEXANDER, Mr. CRAPO, Mr. LEE, Mr. COATS, Mr. TOOMEY, Mr. COCHRAN, Mr. CRUZ, Mr. KIRK, Mr. WICKER, Mr. CORKER, and Mr. GRAHAM):

S.J. Res. 30. A joint resolution to disapprove a rule of the Environmental Protection Agency relating to greenhouse gas emissions from electric utility generating units; to the Committee on Environment and Public Works.

S.J. RES. 30

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to new source performance standards for emissions of carbon dioxide for new affected fossil fuel-fired electric utility generating units (published at 79 Fed. Reg. 1430 (January 8, 2014)), and such rule shall have no force or effect.

SENATE RESOLUTION 333—STRONGLY RECOMMENDING THAT THE UNITED STATES RENEGOTIATE THE RETURN OF THE IRAQI JEWISH ARCHIVE TO IRAQ

Mr. TOOMEY (for himself, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. KIRK, Mr. CARDIN, Mr. RUBIO, Mr. ROBERTS, Mr. KAINE, Mrs. BOXER, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 333

Whereas, before the mid-20th century, Baghdad had been a center of Jewish life, culture, and scholarship, dating back to 721 BC;

Whereas, as recently as 1940, Jews made up 25 percent of Baghdad's population;

Whereas, in the 1930's and 1940's, under the leadership of Rasheed Ali, anti-Jewish discrimination increased drastically, including the June 1-2, 1941, Farhud pogrom, in which nearly 180 Jews were killed;

Whereas, in 1948, Zionism was added to the Iraqi criminal code as punishable by death;

Whereas, throughout 1950–1953, Jews were allowed to leave Iraq under the condition that they renounce their citizenship;

Whereas, as result of past persecution, few Jews remain in Iraq today, and many left their possessions and treasured artifacts behind;