

(Mr. SCHUMER) was added as a cosponsor of S. 2689, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 2746

At the request of Ms. AYOTTE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2746, a bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

S. 2762

At the request of Mr. FRANKEN, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 2762, a bill to prevent future propane shortages, and for other purposes.

S. 2828

At the request of Mr. CORKER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2828, a bill to impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes.

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2828, *supra*.

S. 2917

At the request of Mr. HARKIN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Virginia (Mr. WARNER), the Senator from New York (Mrs. GILLIBRAND), the Senator from Michigan (Ms. STABENOW), the Senator from New Mexico (Mr. HEINRICH) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2917, a bill to expand the program of priority review to encourage treatments for tropical diseases.

S. 2930

At the request of Mr. MCCAIN, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Nevada (Mr. HELLER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2930, a bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to provide for the conduct of an evaluation of mental health care and suicide prevention programs of the Department of Defense and the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. RES. 570

At the request of Mr. MANCHIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 570, a resolution designating October 17, 2014, as "National Alternative Fuel Vehicle Day".

S. RES. 578

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 578, a resolution supporting the role of the United States in ensuring children in the world's poorest countries have access to vaccines and immunization through Gavi, the Vaccine Alliance.

S. RES. 580

At the request of Mr. INHOFE, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. Res. 580, a resolution expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WHITEHOUSE (for himself and Mr. SCHATZ):

S. 2940. A bill to provide for carbon dioxide and other greenhouse gas emission fees; to the Committee on Finance.

Mr. WHITEHOUSE. Mr. President, I am here now for the, I guess, 80th time in my weekly series of speeches about carbon pollution to ask the Senate and Congress to wake up to the growing threat from climate change, and today I am also announcing the introduction of the American Opportunity Carbon Fee Act.

Carbon dioxide from burning fossil fuels is changing the atmosphere and the oceans. We see it everywhere. We see it in storm-damaged homes and flooded cities. We see it in drought-stricken farms and raging wildfires. We see it in fish disappearing from warming and acidifying waters. We see it in shifting habitats and migrating contagions.

All of these things we see carry costs—real economic dollars-and-cents costs—to homeowners, to business owners, and to taxpayers. That cost is described as the social cost of carbon. It is the damage that people and communities suffer from carbon pollution and climate change. None of those costs from carbon pollution are factored into the price of the coal or the oil or the natural gas that releases this carbon. The fossil fuel companies that sell and burn those products have taken those costs and offloaded them onto society—onto the rest of us.

That is not fair. If you rake your lawn, you don't get to dump all the leaves over your neighbor's fence and leave him or her the problem of cleaning up your leaves. If you are located on a river, you don't get to dump your garbage in the river and leave it to the

downstream property owners to clean up your mess. Yet the big carbon polluters transfer the costs—all those costs of climate change—onto everyone else—all the rest of us.

The U.S. Government has done some estimating about what that social cost of carbon pollution is and their estimate is that it is around \$40 per ton of carbon dioxide emitted, and that that amount rises over time as carbon pollution creates more and more harm and havoc. So a climbing \$40 per ton is the cost, but the current effective price on carbon pollution is zero.

By making their carbon pollution free, we subsidize fossil fuel companies to the tune of hundreds of billions of dollars annually. By making their carbon pollution free, we actually rig the game, giving polluters an unfair advantage over newer and cleaner technologies. It is a racket. It is a form of cheating. And corporate polluters love it because it gives them advantage, and they fight tooth and nail to protect it in this body. But it is wrong.

As University of Chicago economics professor Michael Greenstone recently explained, this concept—that offloading social costs is wrong and that there should be a proper price on carbon—is very widely accepted. Here is what he said:

The media always reports that there's near consensus among scientists about the fact that human activity impacts climate change. What does not receive as much attention is that there's even greater consensus among economists, starting from Milton Friedman and moving into the most left-wing economists that you could find, that the obvious correct public policy solution to this is to put a price on carbon. It's not controversial.

Mr. President, I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, an article from The Economist magazine.

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

Mr. WHITEHOUSE. The economics editor of The Economist magazine—which is certainly no hotbed of left wing sentiment—Ryan Avent, has posted a comment on climate policy and his question is: "Do economists all favour a carbon tax?" He says:

The economic solution is to tax the externality—

That is the offloaded cost.

—so that the social cost of carbon is reflected in the individual consumer's decision. The carbon tax is an elegant solution to a complicated problem.

So today I am introducing this bill to put a price on carbon emissions. It is simple. It will require the polluters to pay a per-ton fee for their pollution and all of the revenue generated by those payments will go back to the American people.

I want to thank Senator BRIAN SCHATZ of Hawaii for cosponsoring this measure. He has been a great colleague on environmental issues and on our discussion regarding climate change. The bill that we introduce today establishes an economy-wide fee on carbon

dioxide and other greenhouse gas emissions, tracking that social cost of carbon, starting at \$42 per ton and going up by 2 percent per year, plus inflation.

We know how much carbon dioxide each unit of coal, oil, and natural gas produces, so we assess the fee on fossil fuel producers, processors, and importers. That makes it simple to administer. The whole bill is only 29 pages long.

For other varieties of greenhouse gases and nonfossil fuel sources of CO<sub>2</sub>, we assess our fees only on the very largest emitters—those emitting more than 25,000 tons a year. This is the same universe of companies that we already require to monitor and report on their carbon emissions.

A significant greenhouse gas concern is the methane that escapes throughout production and distribution. To address this, we require annual reports on methane leakage and direct the Treasury Secretary to adjust the fees on fossil fuels to account for that leakage. This fee will promote innovation and help further reduce carbon emissions.

Fossil fuel companies that capture and sequester or use carbon dioxide or innovate new ways to encapsulate it in materials or products will get credits to offset the carbon fee.

We also take care to ensure that American manufacturers are not put at a competitive disadvantage globally. Imports from nations that don't price emissions will face a tariff that the Treasury Secretary is authorized to impose at the border. Likewise, the Secretary is authorized to rebate American producers on their exports.

I would note one thing. Since regulation is usually a response to market failure, a well-designed carbon fee would also properly open a conversation about which and, indeed, whether carbon regulations are still needed. A carbon fee by itself is much more efficient and predictable than complex regulations, and I am open to that conversation.

That is it. It is that simple. Make the polluters pay the full costs of their products; end the cheating; level the playing field for other forms of energy, such as wind and solar, to compete fairly; keep the fee mechanism simple; and maintain a border adjustment that keeps American goods competitive. Twenty-nine pages.

On the flip side, the carbon fee will generate significant new Federal revenue. The technicians are still working on the official revenue estimate for the bill, but it should be at least \$1.5 trillion and perhaps more than \$2 trillion over the 10-year budget periods we work with in Congress and on the Budget Committee.

Whatever the exact number is, all of it should be returned to the American people. So the bill establishes an American opportunity trust fund to hold the revenue and return it to the American people. This could include through tax cuts, through student loan debt relief, through increased Social Security ben-

efits for seniors, through transition assistance to workers in fossil fuel industries, or even just a direct dividend back to the American family. I am looking forward to deciding with my colleagues on both sides of the aisle what is the best way to return this revenue, but I do believe every dollar should go back to the American people in some form. To use economic jargon, this should be revenue neutral.

This is one example to consider, just a hypothetical: What could we do? We could cut the corporate tax rate in America from 35 percent to 30 percent. That has been a bipartisan goal for a long time. It was part of Romney's Presidential campaign. We could accomplish it with this measure.

We would have enough money left to go to the payroll tax and for every worker rebate the first \$500 they paid in payroll tax. So every American worker who paid more than \$500 in payroll tax would get a \$500 check to spend on whatever they wanted. The first tax reduction at the corporate level uses about \$600 billion to offset. This uses about \$700 billion to offset.

Third, we could add to that a boost to the EITC—the earned income tax credit—which supports many American families at the very low end of the economic spectrum. We could do that by literally hundreds of dollars a year for millions of lower income families. Again, there has been bipartisan support for expanding the earned income tax credit.

Three important goals, all reducing taxes or adding to a tax credit—all should have strong bipartisan support.

The American Opportunity Carbon Fee Act has revenue that could make our companies more competitive, could give every single worker a tax rebate, and could boost benefits for struggling low-income families.

Last month the Des Moines Register ran a column titled “‘Carbon tax’ would help Iowa, planet.” The column said this:

The United States could take the lead by acting on its own, watch its economy grow, and let the rest of the world catch up.

In the process, the United States would gain mastery of the sustainable-energy technology that will drive economic growth in the future.

I ask unanimous consent that the article be printed in the RECORD at the end of my statement.

George W. Bush's Treasury Secretary Hank Paulson gave the same message earlier this year, saying:

A tax on carbon emissions will unleash a wave of innovation to develop technologies, lower the costs of clean energy and create jobs as we and other nations develop new energy products and infrastructure.

Emphasizing that, coincidentally, is an article in today's New York Times headed “A Carbon Tax Could Bolster Green Energy.” As we all know, green energy jobs are exploding in this country, and we need more of them.

Treasury Secretary Paulson contin-

ued. Republicans must not shrink from this issue. Risk management is a conservative principle.

Secretary Paulson is not alone. Conservative figures such as George Shultz, who was Secretary of State under President Reagan, emphatically support a carbon fee as the best way to address carbon pollution.

Art Laffer, one of the architects of President Reagan's economic plan, had this to say about a carbon tax and related payroll tax cut:

I think that would be very good for the economy and as an adjunct, it would reduce also carbon emissions into the environment.

I ask unanimous consent that a 2013 New York Times op-ed be printed in the RECORD at the conclusion of my remarks.

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

Mr. WHITEHOUSE. In this New York Times op-ed, Bill Ruckelshaus, Christine Todd Whitman, Lee Thomas, and William Reilly wrote:

A market-based approach, like a carbon tax, would be the best path to reducing greenhouse-gas emissions.

I know the big carbon polluters want this issue ignored. I know that. They want to squeeze one more quarter, one more year of public subsidy for their product from the rest of us. From their point of view, lunch is good when someone else is picking up the tab. But notwithstanding the power of the big carbon polluters, I still believe this is a problem we can solve.

Not long ago this would have been a bipartisan bill. Not long ago leading voices on the Republican side agreed with Democrats that the dangers of climate change were real. Not long ago leading Republican voices agreed that carbon emissions were the culprit. And it was not long ago that leading Republican voices agreed that Congress had a responsibility to act. One Republican Senator won his party's nomination for President on a solid climate change platform. Other Republican colleagues in the Senate introduced, cosponsored, or voted for meaningful climate legislation in the past. Some of the proposals were market-based, revenue-neutral solutions aligned with Republican free market values, just like my bill today.

The junior Senator from Arizona—a Republican—was an original cosponsor of a carbon fee bill when he served in the House of Representatives. That proposal, introduced with former Republican Congressman Bob Inglis, would have placed a \$15-per-ton fee on carbon pollution in 2010, more than \$20 in 2015, and \$100 in 2040. At the time, our colleague from Arizona had this to say:

If there's one economic axiom, it's that if you want less of something, you tax it. Clearly, it's in our interest to move away from carbon.

We simply need conscientious Republicans and Democrats to work together in good faith on a platform of fact and common sense. We know this can be done because it is being done.

At the end of a speech about the American Revolution, the historian David McCullough was asked by someone in the audience why it was that our Founding Fathers had the courage to pledge their lives, their fortunes, and their sacred honor to the cause of independence when signing the Declaration was signing their own death warrant. He had a very simple answer. He said: It was a courageous time.

Well, clearly in courageous times Americans have done far more than simply stand up to polluters to serve the interests of this great Republic. It only takes courage to make this a courageous time too.

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

[From The Register, Oct. 4, 2014]

**'CARBON TAX' WOULD HELP IOWA, PLANET**  
(By Richard Doak)

Six years ago, the Canadian province of British Columbia decided to go it alone in fighting climate change. It imposed a tax on fossil fuels—coal gasoline, diesel fuel, propane and natural gas.

By most accounts, the “carbon tax” has been a success. It made fossil fuels more expensive, so British Columbians began to conserve them and use them more efficiently. Revenue from the carbon tax allows other taxes to be reduced, so the province enjoys the lowest personal income tax rates in Canada and some of the lowest corporate taxes in the developed world.

Contrary to fears, the carbon tax did not cause the economy of the province to collapse. Economic growth is slightly better than in the rest of Canada, and the forward-looking energy policy gives British Columbia a reputation as a world leader in green entrepreneurship.

Why can't Iowa be like that?

Indeed, Iowa should be like that, and circumstances might be right for Iowa to become the first American state to employ a full-fledged carbon tax.

Iowa and other states already have partial carbon taxes. We pay them at the pump when we buy gasoline or diesel fuel.

In Iowa, all gasoline and diesel fuel tax revenue is earmarked for highway construction, maintenance and administration. Paying the gas tax is how motorists pay for the bridges and highways.

After the November election, when candidates are no longer afraid to talk about taxes, a consensus will probably develop to raise Iowa's motor fuel taxes. The current gasoline tax of 21 cents per gallon (19 cents for ethanol blend) and diesel tax of 22.5 cents bring in about \$450 million but leave the state an estimated \$215 million short of what's needed for highways every year.

Closing that gap would require raising motor fuel taxes by about 10 cents per gallon.

Instead, why not abolish motor fuel taxes and replace them with a carbon tax?

A carbon tax would apply to all fossil fuels, not just gasoline and diesel fuel. The tax on each fuel would be based on its carbon content. Carbon-dense coal would be taxed more heavily than relatively carbon-light natural gas.

The carbon tax on gasoline and diesel fuel could be calibrated to bring in about the same amount of revenue as the existing motor fuel tax. Additional revenue to close the highway-funding gap could come from the carbon tax paid on coal and natural gas used to generate electricity. This would be a

way for electric car owners to begin paying their share of highway maintenance.

Electric cars contribute less for highway maintenance than gasoline- or diesel-burning vehicles. (Electric cars don't pay gasoline tax, but they do pay license fees and use taxes.) In the future, if electric vehicles become ubiquitous, it will be essential to have some source of highway money beyond the gasoline tax. Having a carbon tax would put Iowa ahead of the game of paying for roads in an electric-car future.

Additional revenue from a carbon tax, beyond that needed for roads, could be used to lower other taxes, as in British Columbia. Since the biggest burden of a carbon tax would fall on low-income people, reductions or credits for low-income people should be the first priority. Lowering for abolishing the corporation tax, as an incentive for businesses to locate in Iowa, might be the second choice.

The idea of a carbon tax is to use market forces to reduce the amount of carbon dioxide spewed into the atmosphere when fossil fuels are burned. Economists use the term carbon pricing. When the price of something goes up, people use less of it. A carbon tax is intended to raise the price of fossil fuels enough to discourage consumption as well as to create an incentive to find alternatives.

As leader in biofuels and wind turbines, Iowa should be for anything that incentivizes the switch to alternatives.

Perhaps Iowans should even be cheering for a carbon tax to be imposed nationally, because, among the states, Iowa may be one of the best positioned to benefit from it.

Of course, a national carbon tax is off the table as long as Congress is full of climate-change deniers who are beholden to the fossil-fuel industries. But, outside of Congress, the carbon tax and other carbon-dioxide-reducing strategies appear to be gaining credibility.

A number of major corporations, banks and institutions have begun to question the conventional thinking that the economy would suffer if carbon dioxide emissions were curbed. Most recently, the Global Commission on the Economy and Climate, a group of heavyweight international leaders and economists, issued a report showing that reducing carbon emissions would cost the economy very little and might actually stimulate economic growth. Other research published by the International Monetary Fund suggests that carbon taxes, rather than being a drag on an economy, can be a benefit.

It also appears that cutting carbon emissions can help a country's economy even if other countries don't go along. British Columbia has shown that a state can go it alone without other states.

Nationally, the United States is waiting around for some big international agreement that will require all countries to reduce their emissions in unison. That shouldn't be necessary. The United States could take the lead by acting on its own, watch its economy grow, and let the rest of the world catch up.

In the process, the United States would gain mastery of the sustainable-energy technology that will drive economic growth in the future.

Sadly, the odds of the president and Congress acting that boldly on climate change are roughly nil. But maybe the little state of Iowa, out here in the heart of America, could nudge the nation in the right direction by setting an example on its own.

[From the New York Times, August 1, 2013]

**A REPUBLICAN CASE FOR CLIMATE ACTION**

(By William D. Ruckelshaus, Lee M. Thomas, William K. Reilly and Christine Todd Whitman)

Each of us took turns over the past 43 years running the Environmental Protection Agency. We served Republican presidents, but we have a message that transcends political affiliation: the United States must move now on substantive steps to curb climate change, at home and internationally.

There is no longer any credible scientific debate about the basic facts: our world continues to warm, with the last decade the hottest in modern records, and the deep ocean warming faster than the earth's atmosphere. Sea level is rising. Arctic Sea ice is melting years faster than projected.

The costs of inaction are undeniable. The lines of scientific evidence grow only stronger and more numerous. And the window of time remaining to act is growing smaller: delay could mean that warming becomes “locked in.”

A market-based approach, like a carbon tax, would be the best path to reducing greenhouse-gas emissions, but that is unachievable in the current political gridlock in Washington. Dealing with this political reality, President Obama's June climate action plan lays out achievable actions that would deliver real progress. He will use his executive powers to require reductions in the amount of carbon dioxide emitted by the nation's power plants and spur increased investment in clean energy technology, which is inarguably the path we must follow to ensure a strong economy along with a livable climate.

The president also plans to use his regulatory power to limit the powerful warming chemicals known as hydrofluorocarbons and encourage the United States to join with other nations to amend the Montreal Protocol to phase out these chemicals. The landmark international treaty, which took effect in 1989, already has been hugely successful in solving the ozone problem.

Rather than argue against his proposals, our leaders in Congress should endorse them and start the overdue debate about what bigger steps are needed and how to achieve them—domestically and internationally.

As administrators of the E.P.A. under Presidents Richard M. Nixon, Ronald Reagan, George Bush and George W. Bush, we held fast to common-sense conservative principles—protecting the health of the American people, working with the best technology available and trusting in the innovation of American business and in the market to find the best solutions for the least cost.

That approach helped us tackle major environmental challenges to our nation and the world: the pollution of our rivers, dramatized when the Cuyahoga River in Cleveland caught fire in 1969; the hole in the ozone layer; and the devastation wrought by acid rain.

The solutions we supported worked, although more must be done. Our rivers no longer burn, and their health continues to improve. The United States led the world when nations came together to phase out ozone-depleting chemicals. Acid rain diminishes each year, thanks to a pioneering, market-based emissions-trading system adopted under the first President Bush in 1990. And despite critics' warnings, our economy has continued to grow.

Climate change puts all our progress and our successes at risk. If we could articulate one framework for successful governance, perhaps it should be this: When confronted by a problem, deal with it. Look at the facts,

cut through the extraneous, devise a workable solution and get it done.

We can have both a strong economy and a livable climate. All parties know that we need both. The rest of the discussion is either detail, which we can resolve, or purposeful delay, which we should not tolerate.

Mr. Obama's plan is just a start. More will be required. But we must continue efforts to reduce the climate-altering pollutants that threaten our planet. The only uncertainty about our warming world is how bad the changes will get, and how soon. What is most clear is that there is no time to waste.

[From the Economist, Sept. 19, 2011]

DO ECONOMISTS ALL FAVOUR A CARBON TAX?

(By R.A. Washington)

Last week, a Twitter conversation broke out among a few economists concerning whether any serious economists opposed a carbon tax. No, concluded the tweeters, but Tyler Cowen *begged to differ*. Mr. Cowen writes that he personally favours a carbon tax but can imagine a number of principled reasons other economists might not.

Why would we expect economists to support a carbon tax? Its very close to the economic ideal. Global warming is a phenomenon associated with emissions of greenhouse gases over and above natural cycles—largely those resulting from the burning of carbon fuels humans have dug up out of the ground. We expect normal economic activity to maximise social good because each individual balances costs and benefits when making economic decisions. Carbon emissions represent a negative externality. When an individual takes an economic action with some fossil-fuel energy content—whether running a petrol-powered lawnmower, turning on a light, or buying a bunch of grapes—that person balances their personal benefits against the costs of the action. The cost to them of the climate change resulting from the carbon content of that decisions, however, is effectively zero and is rationally ignored. The decision to ignore carbon content, when aggregated over the whole of humanity, generates huge carbon dioxide emissions and rising global temperatures.

The economic solution is to tax the externality so that the social cost of carbon is reflected in the individual consumers decision. The carbon tax is an elegant solution to a complicated problem, which allows the everyday business of consumer decision making to do the work of emission reduction. It's by no means the only economically sensible policy response to the threat of climate change, but it is the one we'd expect economists to embrace.

Mr. Cowen argues for caution on this point for several reasons. A carbon tax will be less effective if it's not universally applied, potentially leading to carbon leakage to countries with looser environmental rules. He worries that where carbon fees have been applied innovation has not been quick to respond. He fears that good substitutes for carbon fuels don't exist, especially in the transport sector, and worries that higher fuel prices might harm the economy. He suggests that a "green-energy subsidies first" policy might make more sense, and he talks about distributional and rent-seeking costs of the policy.

I think the weakness of these arguments is telling, and it's not surprising that Mr. Cowen continues to support a carbon tax. What if a carbon price doesn't immediately drive emission reductions? Then the tax will be an effective revenue raiser, much more efficient than a tax on income. Either way you win. The worry about carbon leakage is a real one, but this dynamic also implies that each new country that prices carbon in-

creases the benefit of existing carbon-price policies in other countries.

Substitution in the transport sector is somewhat problematic, but a viable carbon price would not have much effect on petrol costs at the outset. A carbon tax of \$30 per tonne of CO<sub>2</sub> would only increase petrol costs by about 9 cents per gallon. This is dwarfed by moves in the market price of petrol. The vulnerability of the American economy to oil shocks argues for an increased tax on petrol, but that's a different policy debate. Mr. Cowen seems to ignore the fact that oil is just one small part of the American economy's fossil-fuel use.

A carbon tax would attract rent-seeking, but arguably less than alternative policies, like subsidies or a cap-and-trade system. Importantly, money spent on adaptation or post hoc climate-disaster relief is *also* subject to rent-seeking and corruption issues. Given that many poor countries with weak institutions are likely to feel the brunt of the impact of global warming first and are likely to be poor spenders of the aid money that will invariably flow, a carbon tax looks like one of the policy solutions best suited to the minimisation of these ills.

Mr. Cowen doesn't mention what I see as one of the most important roles of a carbon tax: as a check on other ill-advised programmes. A carbon tax would have quickly made the net dirtiness of corn-based ethanol obvious (by helping to offset subsidies and making corn-based ethanol more expensive). It would be more difficult to roll out and sustain such misguided programmes with a carbon tax, and the ones that went ahead anyway would do less damage. A carbon tax is also the easiest way to capture whatever low-hanging emission-reduction fruit is out there. Right now, consumers are generally indifferent between similarly-priced goods with wildly different carbon profiles. A carbon tax encourages consumers to realise the easy carbon gains available from switching to good low-carbon substitutes wherever they exist.

The biggest problem with a carbon tax is that America's government seems unable to deliver one. Attitudes may change, however, and near-uniform economist support for the policy (probably) doesn't hurt its odds of eventual passage.

[From the New York Times, Nov. 18, 2014]

A CARBON TAX COULD BOLSTER GREEN ENERGY

(By Eduardo Porter)

ECONOMIC SCENE

A couple of years ago, the smart money was on wind. In 2012, 13 gigawatts worth of wind-powered electricity generation capacity was installed in the United States, enough to meet the needs of roughly three million homes. That was some 40 percent of all the capacity added to the nation's power grid that year, up from seven gigawatts added in 2011 and just over five in 2010.

But then a federal subsidy ended. Only one gigawatt worth of wind power capacity was installed in 2013. In the first half of 2014, additions totaled 0.835 gigawatts. Facing a Congress controlled by Republicans with little interest in renewable energy, wind power's future suddenly appears much more uncertain.

"Wind is competitive in more and more markets," said Letha Tawney at the World Resources Institute. "But any time there is uncertainty about the production tax credit, it all stops."

Wobbles on the road to a low-carbon future are hardly unique to the United States. In its latest Energy Technology Perspectives report, the International Energy Agency noted that the deployment of photovoltaic

solar- and wind-powered electricity was meeting goals established to help prevent temperatures from rising more than 2 degrees Celsius (3.6 degrees Fahrenheit) above the average in the preindustrial era, the limit agreed to by the world's leaders to avoid truly disruptive climatic upheaval.

In the same report, however, the organization noted that other technologies—bioenergy, geothermal and offshore wind—were lagging. And it pointed out that worldwide investment in renewable power was slowing, falling to \$211 billion in 2013, 22 percent less than in 2011.

These wobbles underscore both the good news and the bad news about the world's halting progress toward reducing the greenhouse gas emissions that are capturing heat in the atmosphere and changing the world's climate.

The good news is that humanity is developing promising technologies that could put civilization on a low carbon path that might prevent climate disruption.

These technologies allowed the Environmental Protection Agency to pass new rules aimed at achieving a 30 percent reduction in carbon dioxide emissions from American power plants by 2030, compared with 2005.

They allowed President Obama last week to promise that the United States would curb total greenhouse gas emissions by 26 to 28 percent from 2005 levels by 2025—a big step that, White House officials say, can be achieved without further action from Congress. And they allowed China to commit to start cutting emissions after 2030.

The bad news is that civilization is mostly not yet on such a low carbon path. While promising technologies to get there have been developed, it is unclear whether nations will muster the political will and mobilize the needed investments to deploy them.

New energy technologies have become decidedly more competitive. The United States' Energy Information Administration projects that the levelized cost of onshore wind energy coming on stream in 2019—a measure that includes everything from capital costs to operational outlays—could be as little as \$71 per megawatt-hour measured in 2012 dollars, even without subsidies. This is \$16 less than the lower cost projection four years ago for wind energy coming online in 2015.

Similarly, projections for the levelized cost of energy from photovoltaic solar cells have tumbled by more than 40 percent, much faster than the cost projections of energy from coal or natural gas.

Challenges remain to relying on intermittent energy sources like the sun or the wind for power. Still, experts believe that hitching solar and wind plants to gas-fired generators, and using new load management technologies to align demand for power with the variable supply, offer a promising path for aggressively reducing the amount of carbon the power industry pumps into the atmosphere, which accounts for nearly 40 percent of the nation's total carbon dioxide emissions.

And new Energy Information Administration projections to 2040 show prices for renewables falling even lower. By then, electricity from photovoltaic solar plants could be generated for as little as \$86.50 per megawatt-hour, without subsidies. In some areas wind-based plants could produce it for as little as \$63.40.

Nuclear energy is also becoming more competitive. Without any subsidies, new-generation nuclear power coming on stream in 2040 could cost as little as \$80 per megawatt-hour, all costs considered. This is only marginally more expensive than electricity produced with coal or natural gas, even without the added cost of capturing the carbon dioxide.

And there are much more optimistic cost assessments out there than the Energy Information Administration's.

But for all the optimism generated by cheaper renewable fuels, they do not, on their own, put the world on the low-carbon path necessary to keep climate change in check.

Progress is faltering on several fronts. The precipitous fall in the prices of photovoltaic cells from 2008 to 2012 pretty much stopped in 2013, after rapid consolidation of the industry.

The International Energy Agency now projects that installed global nuclear capacity in 2025 will fall 5 percent, to 24 percent below what will be needed to stay on the safe side of climate change. And carbon capture technologies, which will be essential if the world is to keep consuming any form of fossil fuel, remain hampered by high costs, meager investment and scant political commitment.

"The unrelenting rise in coal use without deployment of carbon capture and storage is fundamentally incompatible with climate change objectives," noted the International Energy Agency in its Technology Perspectives report.

Despite the falling costs of renewable energy in the United States, the Energy Information Administration's baseline assumptions project that in 2040 only 16.5 percent of electricity generation will come from renewable energy sources, up from some 13 percent today. More than two-thirds will come from coal and gas. Without some carbon capture and storage technology, drastic climate change is almost certainly unavoidable.

What is necessary to get us on a safer path?

White House officials trust that the administration has the tools, including fuel economy and appliance efficiency standards, the Environmental Protection Agency's new limits on power plant emissions and regulations to limit other greenhouse gases.

Yet the Energy Information Administration's projections suggest how hard the task will be. Though they were developed before the Environmental Protection Agency issued its new rules, they included hypothetical outlines that could mimic some of its effects. In one, coal power plants were decommissioned more quickly; in another, subsidies to renewable energy were kept until 2040. In another, the price of renewables fell faster than expected. None of them did much to move the carbon dial.

There is one tool available to trim carbon emissions on a relevant scale: a carbon tax. That solution, however, remains off the table.

If a carbon tax were to be imposed next year, starting at \$25 and rising by 5 percent a year, the Energy Information Administration estimates, carbon dioxide emissions from American power plants would fall to only 419 million tons by 2040, about one-fifth of where they are today. Total carbon dioxide emissions from energy in the United States would fall to 3.6 billion tons—1.8 billion tons less than today. By providing a monetary incentive, economists say, such a tax would offer by far the most effective way to encourage business and individuals to reduce their use of fossil fuels and invest in alternatives.

Is this enough? No. This proposal still leaves the United States short of the 80 percent cut in greenhouse gas emissions that the White House is aiming for and that experts consider necessary by 2050 to prevent climatic havoc. But at least it's in the same order of magnitude.

Most important, perhaps, the Energy Information Administration's estimates make clear that the real constraint lies not in our

ability to develop the necessary technologies but in our political will to deploy them.

By Mrs. FEINSTEIN (for herself and Mr. PORTMAN):

S. 2941. A bill to combat human trafficking; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce, along with Senator PORTMAN, the Combat Human Trafficking Act of 2014.

Human trafficking is estimated to be a \$32 billion criminal enterprise, making it the second largest criminal industry in the world, behind the drug trade. Many steps need to be taken to combat this problem. But we cannot escape this simple truth: without demand for the services performed by trafficking victims, the problem would not exist.

The bill we are introducing today would reduce the demand for human trafficking, particularly the commercial sexual exploitation of children, by holding buyers accountable and making it easier for law enforcement to investigate and prosecute all persons who participate in sex trafficking.

Sex trafficking is not a victimless crime. In the United States, the average age that a person is first trafficked is between 12 and 14. Many of these children continue to be exploited into adulthood. A study of women and girls involved in street prostitution in my hometown of San Francisco found that 82 percent had been physically assaulted, 83 percent were threatened with a weapon, and 68 percent were raped. The overwhelming majority of sex trafficking victims are American citizens—83 percent by one estimate from the Department of Justice.

I am encouraged that Federal, State, and local law enforcement agencies are taking steps to combat human trafficking. Between January and June of this year, the Federal Bureau of Investigation recovered 168 trafficking victims and arrested 281 sex traffickers in "Operation Cross Country."

I commend these efforts, but more needs to be done to target the perpetrators who are fueling demand for trafficking crimes—the buyers of sex acts from trafficking victims. Many buyers of sex are "hobbyists" who purchase sex repeatedly. Because buyers are rarely arrested, much less prosecuted, the demand for commercial sex continues unabated.

Without buyers, sex trafficking would cease to exist. As Luis CdeBaca, the U.S. Ambassador-at-Large for the Office to Monitor and Combat Trafficking in Persons, noted, "[n]o girl or woman would be a victim of sex trafficking if there were no profits to be made from their exploitation."

The Combat Human Trafficking Act of 2014 would address this problem, by incentivizing federal and state law enforcement officers to target buyers and providing new authorities to prosecute all who engage in the crime of sex trafficking.

First, the bill would clarify that buyers of sex acts from trafficking victims can be prosecuted under the federal commercial sex trafficking statute. This provision would codify the Eighth Circuit's decision in *United States v. Jungers*, which held that this statute encompasses buyers, in addition to sellers. Despite this favorable ruling, there is no guarantee that other courts will follow this precedent.

Second, the bill would hold buyers and sellers of child sex acts accountable for their actions, even if they claim they were unaware of the age of a minor victim. At times, it can be difficult for a prosecutor to prove that a buyer was aware of the victim's age. Successful cases can require the child victim to testify to this fact, subjecting the victim to re-traumatization. The bill would draw a clear line: if you purchase sex from an underage child, you can be prosecuted. Period.

Third, the bill would grant judges greater flexibility to impose an appropriate term of supervised release on sex traffickers. Current law contains an anomaly: a person convicted of violating the commercial sex trafficking statute or attempting to violate the statute may be subject to a longer term of supervised release than a person who is convicted of conspiring to violate the statute. Conspiring to traffic underage children is as serious as attempting to commit this crime and should be punished the same.

Fourth, the bill would require the Bureau of Justice Statistics to prepare annual reports on the number of arrests, prosecutions, and convictions of sex traffickers and buyers of sex from trafficked victims in the state court system. Very little data is available on the prosecutions made under anti-trafficking laws. This provision would provide additional data and encourage state and local governments to increase enforcement against sellers and buyers of sex from trafficked victims.

Fifth, the Combat Human Trafficking Act would ensure that training programs for federal and state law enforcement officers include components on effective methods to target and prosecute the buyers of sex acts from trafficked victims. This would equip prosecutors with the tools they need to target buyers, encouraging prosecution of these perpetrators.

Sixth, the bill would authorize federal and state officials to seek a wiretap to investigate and prosecute any human trafficking-related offense. Under current law, a federal law enforcement officer may seek a wiretap in an investigation under the commercial sex trafficking statute, but not under a number of other statutes that address human trafficking-related offenses, such as forced labor and involuntary servitude. Similarly, a state law enforcement officer may seek a wiretap to investigate a kidnapping offense, but not an offense for human trafficking, child sexual exploitation,

or child pornography production. Our bill would fix those omissions.

Finally, this legislation would strengthen the rights of crime victims. The bill would amend the Crime Victims' Rights Act to provide victims with the right to be informed in a timely manner of any plea agreement or deferred prosecution agreement. The exclusion of victims in these early stages of a criminal case profoundly impairs victims' rights because, by the nature of these events, there often is no later proceeding in which victims can exercise their rights.

The bill would also ensure that crime victims have access to appellate review when their rights are denied in the lower court. Regrettably, five appellate courts have mis-applied the Crime Victims' Rights Act by imposing an especially high standard for reviewing appeals by victims, requiring them to show "clear and indisputable error". Four other circuits have applied the correct standard: the ordinary appellate standard of legal error or abuse of discretion. This bill resolves the issue, setting a uniform standard for victims in all circuits by codifying the more victim-protecting rule, that the appellate court "shall apply ordinary standards of appellate review."

I am pleased that this bill has the support of numerous law enforcement and anti-trafficking organizations: the Federal Law Enforcement Officers Association, Shared Hope International, ECPAT-USA, Coalition Against Trafficking in Women, CATW, Human Rights Project for Girls, Survivors for Solutions, Sanctuary For Families, World Hope International, Prostitution Research & Education, MISSEY, and Breaking Free. These groups are on the forefront in the fight against sex trafficking, and I am proud to have their support.

I urge my colleagues to join me and Senator PORTMAN in supporting this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2941

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Combat Human Trafficking Act of 2014".

#### SEC. 2. REDUCING DEMAND FOR SEX TRAFFICKING; LOWER MENS REA FOR SEX TRAFFICKING OF UNDERAGE VICTIMS.

(a) CLARIFICATION OF RANGE OF CONDUCT PUNISHED AS SEX TRAFFICKING.—Section 1591 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by striking "or maintains" and inserting "maintains, patronizes, or solicits";

(2) in subsection (b)—

(A) in paragraph (1), by striking "or obtained" and inserting "obtained, patronized, or solicited"; and

(B) in paragraph (2), by striking "or obtained" and inserting "obtained, patronized, or solicited"; and

(3) by striking subsection (c) and inserting the following:

"(c) In a prosecution under subsection (a)(1), the Government need not prove that the defendant knew, or recklessly disregarded the fact, that the person recruited, enticed, harbored, transported, provided, obtained, maintained, patronized, or solicited had not attained the age of 18 years."

(b) DEFINITION AMENDED.—Section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(10)) is amended by striking "or obtaining" and inserting "obtaining, patronizing, or soliciting".

(c) MINIMUM PERIOD OF SUPERVISED RELEASE FOR CONSPIRACY TO COMMIT COMMERCIAL CHILD SEX TRAFFICKING.—Section 3583(k) of title 18, United States Code, is amended by inserting "1594(c)," after "1591."

#### SEC. 3. BUREAU OF JUSTICE STATISTICS REPORT ON STATE ENFORCEMENT OF SEX TRAFFICKING PROHIBITIONS.

(a) DEFINITIONS.—In this section—

(1) the terms "commercial sex act", "severe forms of trafficking in persons", "State", and "Task Force" have the meanings given those terms in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

(2) the term "covered offense" means the provision, obtaining, patronizing, or soliciting of a commercial sex act involving a person subject to severe forms of trafficking in persons; and

(3) the term "State law enforcement officer" means any officer, agent, or employee of a State authorized by law or by a State government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(b) REPORT.—The Director of the Bureau of Justice Statistics shall—

(1) prepare an annual report on—

(A) the rates of—

(i) arrest of individuals by State law enforcement officers for a covered offense;

(ii) prosecution (including specific charges) of individuals in State court systems for a covered offense; and

(iii) conviction of individuals in State court systems for a covered offense; and

(B) sentences imposed on individuals convicted in State court systems for a covered offense; and

(2) submit the annual report prepared under paragraph (1) to—

(A) the Committee on the Judiciary of the House of Representatives;

(B) the Committee on the Judiciary of the Senate;

(C) the Task Force;

(D) the Senior Policy Operating Group established under section 105(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(g)); and

(E) the Attorney General.

#### SEC. 4. DEPARTMENT OF JUSTICE TRAINING AND POLICY.

(a) DEFINITIONS.—In this section—

(1) the terms "commercial sex act", "severe forms of trafficking in persons", and "State" have the meanings given those terms in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

(2) the term "Federal law enforcement officer" has the meaning given the term in section 115 of title 18, United States Code;

(3) the term "local law enforcement officer" means any officer, agent, or employee of a unit of local government authorized by law or by a local government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law; and

(4) the term "State law enforcement officer" means any officer, agent, or employee of a State authorized by law or by a State government agency to engage in or supervise

the prevention, detection, investigation, or prosecution of any violation of criminal law.

(b) TRAINING.—The Attorney General shall ensure that each anti-human trafficking program operated by the Department of Justice, including each anti-human trafficking training program for Federal, State, or local law enforcement officers, includes technical training on effective methods for investigating and prosecuting individuals who obtain, patronize, or solicit a commercial sex act involving a person subject to severe forms of trafficking in persons.

(c) POLICY FOR FEDERAL LAW ENFORCEMENT OFFICERS.—The Attorney General shall ensure that Federal law enforcement officers are engaged in activities, programs, or operations involving the detection, investigation, and prosecution of individuals described in subsection (b).

#### SEC. 5. WIRETAP AUTHORITY FOR HUMAN TRAFFICKING VIOLATIONS.

Section 2516 of title 18, United States Code, is amended—

(1) in paragraph (1)(c)—

(A) by inserting before "section 1591" the following: "section 1581 (peonage), section 1584 (involuntary servitude), section 1589 (forced labor), section 1590 (trafficking with respect to peonage, slavery, involuntary servitude, or forced labor);"; and

(B) by inserting before "section 1751" the following: "section 1592 (unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor);"; and

(2) in paragraph (2), by inserting "human trafficking, child sexual exploitation, child pornography production," after "kidnaping,".

#### SEC. 6. STRENGTHENING CRIME VICTIMS' RIGHTS.

(a) NOTIFICATION OF PLEA AGREEMENT OR OTHER AGREEMENT.—Section 3771(a) of title 18, United States Code, is amended by adding at the end the following:

"(9) The right to be informed in a timely manner of any plea agreement or deferred prosecution agreement."

(b) APPELLATE REVIEW OF PETITIONS RELATING TO CRIME VICTIMS' RIGHTS.—

(1) IN GENERAL.—Section 3771(d)(3) of title 18, United States Code, is amended by inserting after the fifth sentence the following: "In deciding such application, the court of appeals shall apply ordinary standards of appellate review."

(2) APPLICATION.—The amendment made by paragraph (1) shall apply with respect to any petition for a writ of mandamus filed under section 3771(d)(3) of title 18, United States Code, that is pending on the date of enactment of this Act.

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

S. 2946. A bill to provide improved water, sanitation, and hygiene programs for high priority developing countries, and for other purposes; to the Committee on Foreign Relations.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2946

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Senator Paul Simon Water for the World Act of 2014".



**SEC. 2. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) water and sanitation are critically important resources that impact many other aspects of human life;

(2) the United States should be a global leader in helping provide sustainable access to clean water and sanitation for the world's most vulnerable populations; and

(3) the “USAID Water and Development Strategy, 2013–2018”, which was released by the United States Agency for International Development in May 2013—

(A) improves USAID's capacity to provide sustainable water, sanitation, and hygiene assistance;

(B) advances implementation of portions of the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121; 119 Stat. 2533); and

(C) should inform the Global Water Strategy required under section 136(j) of the Foreign Assistance Act of 1961, as added by section 6 of this Act.

**SEC. 3. CLARIFICATION OF ASSISTANCE TO PROVIDE SAFE WATER AND SANITATION TO INCLUDE HYGIENE.**

Chapter 1 of part I of the Foreign Assistance Act of 1961 is amended—

(1) by redesignating section 135 (22 U.S.C. 2152h), as added by section 5(a) of the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121; 22 U.S.C. 2152h note), as section 136; and

(2) in section 136, as redesignated—

(A) in the section heading, by striking “AND SANITATION” and inserting “, SANITATION, AND HYGIENE”; and

(B) in subsection (b), by striking “and sanitation” and inserting “, sanitation, and hygiene”.

**SEC. 4. IMPROVING COORDINATION AND OVERSIGHT OF SAFE WATER, SANITATION AND HYGIENE PROJECTS AND ACTIVITIES.**

Section 136 of the Foreign Assistance Act of 1961, as redesignated and amended by this Act, is further amended by adding at the end the following:

“(e) COORDINATION AND OVERSIGHT.—

“(1) USAID GLOBAL WATER COORDINATOR.—

“(A) DESIGNATION.—The Administrator of the United States Agency for International Development (referred to in this paragraph as ‘USAID’) or the Administrator's designee, who shall be a current USAID employee serving in a career or non-career position in the Senior Executive Service or at the level of a Deputy Assistant Administrator or higher, shall serve concurrently as the USAID Global Water Coordinator (referred to in this subsection as the ‘Coordinator’).

“(B) SPECIFIC DUTIES.—The Coordinator shall—

“(i) provide direction and guidance to, coordinate, and oversee the projects and programs of USAID authorized under this section;

“(ii) lead the implementation and revision, not less frequently than once every 5 years, of USAID's portion of the Global Water Strategy required under subsection (j);

“(iii) seek—

“(I) to expand the capacity of USAID, subject to the availability of appropriations, including through the designation of a lead subject matter expert selected from among USAID staff in each high priority country designated pursuant to subsection (h);

“(II) to implement such programs and activities;

“(III) to take advantage of economies of scale; and

“(IV) to conduct more efficient and effective projects and programs;

“(iv) coordinate with the Department of State and USAID staff in each high priority country designated pursuant to subsection

(h) to ensure that USAID activities and projects, USAID program planning and budgeting documents, and USAID country development strategies reflect and seek to implement—

“(I) the safe water, sanitation, and hygiene objectives established in the strategy required under subsection (j), including objectives relating to the management of water resources; and

“(II) international best practices relating to—

“(aa) increasing access to safe water and sanitation;

“(bb) conducting hygiene-related activities; and

“(cc) ensuring appropriate management of water resources; and

“(v) develop appropriate benchmarks, measurable goals, performance metrics, and monitoring and evaluation plans for USAID projects and programs authorized under this section.

“(2) DEPARTMENT OF STATE SPECIAL COORDINATOR FOR WATER RESOURCES.—

“(A) DESIGNATION.—The Secretary of State or the Secretary's designee, who shall be a current employee of the Department of State serving in a career or non-career position in the Senior Executive Service or at the level of a Deputy Assistant Secretary or higher, shall serve concurrently as the Department of State Special Advisor for Water Resources (referred to in this paragraph as the ‘Special Advisor’).

“(B) SPECIFIC DUTIES.—The Special Advisor shall—

“(i) provide direction and guidance to, coordinate, and oversee the projects and programs of the Department of State authorized under this section;

“(ii) lead the implementation and revision, not less than every 5 years, of the Department of State's portion of the Global Water Strategy required under subsection (j);

“(iii) prioritize and coordinate the Department of State's international engagement on the allocation, distribution, and access to global fresh water resources and policies related to such matters;

“(iv) coordinate with United States Agency for International Development and Department of State staff in each high priority country designated pursuant to subsection (h) to ensure that United States diplomatic efforts related to safe water, sanitation, and hygiene, including efforts related to management of water resources and watersheds and the resolution of intra- and trans-boundary conflicts over water resources, are consistent with United States national interests; and

“(v) represent the views of the United States Government on the allocation, distribution, and access to global fresh water resources and policies related to such matters in key international fora, including key diplomatic, development-related, and scientific organizations.

“(3) ADDITIONAL NATURE OF DUTIES AND RESTRICTION ON ADDITIONAL OR SUPPLEMENTAL COMPENSATION.—The responsibilities and specific duties of the Administrator of the United States Agency for International Development (or the Administrator's designee) and the Secretary of State (or the Secretary's designee) under paragraph (2) or (3), respectively, shall be in addition to any other responsibilities or specific duties assigned to such individuals. Such individuals shall receive no additional or supplemental compensation as a result of carrying out such responsibilities and specific duties under such paragraphs.”.

**SEC. 5. PROMOTING THE MAXIMUM IMPACT AND LONG-TERM SUSTAINABILITY OF USAID SAFE WATER, SANITATION, AND HYGIENE-RELATED PROJECTS AND PROGRAMS.**

Section 136 of the Foreign Assistance Act of 1961, as redesignated and amended by this Act, is further amended by adding at the end the following:

“(f) PRIORITIES AND CRITERIA FOR MAXIMUM IMPACT AND LONG TERM SUSTAINABILITY.—The Administrator of the United States Agency for International Development shall ensure that the Agency for International Development's projects and programs authorized under this section are designed to achieve maximum impact and long-term sustainability by—

“(1) prioritizing countries on the basis of the following clearly defined criteria and indicators, to the extent sufficient data are available—

“(A) the proportion of the population using an unimproved drinking water source;

“(B) the total population using an unimproved drinking water source;

“(C) the proportion of the population without piped water access;

“(D) the proportion of the population using shared or other unimproved sanitation facilities;

“(E) the total population using shared or other unimproved sanitation facilities;

“(F) the proportion of the population practicing open defecation;

“(G) the total number of children younger than 5 years of age who died from diarrheal disease;

“(H) the proportion of all deaths of children younger than 5 years of age resulting from diarrheal disease;

“(I) the national government's capacity, capability, and commitment to work with the United States to improve access to safe water, sanitation, and hygiene, including—

“(i) the government's capacity and commitment to developing the indigenous capacity to provide safe water and sanitation without the assistance of outside donors; and

“(ii) the degree to which such government—

“(I) identifies such efforts as a priority; and

“(II) allocates resources to such efforts;

“(J) the availability of opportunities to leverage existing public, private, or other donor investments in the water, sanitation, and hygiene sectors, including investments in the management of water resources; and

“(K) the likelihood of making significant improvements on a per capita basis on the health and educational opportunities available to women as a result of increased access to safe water, sanitation, and hygiene, including access to appropriate facilities at primary and secondary educational institutions seeking to ensure that communities benefitting from such projects and activities develop the indigenous capacity to provide safe water and sanitation without the assistance of outside donors;

“(2) prioritizing and measuring, including through rigorous monitoring and evaluating mechanisms, the extent to which such project or program—

“(A) furthers significant improvements in—

“(i) the criteria set forth in subparagraphs (A) through (H) of paragraph (1);

“(ii) the health and educational opportunities available to women as a result of increased access to safe water, sanitation, and hygiene, including access to appropriate facilities at primary and secondary educational institutions; and

“(iii) the indigenous capacity of the host nation or community to provide safe water and sanitation without the assistance of outside donors;

“(B) is designed, as part of the provision of safe water and sanitation to the local community—

“(i) to be financially independent over the long term, focusing on local ownership and sustainability;

“(ii) to be undertaken in conjunction with relevant public institutions or private enterprises;

“(iii) to identify and empower local individuals or institutions to be responsible for the effective management and maintenance of such project or program; and

“(iv) to provide safe water or expertise or capacity building to those identified parties or institutions for the purposes of developing a plan and clear responsibilities for the effective management and maintenance of such project or program;

“(C) leverages existing public, private, or other donor investments in the water, sanitation, and hygiene sectors, including investments in the management of water resources;

“(D) avoids duplication of efforts with other United States Government agencies or departments or those of other nations or nongovernmental organizations;

“(E) coordinates such efforts with the efforts of other United States Government agencies or departments or those of other nations or nongovernmental organizations directed at assisting refugees and other displaced individuals; and

“(F) involves consultation with appropriate stakeholders, including communities directly affected by the lack of access to clean water, sanitation or hygiene, and other appropriate nongovernmental organizations;

“(3) seeking to further the ‘USAID Water and Development Strategy, 2013–2018’ through 2018; and

“(4) seeking to further the strategy required under subsection (j) after 2018.

“(g) USE OF IMPROVED DATA COLLECTION AND REVIEW OF NEW STANDARDIZED INDICATORS.—

“(1) IN GENERAL.—The Administrator of the United States Agency for International Development is authorized to use improved data collection—

“(A) to meet the health-based prioritization criteria established pursuant to subsection (f)(1); and

“(B) to review new standardized indicators in evaluating progress towards meeting such criteria.

“(2) CONSULTATION AND NOTICE.—The Administrator shall—

“(A) regularly consult with the appropriate congressional committees; and

“(B) notify such committees not later 30 days before using improved data collection and review of new standardized indicators under paragraph (1) for the purposes of carrying out this section.

“(h) DESIGNATION OF HIGH PRIORITY COUNTRIES.—

“(1) INITIAL DESIGNATION.—Not later than October 1, 2015, the President shall—

“(A) designate, on the basis of the criteria set forth in subsection (f)(1) and in furtherance of the ‘USAID Water and Development Strategy, 2013–2018’, not fewer than 10 countries as high priority countries to be the primary recipients of United States Government assistance authorized under this section during fiscal year 2016; and

“(B) notify the appropriate congressional committees of such designations.

“(2) ANNUAL DESIGNATIONS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the President shall annually make new designations pursuant to the criteria set forth in paragraph (1).

“(B) DESIGNATIONS AFTER FISCAL YEAR 2018.—Beginning with fiscal year 2019, designations under paragraph (1) shall be made—

“(i) based upon the criteria set forth in subsection (f)(1); and

“(ii) in furtherance of the strategy required under subsection (j).

“(i) TARGETING OF PROJECTS AND PROGRAMS TO AREAS OF GREATEST NEED.—

“(1) IN GENERAL.—Not later than 15 days before the obligation of any funds for water, sanitation, or hygiene projects or programs pursuant to this section in countries that are not ranked in the top 50 countries based upon the WASH Needs Index, the Administrator of the United States Agency for International Development shall notify the appropriate congressional committees of the planned obligation of such funds.

“(2) DEFINED TERM.—In this subsection and in subsection (j), the term ‘WASH Needs Index’ means the needs index for water, sanitation, or hygiene projects or programs authorized under this section that has been developed using the criteria and indicators described in subparagraphs (A) through (H) of subsection (f)(1).”

#### **SEC. 6. UNITED STATES STRATEGY TO INCREASE APPROPRIATE LONG-TERM SUSTAINABILITY AND ACCESS TO SAFE WATER, SANITATION, AND HYGIENE.**

(a) IN GENERAL.—Section 136 of the Foreign Assistance Act of 1961, as redesignated and amended by this Act, is further amended by adding at the end the following:

“(j) GLOBAL WATER STRATEGY.—

“(1) IN GENERAL.—Not later than October 1, 2017, and every 5 years thereafter, the President, acting through the Secretary of State, the Administrator of the United States Agency for International Development, and the heads of other Federal departments and agencies, as appropriate, shall submit a single government-wide Global Water Strategy to the appropriate congressional committees that provides a detailed description of how the United States intends—

“(A) to increase access to safe water, sanitation, and hygiene in high priority countries designated pursuant to subsection (h), including a summary of the WASH Needs Index and the specific weighting of data and other assumptions used to develop and rank countries on the WASH Needs Index;

“(B) to improve the management of water resources and watersheds in such countries; and

“(C) to work to prevent and resolve, to the greatest degree possible, both intra- and trans-boundary conflicts over water resources in such countries.

“(2) AGENCY SPECIFIC PLANS.—The Global Water Strategy shall include an agency-specific plan—

“(A) from the United States Agency for International Development that describes specifically how the Agency for International Development will—

“(i) carry out the duties and responsibilities assigned to the Global Water Coordinator under subsection (e)(1);

“(ii) ensure that the Agency for International Development’s projects and programs authorized under this section are designed to achieve maximum impact and long-term sustainability, including by implementing the requirements described in subsection (f); and

“(iii) increase access to safe water, sanitation, and hygiene in high priority countries designated pursuant to subsection (h);

“(B) from the Department of State that describes specifically how the Department of State will—

“(i) carry out the duties and responsibilities assigned to the Special Coordinator for Water Resources under subsection (e)(2); and

“(ii) ensure that the Department’s activities authorized under this section are designed—

“(I) to improve management of water resources and watersheds in countries designated pursuant to subsection (h); and

“(II) to prevent and resolve, to the greatest degree possible, both intra- and trans-boundary conflicts over water resources in such countries; and

“(C) from other Federal departments and agencies, as appropriate, that describes the contributions of the departments and agencies to implementing the Global Water Strategy.

“(3) INDIVIDUALIZED PLANS FOR HIGH PRIORITY COUNTRIES.—For each high priority country designated pursuant to subsection (h), the Administrator of the United States Agency for International Development shall—

“(A) develop a costed, evidence-based, and results-oriented plan that—

“(i) seeks to achieve the purposes of this section; and

“(ii) meets the requirements under subsection (f); and

“(B) include such plan in an appendix to the Global Water Strategy required under paragraph (1).

“(4) FIRST TIME ACCESS REPORTING REQUIREMENT.—The Global Water Strategy shall specifically describe the target percentage of funding for each fiscal year covered by such strategy to be directed toward projects aimed at providing first-time access to safe water and sanitation.

“(5) PERFORMANCE INDICATORS.—The Global Water Strategy shall include specific and measurable goals, benchmarks, performance metrics, timetables, and monitoring and evaluation plans required to be developed by the Administrator of the United States Agency for International Development pursuant to subsection (e)(1)(B)(v).

“(6) CONSULTATION AND BEST PRACTICES.—The Global Water Strategy shall—

“(A) be developed in consultation with the heads of other appropriate Federal departments and agencies; and

“(B) incorporate best practices from the international development community.

“(k) DEFINITION.—In this section, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Foreign Relations of the Senate;

“(2) the Committee on Appropriations of the Senate;

“(3) the Committee on Foreign Affairs of the House of Representatives; and

“(4) the Committee on Appropriations of the House of Representatives.”

(b) DEPARTMENT OF STATE AGENCY SPECIFIC PLAN.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit an agency-specific plan to the appropriate congressional committees (as defined in section 136(k) of the Foreign Assistance Act of 1961, as added by subsection (a)) that meets the requirements of section 136(j)(2)(B) of such Act, as added by subsection (a).

(c) CONFORMING AMENDMENT.—Section 6 of the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121; 22 U.S.C. 2152h note) is repealed.



## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 583—DESIGNATING NOVEMBER 30, 2014, AS “DRIVE SAFER SUNDAY”

Mr. ISAKSON submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 583

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas every individual traveling on the roads and highways needs to drive in a safer manner to reduce deaths and injuries that result from motor vehicle accidents;

Whereas according to the National Highway Traffic Safety Administration, wearing a seat belt saves as many as 15,000 lives each year; and

Whereas the Sunday after Thanksgiving is the busiest highway traffic day of the year: Now, therefore, be it

*Resolved*, That the Senate—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to focus on safety when driving;

(B) national trucking firms to alert their drivers to be especially focused on driving safely on the Sunday after Thanksgiving, and to publicize the importance of the day through use of the Citizens Band Radio Service and at truck stops across the United States;

(C) clergies to remind their congregations to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive safely, particularly on the Sunday after Thanksgiving;

(E) motorists to drive safely, not just during the holiday season, but every time they get behind the wheel; and

(F) all people of the United States to understand the life-saving importance of wearing a seat belt and to use the Sunday after Thanksgiving as an opportunity to educate themselves about highway safety; and

(2) designates November 30, 2014, as “Drive Safer Sunday”.

## SENATE RESOLUTION 584—COMMEMORATING JERALD D. LINNELL ON HIS SERVICE TO THE UNITED STATES SENATE

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 584

Whereas Jerry Linnell, a native of Minnesota, graduated from the court reporting program of the Minnesota School of Business in Minneapolis;

Whereas Jerry Linnell, joined the Official Reporters of Debate of the United States Senate in 1982 and became Chief Reporter in 1999 supervising a staff of reporters and transcribers and producing the Senate's portion of the Congressional Record with remarkable accuracy;

Whereas Jerry Linnell has earned the respect and affection of the Senators, their staffs and all of his colleagues for his professionalism, dedication and good humor;

Whereas Jerry Linnell now retires from the Senate after 32 years to spend more time with his wife Jane, his four children and five grandchildren: Now, therefore, be it

*Resolved*, That the Senate expresses its appreciation to Jerry Linnell and commends him for his lengthy, faithful and outstanding service to the Senate.

*Resolved*, That the Secretary of the Senate shall transmit a copy of this resolution to Jerald D. Linnell.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3949. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 3949.** Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**Subtitle I—Uniform Code of Military Justice Reform****SEC. 591. SHORT TITLE.**

This subtitle may be cited as the “Military Justice Improvement Act of 2014”.

**SEC. 592. MODIFICATION OF AUTHORITY TO DETERMINE TO PROCEED TO TRIAL BY COURT-MARTIAL ON CHARGES ON CERTAIN OFFENSES WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.**

(a) MODIFICATION OF AUTHORITY.—

(1) IN GENERAL.—

(A) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3), the Secretary of Defense shall require the Secretaries of the military departments to provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(B) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3) against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(2) COVERED OFFENSES.—An offense specified in this paragraph is an offense as follows:

(A) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is triable by court-martial under that chapter for which the maximum punishment authorized under that

chapter includes confinement for more than one year.

(B) A conspiracy to commit an offense specified in subparagraph (A) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(C) A solicitation to commit an offense specified in subparagraph (A) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(D) An attempt to commit an offense specified in subparagraphs (A) through (C) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(3) EXCLUDED OFFENSES.—Paragraph (1) does not apply to an offense as follows:

(A) An offense under sections 883 through 917 of title 10, United States Code (articles 83 through 117 of the Uniform Code of Military Justice).

(B) An offense under section 933 or 934 of title 10, United States Code (articles 133 and 134 of the Uniform Code of Military Justice).

(C) A conspiracy to commit an offense specified in subparagraph (A) or (B) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(D) A solicitation to commit an offense specified in subparagraph (A) or (B) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(E) An attempt to commit an offense specified in subparagraph (A) through (D) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(4) REQUIREMENTS AND LIMITATIONS.—The disposition of charges pursuant to paragraph (1) shall be subject to the following:

(A) The determination whether to try such charges by court-martial shall be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O-6 or higher who—

(i) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(ii) have significant experience in trials by general or special court-martial; and

(iii) are outside the chain of command of the member subject to such charges.

(B) Upon a determination under subparagraph (A) to try such charges by court-martial, the officer making that determination shall determine whether to try such charges by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(C) A determination under subparagraph (A) to try charges by court-martial shall include a determination to try all known offenses, including lesser included offenses.

(D) The determination to try such charges by court-martial under subparagraph (A), and by type of court-martial under subparagraph (B), shall be binding on any applicable convening authority for a trial by court-martial on such charges.

(E) The actions of an officer described in subparagraph (A) in determining under that subparagraph whether or not to try charges by court-martial shall be free of unlawful or unauthorized influence or coercion.

(F) The determination under subparagraph (A) not to proceed to trial of such charges by