

Whereas many rare diseases are serious, life-threatening, and lack an effective treatment;

Whereas great strides have been made in research and treatment for rare diseases as a result of the Orphan Drug Act (Public Law 97-414);

Whereas the Food and Drug Administration has made great strides in involving the patient in the drug review process as part of its Patient-Focused Drug Development program, an initiative that originated in the Food and Drug Administration Safety and Innovation Act (Public Law 112-144);

Whereas although more than 450 drugs and biological products for the treatment of rare diseases have been approved by the Food and Drug Administration, millions of people in the United States have a rare disease for which there is no such approved treatment;

Whereas lack of access to effective treatments and difficulty in obtaining reimbursement for life-altering, and even life-saving, treatments still exist and remain significant challenges for people with rare diseases and their families;

Whereas rare diseases and conditions include epidermolysis bullosa, progeria, sickle cell anemia, spinal muscular atrophy, Duchenne muscular dystrophy, Tay-Sachs disease, cystic fibrosis, pulmonary fibrosis, many childhood cancers, and fibrodysplasia ossificans progressiva;

Whereas people with rare diseases experience challenges that include difficulty in obtaining accurate diagnoses, limited treatment options, and difficulty finding physicians or treatment centers with expertise in their diseases;

Whereas the rare disease community made great strides during the 113th Congress, including the passage of the National Pediatric Research Network Act (Public Law 113-55), which calls special attention to rare diseases and directs the National Institutes of Health to facilitate greater collaboration among researchers;

Whereas both the Food and Drug Administration and the National Institutes of Health have established special offices to advocate for rare disease research and treatments;

Whereas the National Organization for Rare Disorders, an organization established in 1983 to provide services to and advocate on behalf of patients with rare diseases, remains a critical public voice for people with rare diseases;

Whereas 2015 marks the 32nd anniversary of the enactment of the Orphan Drug Act and the establishment of the National Organization for Rare Disorders;

Whereas on February 25, 2015, more than 200 rare disease advocates shared their stories on Capitol Hill on behalf of the rare disease community and asked lawmakers to enhance public policy to help rare disease patients;

Whereas the National Organization for Rare Disorders sponsors Rare Disease Day in the United States and partners with many other major rare disease organizations to increase public awareness of rare diseases;

Whereas Rare Disease Day is observed each year on the last day of February;

Whereas Rare Disease Day is a global event, first observed in the United States on February 28, 2009, and observed in 84 countries in 2014; and

Whereas Rare Disease Day is expected to be observed globally for years to come, providing hope and information for rare disease patients around the world: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 28, 2015, as “Rare Disease Day”;

(2) recognizes the importance of improving awareness and encouraging accurate and

early diagnosis of rare diseases and disorders; and

(3) supports a national and global commitment to improving access to and developing new treatments, diagnostics, and cures for rare diseases and disorders.

AMENDMENTS SUBMITTED AND PROPOSED

SA 264. Mr. SASSE submitted an amendment intended to be proposed by him to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table.

SA 265. Mr. LEE (for himself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 255 proposed by Mr. MCCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) to the bill H.R. 240, supra; which was ordered to lie on the table.

SA 266. Mr. LEE submitted an amendment intended to be proposed to amendment SA 255 proposed by Mr. MCCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) to the bill H.R. 240, supra; which was ordered to lie on the table.

SA 267. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 240, supra; which was ordered to lie on the table.

SA 268. Mr. MCCONNELL proposed an amendment to the bill H.R. 33, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

TEXT OF AMENDMENTS

SA 264. Mr. SASSE submitted an amendment intended to be proposed by him to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON ISSUING SOCIAL SECURITY NUMBERS PURSUANT TO DEFERRED ACTION POLICIES.

Section 205(c)(2)(B)(i)(I) of the Social Security Act (42 U.S.C. 405(c)(2)(B)(i)(I)) is amended by inserting “, except that the Commissioner of Social Security shall not issue a social security account number to any alien who is authorized to engage in employment in the United States pursuant only to deferred action policies set forth in the memorandum from the Secretary of Homeland Security entitled ‘Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children’ dated June 15, 2012, or the memorandum from the Secretary of Homeland Security entitled ‘Exercising Prosecutorial Discretion with Respect to Individuals who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents’ dated November 20, 2014 (or any substantially similar policy changes issued or taken on or after the date of the enactment of the Department of Homeland Security Appropriations Act, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action)” after “engage in such employment”.

SA 265. Mr. LEE (for himself and Mr. VITTER) submitted an amendment in-

tended to be proposed to amendment SA 255 proposed by Mr. MCCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . (a) No funds, resources, or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this Act or any other Act for any fiscal year, including any deposits into the Immigration Examinations Fee Account established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to implement, administer, enforce, or carry out (including through the issuance of any regulations) any of the policy changes set forth in the following memoranda (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action):

(1) The memorandum from the Secretary of Homeland Security entitled “Southern Border and Approaches Campaign” dated November 20, 2014.

(2) The memorandum from the Secretary of Homeland Security entitled “Policies for the Apprehension, Detention and Removal of Undocumented Immigrants” dated November 20, 2014.

(3) The memorandum from the Secretary of Homeland Security entitled “Secure Communities” dated November 20, 2014.

(4) The memorandum from the Secretary of Homeland Security entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents” dated November 20, 2014.

(5) The memorandum from the Secretary of Homeland Security entitled “Expansion of the Provisional Waiver Program” dated November 20, 2014.

(6) The memorandum from the Secretary of Homeland Security entitled “Policies Supporting U.S. High-Skilled Businesses and Workers” dated November 20, 2014.

(7) The memorandum from the Secretary of Homeland Security entitled “Families of U.S. Armed Forces Members and Enlistees” dated November 20, 2014.

(8) The memorandum from the Secretary of Homeland Security entitled “Directive to Provide Consistency Regarding Advance Parole” dated November 20, 2014.

(9) The memorandum from the Secretary of Homeland Security entitled “Policies to Promote and Increase Access to U.S. Citizenship” dated November 20, 2014.

(10) The memorandum from the President entitled “Modernizing and Streamlining the U.S. Immigrant Visa System for the 21st Century” dated November 21, 2014.

(11) The memorandum from the President entitled “Creating Welcoming Communities and Fully Integrating Immigrants and Refugees” dated November 21, 2014.

(b) The memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action) have no statutory or constitutional basis and therefore have no legal effect.

(c) No funds or fees made available to the Secretary of Homeland Security, or to any

other official of a Federal agency, by this Act or any other Act for any fiscal year, including any deposits into the "Immigration Examinations Fee Account" established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to grant any Federal benefit to any alien pursuant to any of the policy changes set forth in the memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action).

(d) The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(e) Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(1) for purposes of section 251 of the such Act; and

(2) for purposes of paragraph 4(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

SA 266. Mr. LEE submitted an amendment intended to be proposed to amendment SA 255 proposed by Mr. MCCONNELL (for Mr. COCHRAN (for himself, Ms. MIKULSKI, and Mrs. SHAHEEN)) to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) No funds, resources, or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this Act or any other Act for any fiscal year, including any deposits into the Immigration Examinations Fee Account established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to implement, administer, enforce, or carry out (including through the issuance of any regulations) any of the policy changes set forth in the following memoranda (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action):

(1) The memorandum from the Director of United States Immigration and Customs Enforcement entitled "Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens" dated March 2, 2011.

(2) The memorandum from the Director of United States Immigration and Customs Enforcement entitled "Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens" dated June 17, 2011.

(3) The memorandum from the Principal Legal Advisor of United States Immigration and Customs Enforcement entitled "Case-by-Case Review of Incoming and Certain Pending Cases" dated November 17, 2011.

(4) The memorandum from the Director of United States Immigration and Customs Enforcement entitled Civil Immigration Enforcement: Guidance on the Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems dated December 21, 2012.

(5) The memorandum from the Secretary of Homeland Security entitled "Southern Border and Approaches Campaign" dated November 20, 2014.

(6) The memorandum from the Secretary of Homeland Security entitled "Policies for the Apprehension, Detention and Removal of Undocumented Immigrants" dated November 20, 2014.

(7) The memorandum from the Secretary of Homeland Security entitled "Secure Communities" dated November 20, 2014.

(8) The memorandum from the Secretary of Homeland Security entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents" dated November 20, 2014.

(9) The memorandum from the Secretary of Homeland Security entitled "Expansion of the Provisional Waiver Program" dated November 20, 2014.

(10) The memorandum from the Secretary of Homeland Security entitled "Policies Supporting U.S. High-Skilled Businesses and Workers" dated November 20, 2014.

(11) The memorandum from the Secretary of Homeland Security entitled "Families of U.S. Armed Forces Members and Enlistees" dated November 20, 2014.

(12) The memorandum from the Secretary of Homeland Security entitled "Directive to Provide Consistency Regarding Advance Parole" dated November 20, 2014.

(13) The memorandum from the Secretary of Homeland Security entitled "Policies to Promote and Increase Access to U.S. Citizenship" dated November 20, 2014.

(14) The memorandum from the President entitled "Modernizing and Streamlining the U.S. Immigrant Visa System for the 21st Century" dated November 21, 2014.

(15) The memorandum from the President entitled "Creating Welcoming Communities and Fully Integrating Immigrants and Refugees" dated November 21, 2014.

(b) The memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action) have no statutory or constitutional basis and therefore have no legal effect.

(c) No funds or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this Act or any other Act for any fiscal year, including any deposits into the "Immigration Examinations Fee Account" established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to grant any Federal benefit to any alien pursuant to any of the policy changes set forth in the memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action).

(d) The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(e) Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(1) for purposes of section 251 of the such Act; and

(2) for purposes of paragraph 4(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

SA 267. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. **SOCIAL SECURITY NUMBERS REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.**

(a) **TAXPAYER REQUIREMENT.**—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(5) **IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.**—

"(A) **IN GENERAL.**—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's Social Security number on the return of tax for such taxable year.

"(B) **JOINT RETURNS.**—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return."

(b) **CHILD REQUIREMENT.**—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended to read as follows:

"(e) **IDENTIFICATION REQUIREMENT WITH RESPECT TO QUALIFYING CHILDREN.**—

"(1) **IN GENERAL.**—Subject to paragraph (2), no credit shall be allowed under this section to a taxpayer with respect to any qualifying child unless the taxpayer includes the name and taxpayer identification number of such qualifying child on the return of tax for the taxable year.

"(2) **REFUNDABLE PORTION.**—Subsection (d)(1) shall not apply to any taxpayer with respect to any qualifying child unless the taxpayer includes the name and social security number of such qualifying child on the return of tax for the taxable year."

(c) **OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.**—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

"(I) an omission of a correct Social Security number required under subsection (d)(5) or (e)(2) of section 24 (relating to refundable portion of child tax credit), or a correct TIN under subsection (e)(1) of such section (relating to child tax credit), to be included on a return."

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 268. Mr. MCCONNELL proposed an amendment to the bill H.R. 33, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. FURTHER CONTINUING APPROPRIATIONS.

The Continuing Appropriations Resolution, 2015 (Public Law 113-164; 128 Stat. 1867) is amended by striking the date specified in section 106(3) and inserting "March 6, 2015".

The PRESIDING OFFICER. The majority leader.

PROTECTING VOLUNTEER FIRE-FIGHTERS AND EMERGENCY RESPONDERS ACT

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 33, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 33) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

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

AMENDMENT NO. 268

Mr. MCCONNELL. Madam President, I have an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 268.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. FURTHER CONTINUING APPROPRIATIONS.

The Continuing Appropriations Resolution, 2015 (Public Law 113-164; 128 Stat. 1867) is amended by striking the date specified in section 106(3) and inserting "March 6, 2015".

Mr. MCCONNELL. Madam President, I ask unanimous consent that the amendment be agreed to, the bill, as amended, be read a third time, and the Senate vote on passage of the bill, and that the motion to reconsider be considered made and laid upon the table without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 268) in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

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

The bill (H.R. 33), as amended, was passed.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

Mr. MCCONNELL. Madam President, I ask that the Chair lay before the Sen-

ate the House message accompanying H.R. 240.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives, as follows:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 240) entitled "An Act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MCCONNELL. I move to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees.

The PRESIDING OFFICER. The motion is pending.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. MCCONNELL. Madam President, I thank all Senators for working together to pass this 1-week funding extension for the Department of Homeland Security. Senators should expect the next vote at 5:30 p.m. on Monday, which will be a cloture vote on the motion to agree to the House request to go to a conference on the bill.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Madam President, progress has been made all during the day. I appreciate very much the cooperation of everyone involved. I am confident that the House will pass a 7-day CR tonight and that there will be within 7 days full funding for the Department of Homeland Security.

RARE DISEASE DAY

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 92, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 92) designating February 28, 2015, as "Rare Disease Day."

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

Mr. MCCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 92) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, hereby notifies the Senate of an amendment to the minority membership appointments made in the Senate on February 12, 2015, to the Senate National Security Working Group for the 114th Congress: JACK REED of Rhode Island.

SIGNING AUTHORITY

Mr. MCCONNELL. Madam President, I ask unanimous consent that during this adjournment of the Senate, the majority leader and the junior Senator from West Virginia be authorized to sign duly enrolled bills or joint resolutions.

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

ORDERS FOR MONDAY, MARCH 2, 2015

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business tonight, it adjourn until 2 p.m., Monday, March 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day, and following leader remarks, the Senate resume consideration of the House message to accompany H.R. 240.

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

ADJOURNMENT UNTIL MONDAY, MARCH 2, 2015, AT 2 P.M.

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:23 p.m., adjourned until Monday, March 2, 2015, at 2 p.m.