

Sportmen's Act of 2015, and I will start out by acknowledging the great work by the chair of the Energy and Natural Resources Committee, Senator MURKOWSKI of Alaska, who has been a great partner in quickly moving this legislation forward.

The Sportsmen's Act of 2015 is gaining new momentum and earning widespread bipartisan support from both sides of the aisle, from the east coast to the west coast and, frankly, everywhere in between. Improving access for hunters and anglers, restoring wildlife habitat, and protecting the way of life that so many of us cherish are things we can all agree on because as Americans we all have a unique and deep connection to the outdoors.

The Sportmen's Act of 2015 includes a broad array of bipartisan measures to enhance opportunities for hunters, anglers, and outdoor recreation enthusiasts. It reauthorizes key conservation programs, improves access to our public lands, and helps boost the outdoor recreation economy. Hunting is a way of life for me and for many families across this great Nation.

Similar to many New Mexicans, my 11-year-old son and I went out hunting on public land last fall. The bull elk we brought home will feed our family for most of the coming year, but more importantly the experience of backpacking into the Sangre de Cristos and Carson National Forest, sleeping on the ground, and hearing the elk bugle all around us will feed my son's imagination for decades to come.

The Sportmen's Act will help ensure that American families can pass on these outdoor traditions year after year and for generations to come.

When I travel around New Mexico and talk with sportsmen and sportswomen, their No. 1 issue is access, and that is why I am so pleased that a provision I have been championing to unlock countless public lands is included in this package. Public lands, such as the Gila Wilderness, Valles Caldera National Preserve, and the Rio Grande del Norte National Monument are some of the most special places to hunt and fish left on the planet.

The HUNT Act directs all Federal public land management agencies to identify our shared lands where hunting and fishing and outdoor recreation are permitted but where access is non-existent or significantly restricted and develop plans to provide that access.

Additionally, a provision led by my colleague, Montana Senator JON TESTER, is also included in this bill to require a percentage of our annual Land and Water Conservation Funds to be made available to improve recreational access to difficult-to-reach public lands.

Among many other bipartisan, pragmatic efforts to enhance opportunities for hunters and anglers, the Sportsmen's Act would reauthorize NAWCA, the North American Wetlands Conservation Act, the National Fish and Wildlife Foundation, and the Federal Land Transaction Facilitation Act.

It is clear these efforts increase and reaffirm our country's commitment to the conservation of fish and wildlife habitat, but they are just as important for the future of our economy across the West.

Nationally, according to the Outdoor Industry Association, more than 140 million Americans either make their living off the outdoors or make outdoor activity a priority in their daily lives. When they do that, they end up spending \$646 billion on outdoor recreation, resulting in quality jobs for another 6.1 million Americans.

In my home State of New Mexico—a small State with just 2 million people—outdoor recreation generates more than \$6 billion a year. It provides 68,000 jobs and \$1.7 billion in wages and annual salaries.

A survey done recently by New Mexico Game and Fish found that sportsmen alone spend more than \$613 million per year in our State. This boost to our economy is felt by business owners, outfitter guides, hotels, restaurants, gas stations, and the entire local community—especially in our rural communities. The truth is our deep connection to the outdoors is part of the American experience and it is part of our heritage and culture in the West. It is something we learn from our mothers and fathers and pass down to our sons and our daughters.

The Sportmen's Act will help protect that heritage and ensure it continues for generations to come.

I thank the Presiding Officer for indulging me, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### HONORING VIETNAM VETERANS AND NORTH DAKOTA'S SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, today I rise to speak about and honor our Nation's Vietnam veterans, particularly North Dakota's Vietnam veterans. Since I took office, I have made it a priority to travel throughout North Dakota to meet with my State's veterans, so many wonderful men and women who continue to serve not only their country but also our State and their communities. All these veterans deserve a place of honor in our society.

We are in the midst of the 50th anniversary of the Vietnam war. On May 25, 2012, President Obama issued this proclamation calling on the Nation to honor Vietnam veterans and to honor particularly those brave servicemembers who gave their lives in service to their country.

This special period of honoring our Vietnam veterans runs through 2025.

Today I follow up on a commitment I made last year. I want to focus on North Dakota's soldiers who lost their lives in Vietnam. In this effort, I have partnered with students from Bismarck High School in researching these soldiers. I want to thank their instructors, Lori Forde, Sara Rinas, and Allison Wendel for coordinating this project and sharing their students' research with my office. I think this is a wonderful partnership to explain and to research a war that was long forgotten for many of these young students.

Throughout this effort I want to make sure our Nation never forgets the needs of our Vietnam veterans. I want to make sure our Nation continues further to honor them. I have a poster that we have created that will be placed in every one of our offices, both in Washington, DC, and in my various State offices. I am hopeful we will be able to distribute this poster throughout all of the veterans service organizations in North Dakota as we continue this period of remembrance.

In North Dakota, we take much pride in our history and devotion to service. When our Nation, our State, and our community are called, North Dakotans stand up—no matter what the cost. And 198 sons of North Dakota did not make it home from the Vietnam war; 198 sons of North Dakota gave their lives in service to the freedom of this country. These sons, brothers, and fathers have made the ultimate sacrifice.

Today, I want to honor them individually by talking about the lives of these individuals—some of these individual members. I intend throughout this Congress to come to the floor and remember each one of them individually and remember each one of their sacrifices.

DAVID ELSBERND

So today, I begin with David Elsbernd. He was born June 28, 1949, and he was from the community of Crosby. He served in the Army in the 196th Light Infantry Brigade. The date of his death was September 9, 1969. He was 20 years old. David had a sister and three brothers—one who also served. The brother who also served was injured in Vietnam. David's father remembers him as a kind, generous person who thought of everyone else first.

Fellow soldier Paul Hughes wrote the book "The Light Within," which includes an account of David's death. David's family is thankful to his fellow soldiers and friends for taking care of him.

ELROY BEIER

Elroy Beier was born February 26, 1947, and grew up in Langdon. He served in the Army in the 101st Airborne Division. His date of death was May 5, 1968. He was 21 years old. He had three brothers and one sister. His mother Violet was proud to be a Gold Star Mother and was a member of the VFW and the American Legion Auxiliary.

Elroy played basketball for Langdon Area High School. In Vietnam, Elroy

was injured while firing at opposing forces to help his fellow soldiers return to safety. Despite his injury, Elroy refused to return to the United States. After healing, he bravely stood his ground in a firefight to help his fellow soldiers but was fatally wounded.

Elroy's nephew, Marcus, was inspired by Elroy's bravery and sacrifice and, as a result, he joined the military.

#### JOHN LUNDIN

John Lundin was born February 3, 1932. His hometown was Sentinel Butte. He served in the Army, Advisory Team 91. The date of his death was April 25, 1970. He was 38 years old. John was the oldest of eight children.

While stationed in Germany, he met and married Charlotte. When he was killed in action, he left behind Charlotte and 3 children, ages 14, 9, and 4.

Before his deployment to Vietnam, the Army taught him the Vietnamese language. He was posthumously awarded the Silver Star for gallantry in action and the Bronze Star for valor. John's family cherishes the letter the Army gave them describing John's heroism the day he died, when he sacrificed himself by drawing fire away from his fellow soldiers.

I want to give special thanks to Bismarck High School students Emily Schmid, Brittany Hawkinson, McKenzie Rittel, and Shelby Wittenberg for reaching out to John Lundin's family and learning this important information about John's life and his extraordinary service.

#### MARVIS BRISS

Marvis Briss was born November 6, 1948. He grew up in Binford. He served in the Army, 11th Battalion, 9th Infantry Division. He died May 28, 1969, at the age of 20.

Marvis grew up on a farm, and his siblings remember him as a wonderful brother. His family is honored that he was so brave. He earned the Air Medal for meritorious achievement, outstanding degree of professionalism, and devotion to duty, and the Army Commendation Medal for heroic actions in keeping with the highest traditions of military service.

Marvis was pictured in the 1969 LIFE magazine article about the 242 American soldiers killed in 7 days in the Vietnam war.

#### KENYON BEAN

Kenyon "Ken" Bean was born May 25, 1946. He grew up in Williston. He served in the Army, 35th Infantry, 25th Infantry Division. His date of death was May 19, 1967. He was 20 years old. Ken was the oldest of three. Ken's sister Cheryl and brother Lowell remember his wonderful sense of humor and his strong desire to farm.

He earned the Bronze Star, Purple Heart, and the National Defense Service Medal for heroism in his attempt to move his critically injured platoon leader to safety while under sniper fire.

His commanding officer cited Ken's courageous self-sacrifice and inspiring bravery as reflecting great credit upon himself and the U.S. Army.

#### PAUL WOLOS

Paul Wolos was born July 22, 1947. He is from Canada, but he enlisted in Fargo. He served in the Marine Corps, 1 Marine Expeditionary Force, 1st Marine Division. He died May 28, 1967. At the time of his death, he was 20 years old.

His uncle, a U.S. Marine, sponsored him so that as a Canadian he could enlist in the U.S. Marine Corps. Paul was proud to volunteer and to serve the United States as a marine so he could fight communism.

Paul signed a noncitizen waiver so he could serve in-country in Vietnam with his unit. One story that his friends recall is on a hunting trip Paul was so proud of his service as a U.S. Marine, that when he went home for Christmas after basic training, his friends joked that Paul didn't take his uniform off once.

#### DAVID BERDAHL

David Berdahl was born January 16, 1953. He grew up in Minot. He served in the Army, 101st Airborne Division. His date of death is stated to be January 20, 1972. He was 19 years old when he went missing.

David is the first son born of 13 children. His family remembers him as always helping others. During the Minot floods of 1969, the family moved to safety, but David stayed in town, sandbagging all night long.

At age 17, David expressed interest in joining the Army, but his mom asked him to wait. At 18, he joined on his own.

In Vietnam, he started as a helicopter mechanic. He offered to go on a helicopter rescue mission, but the helicopter was shot down, causing it to catch fire and costing David his life.

#### RICHARD "DICK" OLSON

Richard "Dick" Olson, born June 8, 1949, grew up in Grand Forks. He was in the Marine Corps, 1st Battalion, 4th Marines. His date of death was April 26, 1968. He went missing at age 18.

Richard was survived by his parents, two sisters, and a brother. He loved to sing and was in a band for some of his teenage years. His sister, Roberta, remembers his generosity and tells about how Dick once bought groceries for a friend in need and how once Dick literally gave the shirt off his back so his friend would have a nice shirt to wear the day he enlisted in the Marines. Dick entered the Marine Corps at age 17 and was killed in action 1 year later.

#### MERLIN LABER

Merlin Laber was born September 5, 1947, and grew up in Sykeston. He served in the Army, 198th Light Infantry Brigade. The date of his death was May 14, 1969. He was 21 years old.

He was the oldest of nine children; he had four brothers and four sisters. His father served in World War II. Two of his brothers also served in the military, one in Korea and Vietnam and the other in the Middle East. Merlin loved cars, and he held the Sykeston record in track. He was also featured in

the 1969 LIFE magazine article about the 242 American soldiers killed in 7 days in the Vietnam war.

#### THOMAS "TOM" BEYER

Tom Beyer was born March 10, 1941. He grew up in Fargo. He served in the Air Force, 20th Tactical Support Squadron. His date of death was July 30, 1968. He was 27 years old when he went missing.

He was survived by his wife Karen and his two children, Sandra and Steven. He was preceded in death by one son, John. The family remembers Thomas as a wonderful person. He graduated from NDSU and enjoyed his family, flying, playing the piano, hunting, and golf. After his death, he was promoted from captain to major. His remains were recovered and laid to rest in Fargo in 2010.

#### CHARLES WENDT

Charles Wendt was born February 24, 1947, and grew up in Dickinson. He served in the Army, 4th Infantry Division. His date of death was June 5, 1968, and he was 21 years old. His father, also named Charles Wendt, served in the Army.

Prior to joining the Army at age 20, Charles worked for Viegel Engineering, which is now KLJ, one of the most prominent engineering firms in the State of North Dakota.

#### DOUGLAS PIERCE

Douglas Pierce was born September 24, 1952. He was from Illinois, but he was living in Fargo when he enlisted. He served in the Army, 1st Cavalry Regiment. His date of death was November 26, 1971, and he was 19 years old.

His father worked as a VA hospital administrator in several cities, including Fargo. Two brothers, Vince and Mark, also died as a result of the Vietnam conflict. Doug was a straight-A student, an A-plus student who wanted to serve his country. He loved Appaloosa horses. His twin sister, Debby, fondly remembers the day when, as children, they attended a Hollywood parade and Doug ran into the street to pick up and keep the horseshoe that fell off of the foot of Roy Rogers' horse, Trigger.

#### DALE AMUNDSON

Dale Amundson was born July 11, 1948. He was from Finley and served in the Army, 1st Infantry Regiment. October 30, 1968, was his date of death at the age of 20.

One of his nephews is named after him. His nephew is named Dale. In high school, he was one of the charter members of the first FAA chapter in Finley. Private First Class Amundson died about 2 months after beginning his service in Vietnam.

#### WILLIAM BACKER

William Backer was born June 28, 1949. He was from Mandan. He served in the Marine Corps, 2nd Battalion, 1st Marine Regiment. His date of death was January 12, 1968. He died at the age of 18.

William was a third-generation veteran. His grandfather served in the

Army in World War I and was awarded the Silver Star. His father served in the Army in World War II. William had three brothers: Paul, Jim, and John. William's brothers remember him as a dedicated marine who gave his life for a cause in which he strongly believed. They cherish the memories and the stories they keep in their hearts today about their brother.

GILBERT "GIL" BARGMANN

Gil Bargmann was born July 26, 1950. He grew up in Hannover, served in the Army, 4th Battalion, 9th Infantry Regiment. He died on June 19, 1969, at the age of 18.

Gil had three brothers and two sisters. He grew up on a dairy farm in the Hannover area. One of his squad brothers credits Gil for saving his life by covering his flank the day Gil died.

Gil's niece, Briana, connected three men who served with Gil in Vietnam with Gil's family. Three of Gil's friends and two of their wives traveled to Hannover to meet Gil's mother and siblings.

I am struck as I go through these names and as I review all of the people, and I am struck, sitting by children who are maybe just 2 years younger than these brave men who served our country. I know it is impossible to predict what amazing things they would have done had they not sacrificed their lives. So it is so important that we recognize their heroism, that we recognize their sacrifice, and that we honor them during this period of recognition of the sacrifices of the Vietnam war.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### ATF PROPOSAL ON M855 AMMUNITION

Mr. MORAN. Mr. President, in my home State of Kansas, we enjoy a special way of life. I have talked about it many times on the Senate floor. That special way of life includes a rich tradition of hunting, target shooting, and other law-abiding activities covered by our Second Amendment rights. Our State welcomes nearly 300,000 hunters each year, and in turn those individuals create jobs and economic opportunity for many Kansans.

I was disturbed to learn of a recent proposal by the Bureau of Alcohol, Tobacco, Firearms and Explosives. On Friday, February 13, the ATF proposed—without any instruction from Congress, on its own volition—a framework to determine whether M855 ammunition, which is popular for hunting and target shooting, is primarily intended to be used for sporting or if it is more likely to be used in handguns by

criminals. ATF indicated it wants to ban the ammunition, which has been used by law-abiding citizens, including Kansans, for decades because it is "armor piercing" and, therefore, poses a risk to the safety of law enforcement officials.

The fact is that almost all rifle ammunition is armor-piercing. The Law Enforcement Protection Act of 1986, which ATF cites as a statutory authority to ban this ammunition, specifically exempts armor-piercing ammunition "which the Attorney General finds is primarily intended to be used for sporting purposes." Congress's intent for providing this exemption was clear: Law-abiding citizens should not be deprived of their right to use this ammo for legitimate purposes, such as target shooting, hunting, and shooting competitions. In fact, Kansans, who expressed their concern to me about this issue in recent weeks, have consistently indicated that the proposed ban would directly interfere with their sporting uses and, more broadly, their Second Amendment rights.

Most troubling about the ATF proposal was how it intended to judge "likely use" of this ammunition. ATF planned to judge that M855 ammunition is more likely to be used in a handgun for criminal purposes rather than for sporting purposes simply based upon the bullet's weight and type of firearm in which it could be loaded. What was missing was any interest by ATF in the law-abiding ammunition consumers across the country. How might they use the ammunition? How could ATF determine primary intended use without conducting a study on how that ammunition actually would be used by the public?

The ATF framework failed to make any objective conclusions and would have served as nothing more than a tool for increased gun restrictions—and I would say increased gun restrictions that weren't passed by Congress.

Last week, the Senate Judiciary Committee chairman, Senator GRASSLEY, circulated a letter among my colleagues and to me directed at ATF Director B. Todd Jones outlining these and many other concerns related to the proposed framework to ban this ammunition. I join Senator GRASSLEY in signing this letter, and I am thankful it appears that our message was received because on Tuesday of this week the ATF announced that it will "formally delay" the implementation of the proposed ammunition ban. I thank the thousands—in fact, tens of thousands of Americans who voiced their concerns both to Congress and to ATF. ATF received an incredible 80,000 public comments on the proposed framework.

Congress has never banned this ammunition and has never intended to ban it. In the future, the ATF should not propose to ban any widely used form of ammunition favored by law-abiding civilians for lawful purposes.

Again, I am thankful that the proposed framework has now been re-

scinded, and I will continue my efforts in the Senate to support the Second Amendment freedoms of all Americans.

I yield to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I appreciate the good work of the Senator from Kansas. We have worked on, in the Banking Committee, a number of issues together, and I appreciate the work we have been able to do across party lines. So I thank the Senator for that.

#### TRADE TRANSPARENCY

Mr. BROWN. Mr. President, I am joined on the floor this evening by Senator CASEY. Just 2 weeks ago, he and I and a half dozen other Senators came to the floor in an unusual configuration. It is not something Senators do all that often. We came as a group, but each spoke individually about our concerns with trade promotion authority and the Trans-Pacific Partnership, both the so-called fast track and the trade agreement that is being negotiated among the United States, Canada, Mexico, some Pacific nations, and Peru, I believe, too, as well as nations in Asia.

The concerns we have and the concerns an increasing number of Senators have about trade promotion authority, about fast track—they changed the name because they knew the public did not like fast track, so they tried to obscure it by coming up with some technical-sounding name—trade promotion authority. We have increasingly seen the public rising up against these trade agreements because we have watched them for some 20 years, and we have seen the damage the North American Free Trade Agreement did to the United States, to our economy, and to workers around the world. We have seen that has been sort of a prototype for the next generation of CAFTA and other agreements in Colombia and Peru and now the Trans-Pacific Partnership.

I want to discuss this, in part, because we know so little about the U.S. Trade Representative's upcoming trade agenda and specifically the Trans-Pacific Partnership. The way we pass trade agreements, and it is important for colleagues to understand this, stands in a class by itself. No other legislation we do is as hidden not only from public view but even those in this body whose constitutional duty it is to approve or reject them.

Senator CASEY and I stood here in the well of the Senate, we raised our right hands—Senator CASEY and I were honored to come in at the same time, as of January 2007 and then again in January 2013. We raised our right hands and took an oath understanding our constitutional duty to approve or reject trade agreements.

Article I, section 8 of the Constitution entrusts in Congress the authority to regulate commerce with foreign nations, but the current TPP language is