

SULLIVAN) was added as a cosponsor of S. 650, a bill to extend the positive train control system implementation deadline, and for other purposes.

S. 665

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 665, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, is missing in connection with the officer's official duties, or an imminent and credible threat that an individual intends to cause the serious injury or death of a law enforcement officer is received, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

AMENDMENT NO. 273

At the request of Mr. KIRK, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 273 intended to be proposed to S. 178, a bill to provide justice for the victims of trafficking.

AMENDMENT NO. 279

At the request of Mr. SULLIVAN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 279 intended to be proposed to S. 178, a bill to provide justice for the victims of trafficking.

AMENDMENT NO. 290

At the request of Mr. LEAHY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 290 intended to be proposed to S. 178, a bill to provide justice for the victims of trafficking.

AMENDMENT NO. 297

At the request of Mr. ALEXANDER, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of amendment No. 297 intended to be proposed to S. 178, a bill to provide justice for the victims of trafficking.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself and Mrs. FEINSTEIN):

S. 724. A bill to amend the Controlled Substances Act to provide enhanced penalties for marketing candy-flavored controlled substances to minors; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am pleased to join Senator GRASSLEY in re-introducing the Protecting Kids from Candy-Flavored Drugs Act of 2015,

formerly known as the Saving Kids from Dangerous Drugs Act.

For years, law enforcement has seen drug dealers flavor and market their illegal drugs to entice minors, using techniques like combining drugs with chocolate and fruit flavors, and even packaging them to look like actual candy and soda. This bill would address this serious and dangerous problem by providing stronger penalties when drug dealers alter controlled substances by combining them with beverages or candy products, marketing or packaging them to resemble legitimate products, or flavoring or coloring them, all with the intent to sell the drugs to minors.

Recent reports by law enforcement and by the media demonstrate the need for this legislation. Last year, a captain in the Drugs and Vice Division of an Oregon police department told my office that he "routinely encounter[s]" ecstasy; it is "often found packaged with cartoon characters on the labeling[,] shaped in pacifier form[,] or with the outline of various animals stamped [on the] drug when in pill form." He continued that "[c]andy bracelets of MDMA [ecstasy] are also common. Various unique colors of pills are also frequently encountered with the clear intent to market and make the drug appealing to the young."

Also last year, a narcotics team member in an Oregon sheriff's office told my office that he frequently encounters gummy bears laced with Xanax. The "only customers are juveniles," according to the officer. He noted that if a youth gets hooked, he will become a regular customer.

Law enforcement has made several notable busts of large productions of candied or flavored drugs. In January 2013, the Drug Enforcement Administration seized THC-laden soft drinks, cookies, brownies, and candy from two phony medical marijuana dispensaries in my home state of California. These dispensaries grossed an estimated \$3.5 million annually. The names of the products seized show how the purveyors of these drugs marketed them under names that resembled popular soda and candy products: bottles were labeled "7 High," "Dr. Feelgood," and "Laughing Lemonade"; cookies and brownies had such names as "White Chip Hash Brownie" and "Reese's Crumbled Hash Brownie; and candy was named "Jolly Stones THC Medicated Hard Candies" and "Stone Candy."

Around Halloween 2013, police seized more than 40 pounds of THC-laced candy from a campus apartment at West Chester University, outside of Philadelphia. This candy was vividly colored, in a virtual rainbow assortment—pink, yellow, orange, blue, and red. When college students are peddling these drugs, it is not hard to see how minors can become targets of the operation.

Many recent incidents involve methamphetamine, a drug whose users face

a "very high" risk of "developing psychotic symptoms—hallucinations and delusions," according to a recent Harvard Medical School publication. A 2007 article in USA Today entitled "DEA: Flavored meth use on the rise" stated that "[r]eports of candy-flavored methamphetamine are emerging around the nation, stirring concern among police and abuse prevention experts that drug dealers are marketing the drug to younger people." In March of 2012, police in Chicago warned parents about a drug that "looks and smells like candy," called "strawberry quick" or "strawberry meth." Because of the drug's similarity to candy, police urged parents to tell their children not to take candy from anyone, not even a classmate.

Regrettably, this is a problem that has persisted for many years, with drug dealers trying various methods to lure kids to try many dangerous drugs. The dealers' logic is simple: the best way to create a life-long customer is to hook that person when he or she is young. According to an Indiana sheriff quoted in a 2007 article entitled "Fruity meth aimed at kids," flavoring a drug like methamphetamine makes it "more attractive to teens, because it takes away meth's normally bitter taste, and some dealers will tell potential users this meth is safer, and has less side effects."

That is why the practice of flavoring or coloring drugs to entice youth is so dangerous. It deceives the young customer into believing that he or she is not actually ingesting drugs, or at least not ingesting drugs that are as potent as non-flavored drugs. One in three teens already believes there is "only a slight or no risk in trying [methamphetamine]," according to the 2007 National Meth Use & Attitudes Survey. When you flavor methamphetamine or market it as candy or soda, the number of teens who believe that the drug is not harmful is surely higher.

The size and sophistication of some of these operations is particularly alarming. In March of 2006, DEA discovered large-scale marijuana cultivation and production facilities in Emeryville and Oakland, CA. Thousands of marijuana plants, and hundreds of marijuana-related soda, candy, and other products were seized from the drug dealers' facilities. The products were designed and packaged to look like legitimate products, including an item called "Munchy Way" candy bars.

Similarly, in March of 2008, Drug Enforcement Administration, DEA, agents seized cocaine near Modesto, CA, that was valued at \$272,400; a significant quantity had been flavored like cinnamon, coconut, lemon, or strawberry. After that raid, one DEA agent stated that "[a]ttempting to lure new, younger customers to a dangerous drug by adding candy 'flavors' is an unconscionable marketing technique."

I completely agree. That is why we need to act now to stop those who alter

drugs to make them more appealing to youth.

Under current Federal law, there is no enhanced penalty for a person who alters a controlled substance to make the drug more appealing to youth. Someone who alters a controlled substance in ways prohibited by the legislation we are introducing today would be subject to an additional penalty of up to 10 years, in addition to the penalty for the underlying offense. If someone is convicted of a second offense that is prohibited by the act, that person would face an additional penalty of up to 20 years. Furthermore, a prosecutor who does not charge the separate crime of candyng or flavoring a drug may still seek an enhancement at sentencing, under this bill.

This bill sends a strong and clear message to drug dealers—if you flavor or candy up your drugs to try to entice our children, there will be a very heavy price to pay. It will help stop drug dealers from engaging in these activities, and punish them appropriately if they don't.

I am pleased that many of the leading national law enforcement and anti-drug organizations support this bill: the Fraternal Order of Police, the National District Attorneys Association, the Community Anti-Drug Coalitions of America, the Federal Law Enforcement Officers Association, and the National High Intensity Drug Trafficking Area, HIDTA, Directors' Association have all endorsed this legislation. The individuals that these organizations represent are on the front lines working to keep these drugs out of our communities.

The Senate passed a similar version of this legislation by unanimous consent in the 111th Congress, but it was not considered in the House. The time is now for Congress to finish this work, and enact this bill into law.

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

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. REED, Ms. WARREN, Mr. WYDEN, Mrs. BOXER, Mr. KAIN, Mr. SCHATZ, Mrs. GILLIBRAND, and Ms. HIRONO):

S. 729. A bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy; to the Committee on the Judiciary.

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. 729

*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 "Fairness for Struggling Students Act of 2015".

#### SEC. 2. EXCEPTIONS TO DISCHARGE.

Section 523(a)(8) of title 11, United States Code, is amended by striking "dependents, for" and all that follows through the end of subparagraph (B) and inserting "dependents, for an educational benefit overpayment or loan made, insured, or guaranteed by a governmental unit or made under any program funded in whole or in part by a governmental unit or an obligation to repay funds received from a governmental unit as an educational benefit, scholarship, or stipend;".

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 100—TO PROVIDE SUFFICIENT TIME FOR LEGISLATION TO BE READ

Mr. PAUL submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 100

*Resolved*, That (a) it shall not be in order for the Senate to consider any bill, resolution, message, conference report, amendment between the Houses, amendment, treaty, or any other measure or matter until 1 session day has passed since introduction for every 20 pages included in the measure or matter in the usual form plus 1 session day for any number of remaining pages less than 20 in the usual form.

(b)(1) Any Senator may raise a point of order that consideration of any bill, resolution, message, conference report, amendment, treaty, or any other measure or matter is not in order under subsection (a). No motion to table the point of order shall be in order.

(2) Paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. All motions to waive under this paragraph shall be debatable collectively for not to exceed 3 hours equally divided between the Senator raising the point for order and the Senator moving to waive the point of order or their designees. A motion to waive the point of order shall not be amendable.

(3) This resolution is enacted pursuant to the power granted to each House of Congress to determine the Rules of its Proceedings in clause 2 of section 5 of article I of the Constitution of the United States.

#### SENATE RESOLUTION 101—RELATING TO PROCEEDINGS OF THE SENATE IN THE EVENT OF A PARTIAL OR FULL SHUTDOWN OF THE FEDERAL GOVERNMENT

Mr. BENNET (for himself and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 101

*Resolved*,

#### SECTION 1. SHORT TITLE.

This resolution may be cited as the "Shutdown Accountability Resolution".

#### SEC. 2. PROCEEDINGS OF THE SENATE DURING A FULL OR PARTIAL GOVERNMENT SHUTDOWN.

(a) DEFINITION.—In this section, the term "Government shutdown" means a lapse in appropriations for 1 or more agencies of the Federal Government.

#### (b) CONVENING OF THE SENATE.

(1) IN GENERAL.—Notwithstanding any rule or order of the Senate, during the period of a Government shutdown—

(A) the Senate shall convene at 8:00 a.m. each day, unless the body is in continuous session; and

(B) it shall not be in order to ask for, and the Presiding Officer shall not entertain a request for, unanimous consent to change the hour or day on which the Senate shall convene under subparagraph (A).

(2) SENATE NOT IN SESSION.—If the Senate is not in session on the first calendar day of a Government shutdown, the majority leader, after consultation with the minority leader, shall notify Members of the Senate that, pursuant to this standing order, the Senate shall convene at 8:00 a.m. on the next calendar day of the Government shutdown.

#### (c) PRESENCE OF A QUORUM.

(1) IN GENERAL.—During the period of a Government shutdown, and notwithstanding any provision of the Standing Rules of the Senate—

(A) immediately after the Presiding Officer takes the chair in accordance with rule IV of the Standing Rules of the Senate, the Presiding Officer shall direct the Clerk to call the roll to ascertain the presence of a quorum; and

(B) 1 hour after the presence of a quorum has last been demonstrated, the Presiding Officer shall direct the Clerk to call the roll to ascertain the presence of a quorum.

#### (2) LACK OF QUORUM.

(A) IN GENERAL.—If, upon a calling of the roll under paragraph (1), it shall be ascertained that a quorum is not present—

(i) the Presiding Officer shall direct the Clerk to call the names of any absent Senators; and

(ii) following the calling of the names under clause (i), the Presiding Officer shall, without intervening motion or debate, submit to the Senate by a yea-and-nay vote the question: "Shall the Sergeant-at-Arms be directed to request the attendance of absent Senators?".

(B) DIRECTION TO COMPEL ATTENDANCE.—If a quorum is not present 15 minutes after the time at which the vote on a question submitted under subparagraph (A)(ii) starts, the Presiding Officer shall, without intervening motion or debate, submit to the Senate by a yea-and-nay vote the question: "Shall the Sergeant-at-Arms be directed to compel the attendance of absent Senators?".

(C) ARREST OF ABSENT SENATORS.—Effective 1 hour after the Sergeant-at-Arms is directed to compel the attendance of absent Senators under subparagraph (B), if any Senator not excused under rule XII of the Standing Rules of the Senate is not in attendance, the Senate shall be deemed to have agreed an order that reads as follows: "Ordered, That the Sergeant at Arms be directed to arrest absent Senators; that warrants for the arrests of all Senators not sick nor excused be issued under the signature of the Presiding Officer and attested by the Secretary, and that such warrants be executed without delay."

(D) REPORTS.—Not less frequently than once per hour during proceedings to compel the attendance of absent Senators, the Sergeant at Arms shall submit to the Senate a report on absent Senators, which shall—

(i) be laid before the Senate;

(ii) identify each Senator whose absence is excused;

(iii) identify each Senator who is absent without excuse; and

(iv) for each Senator identified under clause (iii), provide information on the current location of the Senator.

(3) REGAINING THE FLOOR.—If a Senator had been recognized to speak at the time a call of the roll to ascertain the presence of a quorum was initiated under paragraph (2)(A),