

newspapers and headline writers around the world only one side of the debate.

Yet those who raise valid questions about the very real uncertainties surrounding the understanding of climate change have their motives attacked, reputations savaged and livelihoods threatened. This happens even though challenging prevailing beliefs through open debate and critical thinking is fundamental to the scientific process.

The intellectual dishonesty of senior administration officials who are unwilling to admit when they are wrong is astounding. When assessing climate change, we should focus on good science, not politically correct science.

Mr. INHOFE. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### CELEBRATING ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE MONTH

Mr. REID. Mr. President, I rise today in celebration of Asian American and Pacific Islander Heritage Month. In 1979, President Jimmy Carter established Asian Pacific Heritage Week. This week of recognition was expanded to a month-long celebration in 1992. Every May, Asian American and Pacific Islander Heritage Month provides Americans the opportunity to reflect upon the many contributions made by the Asian American and Pacific Islander community in Nevada and across the Nation.

May is a significant month in Asian American and Pacific Islander history. The first 10 days of May coincide with the arrival of the first Japanese immigrants in the United States on May 7, 1843, and the completion of the transcontinental railroad on May 10, 1869, which relied heavily on the work of Chinese immigrants. But Asian American and Pacific Islander Heritage Month does not only recognize the past achievements of this vibrant community; this month is also a chance to honor the civil rights activists, farmers, scientists, entrepreneurs, health professionals, educators, and other members of the Asian American and Pacific Islander community, who continue to help shape our Nation into an even better place culturally, economically, and politically.

In Nevada, Asian Americans and Pacific Islanders are among the fastest

growing populations and have enriched Nevada's history and culture. Hundreds of thousands of Asian Americans and Pacific Islanders live in Nevada, and contribute to small business development and boost our economy. I am proud to represent such strong and innovative people, and I continue to work hard to enact legislation that positively impacts the Asian American and Pacific Islander community. For instance, I joined my colleague, Hawaii Senator MAZIE HIRONO, earlier this year in fighting for legislation that would reunite children and families of Filipino World War II veterans, and I will continue my steadfast support of family reunification efforts.

America is a nation of immigrants with diverse backgrounds and united common principles, which is part of what makes us strong, resilient, and unique. This month, we celebrate the wonderful and important contributions of the Asian American and Pacific Islander community in Nevada and throughout the Nation, and I extend my best wishes for a joyous Asian American and Pacific Islander Heritage Month.

#### RECOGNIZING THE DIGITAL INVESTIGATION CENTER AT CHAMPLAIN COLLEGE

Mr. LEAHY. Mr. President, last month, I had the opportunity to visit the award-winning Leahy Center for Digital Investigation at Champlain College in Burlington, VT. One of the Nation's top law enforcement officers, Federal Bureau of Investigation Director James Comey, joined me for a tour of this impressive facility. It was a fitting time to visit the center; earlier in the week, the LCDI was recognized as the Best Cybersecurity Higher Education Program in the country by SC Magazine.

We all know that computers and technology have changed not only the way people commit crimes, but also the way law enforcement investigates and prosecutes criminals. Students here are learning firsthand how to help law enforcement agencies across the country in areas related to computer forensics and other forms of digital investigation. By giving them this hands-on experience, Champlain College and the Leahy Center are training the next generation of analysts who will work to combat cyberthreats and other digital threats.

I was especially pleased that the FBI Director joined me in visiting the LCDI. Both of us left with a deep appreciation for the excellent education the next generation of cybersecurity professionals are receiving at the Leahy center. These students receive intense hands-on experience, dealing with the same issues that practitioners in the field work on every day. With a 90 percent placement rate in relevant fields, the center is a critical part of ensuring that law enforcement has the expertise and resources it needs to face the cyberthreats of the future.

The cyberthreats we face are real, and the training students receive from the Leahy Center for Digital Investigation will help us face those threats head on. I congratulate Champlain College and the center for this achievement, and look forward to years of success to come.

#### RECOGNIZING RED HEN BAKING COMPANY

Mr. LEAHY. Mr. President, Red Hen Baking Company was founded in 1999 by Randy George and Eliza Cain in the Mad River Valley of Vermont. They started as a small operation, baking and delivering fresh bread to nearby stores and restaurants. They used pure ingredients, baked around the clock, and soon, with the support of the surrounding community, and as the word-of-mouth testimonials spread, their small operation grew into the Hen we know today. They moved their operation to the popular Camp Meade location, in my hometown of Middlesex.

Red Hen Baking Company exemplifies the spirit and the vision of Vermont business. Randy often says that Vermont is the only State in which he could imagine starting and running a successful bakery of this kind. They tend to do things the right way, rather than the easy way—from the selection of the essential elements of their bread, to their employee treatment policies and practices. Randy, Eliza and the Hen's "barnyard animals" take pride in their product, and it shows.

Randy always reminds his customers that his employees are the most important part of his bakery business, so it was no surprise when he was invited by President Obama and Labor Secretary Tom Perez to join them at the White House as a "Champion of Change" for working families. Employers from across the country shared their success stories, and the devastating and impossible choices working families face when paid sick leave is not among their benefits. The panel was a tremendous success, and I was proud to have Vermont represented by such a steadfast supporter of fair treatment for employees.

Randy and Liza's message is clear. Put the people in your business at the core of everything you do, and they will work hard for you for years to come—in the Hen's case, even decades. Randy and Liza offer health coverage, fair, livable wages, and paid sick days. They want their employees to thrive both personally and professionally, and they have encouraged other businesses to adopt similar standards.

Marcelle and I are so happy to live in Middlesex and to have our neighbors setting such high standards for the treatment of a dedicated workforce. I want to congratulate Randy and Liza on their successful business, and to thank them. Happy, healthy employees are productive employees, and it is right to invest in each other's success.

It is the right way, and it is the Vermont way. We look forward to our visits every time Marcelle and I come home.

---

**STATEMENT IN SUPPORT OF DIVISION M OF THE CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2015, THE EXPATRIATE HEALTH COVERAGE CLARIFICATION ACT**

Mr. CARPER. Mr. President, I ask unanimous consent that a statement in support of Division M of the Consolidated and Further Continuing Appropriations Act, 2015, the Expatriate Health Coverage Clarification Act be printed in the RECORD.

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

**STATEMENT OF SENATORS CARPER, TOOMEY, COONS, AND RUBIO IN SUPPORT OF DIVISION M OF THE CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2015, THE EXPATRIATE HEALTH COVERAGE CLARIFICATION ACT.**

At the end of the last Congress, a bipartisan group of Senators and Members of Congress led by Senators Carper, Toomey, Coons and Rubio, worked together to secure passage of the Expatriate Health Coverage Clarification Act of 2014. That legislation, which was included as Division M of the Consolidated and Further Continuing Appropriations Act, 2015, provides important technical clarifications of how the Patient Protection and Affordable Care Act (ACA) applies to health coverage provided by U.S. insurers to globally mobile employees. It puts those U.S. insurers on equal footing with their foreign counterparts and protects jobs in this country.

As the Administration prepares to begin the rulemaking process to implement the Expatriate Health Coverage Clarification Act, we want to ensure Congressional intent is clear so the Act is implemented properly. We are aware the Congressional Record already contains two statements that reflect Congressional intent on certain elements of the Expatriate Health Coverage Clarification Act, but further explanation will aid the Administration in its implementation efforts.

The issues that we seek to clarify today are: relief from the ACA's health insurer fee, the effective date of the Expatriate Health Coverage Clarification Act, treatment of groups of similarly situated individuals (including student and religious missionary groups), who to take into account when determining enrollment in expatriate health insurance plans, locations where expatriate plans must provide coverage for qualified expatriates assigned or transferred to the United States, actuarial value, and reporting requirements.

One important clarification relates to the application of the health insurer fee established in section 9010 of the ACA to expatriate health insurance plans. Under the Expatriate Health Coverage Clarification Act, premiums with respect to persons covered by qualified expatriate health insurance plans are not included in the calculation of the amount of that issuer's share of the health insurance fee. To make certain that the intent of that provision is abundantly clear, we want to iterate that no health insurer fee will be owed with respect to expatriate health insurance plans for 2016 and beyond.

Additionally, in implementing the special rule related to the health insurer fee for 2014

and 2015, it is the intent of Congress that the Internal Revenue Service (IRS) assess less than the full "applicable amount" otherwise specified in ACA section 9010 for 2014 and 2015, and that it refund or credit any excess funds already paid by expatriate health insurance issuers for 2014.

In addition to those important clarifications, we believe additional clarifications will further ensure appropriate implementation of the Expatriate Health Coverage Clarification Act.

The Expatriate Health Coverage Clarification Act became law on December 16, 2014. The legislative language provides that the Act takes effect upon enactment and applies to expatriate health plans issued or renewed on or after July 1, 2015, unless otherwise specified. It is important to clarify that Congressional intent is to provide immediate relief to U.S. issuers of expatriate health insurance plans effective on the date of enactment, and for the additional requirements imposed by the Act to apply only to plans issued or renewed on or after July 1, 2015, to give the Administration time to issue guidance on these new requirements.

Another clarification relates to the treatment of "groups of similarly situated individuals," which includes student and religious missionary groups, under the Expatriate Health Coverage Clarification Act. Congress does not intend every student or religious missionary or other similarly situated group to have to endure a lengthy approval process through which the Secretary of Health and Human Services, the Secretary of the Treasury and the Secretary of Labor determine that international health care coverage is appropriate for the group. Rather, if a health plan meets the requirements of being an expatriate health plan and a group of similarly situated individuals meets the requirements of eligibility to purchase such a plan, we expect that these groups can purchase plans as expeditiously as possible. We expect the Secretaries will issue guidance on this matter that is consistent with the language of the Expatriate Health Coverage Clarification Act for these groups to access health insurance and other related services and support in multiple countries.

The Expatriate Health Coverage Clarification Act limits its relief to expatriate health plans that meet the standards established in the law. One of those standards is that "[s]ubstantially all of the primary enrollees in such plan or coverage are qualified expatriates . . ." It is important to clarify that Congress does not intend for individuals who are enrolled in COBRA or other continuation coverage under the plan to be taken into account when determining whether substantially all of the primary enrollees are qualified expatriates.

Another standard is that where an expatriate health plan provides coverage for qualified expatriates who are transferred or assigned to the United States, the plan must provide certain coverages in ". . . such other country or countries as the Secretary of Health and Human Services, in consultation with the Secretary of the Treasury and the Secretary of Labor, may designate (after taking into account the barriers and prohibitions to providing health care services in the countries as designated)." It is important to clarify that Congress does not intend that expatriates in foreign countries receive duplicate or unnecessary health insurance coverage. Instead, the Secretaries should promulgate guidance establishing that, by virtue of having U.S.-issued expatriate health coverage, qualified expatriates need the full benefits and protections of the Expatriate Health Coverage Clarification Act in such locations as are necessary for the individual to perform his/her job responsibilities.

The Expatriate Health Coverage Clarification Act says that plan sponsors must reasonably believe that "the benefits provided by the expatriate health plan satisfy a standard at least actuarially equivalent to the level provided for in section 36B(c)(2)(C)(ii) of the Internal Revenue Code." The intent of Congress is to require expatriate health coverage to meet the minimum-value as it is delineated in the Internal Revenue Code 36B(c)(2)(C)(ii). We believe the law allows for employers and issuers to retain the flexibility to design and offer plans with a higher value as they may determine necessary and appropriate to meet the needs and circumstances of their covered population.

Finally, there is the issue of reporting requirements. The ACA added section 6055 to the Internal Revenue Code, which provides that every provider of minimum essential coverage will report coverage information by filing an informational return with the IRS and furnishing a statement to individuals. The information is used by the IRS to administer, and individuals to show compliance with, the ACA's individual shared responsibility provision. It is Congress's intent that any additional reporting that may be required as a result of the Expatriate Health Coverage Clarification Act or related guidance should be kept as minimal as possible, recognize the unique nature of expatriate health plans, and be incorporated into the existing requirements under section 6055. Should future laws or regulations streamline the reporting requirements for domestic health plans, we expect that this relief be provided equally to expatriate health plans.

We believe these are important clarifications that will ensure the Expatriate Health Coverage Clarification Act is implemented consistent with Congressional intent and will permit U.S.-based expatriate health insurance issuers to compete with their foreign counterparts.

---

**RECOGNIZING FLIGHT OFFICER WILLIAM A. COLBERT, JR., OF THE TUSKEGEE AIRMEN**

Mr. CARDIN. Mr. President, I wish to recognize Flight Officer William August Colbert, Jr., for his honorable service to the United States as a member of the famed Tuskegee Airmen. Mr. Colbert is a lifelong Marylander who was born in Annapolis and attended Anne Arundel County public schools, graduating from Wiley H. Bates High School. Upon his graduation, he joined the Civilian Conservation Corps and was stationed in Allegany County, MD where he met and married his wife, the late Vivian Lee Colbert. He ultimately made Cumberland his home.

After spending time working in the Baltimore shipyards, Mr. Colbert enlisted in the Army Air Force in 1943 and achieved the rank of flight officer at the Tuskegee Army Air Field. He was alerted for overseas duty on two occasions, but the war ended prior to his deployment. While Mr. Colbert never saw combat, he learned to fly with the best, and became a Red Tail. Mr. Colbert has always considered his contribution to the Tuskegee Airmen as what he was called to do as a U.S. citizen. He did so without expectation of fame or fanfare.

When Mr. Colbert returned to Cumberland after his military service, he worked as a tire builder for the Kelly-