

### THE DEBT AND GOVERNMENT FUNDING

Mr. REID. Mr. President, the day before yesterday I surprised some by saying nice things about Congressman PAUL RYAN, and they said nice things about him. Since then, a handful of people have demanded to know why we would ever say nice things about a man who has attacked Medicare, Medicaid, and Social Security, as he has done in recent history. The answer is very simple. Democrats need, our country needs, responsible Republican negotiating partners if Congress is to avoid twin challenges facing us in the coming weeks: avoiding the first-ever default in the full faith and credit of the United States and preventing another government shutdown. We need someone to deal with. We must avoid the self-inflicted wounds that have typified the rule of House Republicans and certainly Senate Republicans.

In spite of our ideological differences, in my view, Congressman RYAN is the only House Republican, whom I am aware of, with real potential to impose a basic modicum of order in the House of Representatives and work with us to avoid default and another government shutdown. He has helped in the past, and I am confident he could in the future if he chooses to.

To my allies, rest assured that I will continue to oppose Congressman RYAN's plans to privatize Medicare and slash Social Security. I have said the Ryan budget would lead to a "Kochtopia," and I believe that to be truer now than ever before.

Congressman RYAN also coauthored the Murray-Ryan budget compromise. That was good work. House Chairman RYAN and Senate Chair MURRAY, Budget chairs, did a very good job. He appears to be supportive of comprehensive immigration reform, and he joined Democrats in saying America's auto industry and financial system should be saved.

Maybe the problems are too deep to resolve any time soon. I hope not. I am concerned that we have already seen Congressman RYAN prove incapable of reining in members of the so-called Freedom Caucus. I hope that is not a sign of things to come, but with the stakes as high as they are, we owe it to the American people to pursue the most responsible path, and that will be it. Now is the time to rebuild a system where "compromise" is no longer considered a dirty word and where Republicans and Democrats work side-by-side to address the challenges our government faces. However, one of the conditions Congressman RYAN has given House Republicans is that he doesn't want to work weekends. Well, if he gets the job, I hope he will not take weekends off until we do something to solve the debt crisis and to fund the government.

### BLOCKING NOMINATIONS

Mr. REID. Mr. President, Congressional Republicans continue to govern

destructively during this 114th Congress. After nearly a year in control of the Senate, what do Republicans have to show for it? Shutdown threats, lapsed laws, vital programs expired, and an abiding sense of uncertainty. Instead of looking for opportunities to govern constructively, Republicans appear to be bent on mayhem. They are doing everything they can to appeal to their extreme rightwing without regard to the consequences.

It seems that every day that is a bad day for government, we have a large segment of the Republican caucus cheering that it is great. Anything that is bad for government is a good day for us, is what they are saying. Instead of looking for opportunities to govern constructively, they are doing everything they can to not do things constructively. They are doing everything they can to appeal to, I guess, the extreme rightwing, to phrase it, without regard to the consequences, but consequences are very significant.

This afternoon we are finally confirming Ambassadors for several African nations, but to view the confirmation of four individuals a success would be a mistake, when we consider that Senate Republicans are doing everything they can to stop these nominees.

Just 2 weeks ago, the junior Senator from Arkansas announced his intention to hold up our Ambassadors to Sweden, Norway, and the Bahamas. At a time when American leadership is needed abroad, these posts sit empty because the junior Senator from Arkansas is blocking them. Why is Senator COTTON blocking these nominees? He has admitted his hold has nothing to do with the nominees' qualifications—nothing. Indeed, all were reported out of the Foreign Relations Committee with bipartisan support months ago. Instead, the junior Senator from Arkansas is holding these nominees hostage until he gets information from the Department of Homeland Security. That is right. He is holding up State Department nominations to get a response from Homeland Security. Blocking important Ambassadors to get information from a completely different agency makes zero sense. That is akin to having two fighters in a ring and one fighter is going for the referee instead of the other boxer. That is about what we have here. The sad part about this is that the junior Senator from Arkansas is not alone in blocking qualified nominees. The Republican caucus is obviously supporting him. Why?

I have spoken before about the crucial need to confirm Gayle Smith as Ambassador to the U.S. Agency for International Development. She would be a good Administrator. I talked to one of my staff yesterday who has a relative who works for this Agency. It is terrible. There is nobody leading the Agency. It has affected the whole department. That is wrong.

Why is this nomination important? The Agency for International Development, better known as USAID, plays a

central role in our Nation's foreign policy. How? By administering humanitarian and development aid to nations of people in need. A person only needs to watch the nightly news to see that help is needed across the globe—the pictures of the huddled masses of men, women, and children now with the weather turning in Europe. There are millions of people trying to get out of Syria, trying to get out of the Middle East because of what is going on there, with blankets—wet blankets—over their bodies. Little kids are being protected by their mothers, as much as they can be, and by their dads. Victims of civil wars, disease outbreaks, and natural disasters depend on the aid and compassion of the American people. To our credit, we try our best to help as much as possible.

Let's take one example: the Syrian refugee crisis. It is the worst humanitarian crisis since World War II. That says a lot. Millions—not thousands, millions—of Syrians have been displaced because of the country's civil war. Thousands are fleeing to Europe to escape the violence. Because of that civil war, it is estimated that there are 4 million displaced people in Syria alone. Millions have been displaced in Iraq. The whole Middle East is in turmoil. The United States has an obligation to assist—a humanitarian obligation to assist. We are the single largest donor of humanitarian aid for the Syrian crisis. But how can we help if Senate Republicans are hamstringing this Agency? They are doing that.

Gayle Smith, an experienced public servant, has been nominated to lead this Agency. This good woman can't even get a vote in the Senate. Senator CRUZ has been blocking her nomination for months. Why? Is there anything that is wrong about her? Of course not. The word is it is because he doesn't like the Iran nuclear agreement. Remember what the Iran nuclear agreement was? It was an effort by the international community, including Russia and China, to stop Iran from getting a nuclear weapon. That is what it was all about. I guess Mr. CRUZ, in his attempt to become President—1 of 15 Republicans running for President—thinks this would be a good issue for him, blocking the person this government has chosen to lead this Agency.

Gayle Smith has extensive experience in African affairs. She worked at this Agency during the Clinton administration. She is exactly the type of leader our country needs to confront this crisis in Europe. Even the chairman of the Foreign Relations Committee, the junior Senator from Tennessee, said he was "glad the executive branch has nominated someone who has the kind of experience [Smith] has." Her nomination has won support from prominent Republicans, including Bill Frist who was one of my predecessors as the majority leader in the Senate, and from Richard Lugar, the distinguished Republican, former chair of the Foreign Relations Committee in

the Senate, a man who has expertise in foreign relations. They both see her as the person to do the job. But that does not affect the junior Senator from Texas.

We know how others feel about him. Former President Bush gave his opinion of the junior Senator from Texas 2 days ago. There is widespread support for her nomination—if only the Republican leader would bring it to the floor. Yet Republicans continue to hold Ms. Smith and other important foreign policy nominations as ransom to exact political prices from the White House while our diplomacy suffers.

I am disappointed that the junior Senators from Arkansas and Texas would hold up these proud Americans who only want to serve their country. But I am far more disheartened by the actions of Republicans who should know better. Why do other Republicans support these callous actions? Republicans have blocked nominees to other ambassadorships for years. Now they are even blocking career Foreign Service officers. These are people who simply receive a promotion they have earned and serve our Nation regardless of the President. Foreign Service officers are not Democrats. They are not Republicans. They do our country so much good.

I have had the good fortune to travel the world. When I travel I always meet with the Foreign Service officers, not just the Ambassadors. I get everybody together. I tell them what a wonderful job they do for our country. They go to the most remote outposts in the world, representing the interests of America. They are career people. I also try to visit with the Peace Corps volunteers.

But I am so disappointed—and I have talked to him—in the senior Senator from Iowa for holding up a list of 20 career Foreign Service officers. He has held them up for months until he gets answers from Secretary Hillary Clinton's aide Huma Abedin. What does this have to do with these Foreign Service career officers? Nothing. He sent nine letters to the State Department demanding things regarding this woman and some emails from Hillary Clinton. Haven't we heard enough about emails for Hillary Clinton?

As we talk, she is over there before this great committee of the House that even the majority leader of the House said is nothing more than—I am paraphrasing—a political witch hunt. The Republican Congressman from New York said basically the same thing. A person who works over there in that committee was fired because he thought it was wrong that they were going after Hillary Clinton when the purpose of the whole hearing was supposed to be to find out what happened in Libya.

There has been a concerted effort for more than 2 years to try to embarrass Hillary Clinton. Huge amounts of money have been spent on outside groups, and the House of Representatives, which is supposedly so frugal—

the Republican House of Representatives—doesn't want to spend any money that shouldn't be spent—\$5 million on this worthless committee wasting time.

Listen to these people who are being held up, being denied a well-deserved promotion and rank by the senior Senator from Iowa. This is important. These people serve for decades. They work hard, and they get a promotion once in a while—not with the help of the senior Senator from Iowa. He will hold them up because he wants to try to embarrass Hillary Clinton, who is running for President of the United States. Here is who he is holding up: the Deputy Director for East Africa Operations in Kenya, an education officer in Honduras, a deputy controller in El Salvador, a regional Food for Peace officer in Ethiopia, the Director of the Food for Peace Program in South Sudan, the Democracy and Governance Director in El Salvador. There are others.

What could the senior Senator from Iowa possibly have against the Deputy Director for East Africa Operations in Kenya? Or an education officer in Honduras? Or the regional Food for Peace officer in Ethiopia? They have absolutely nothing to do with Senator GRASSLEY's concerns, and these individuals have no ability to respond to any of his requests. I have spoken with him. I told him I think it is a mistake to target these career people. Career diplomats are some of the finest people who work for our government. They are not partisans. They have committed their lives to public service under Democratic and Republican administrations. The Foreign Relations Committee reported these nominations unanimously. They hail from Texas, Florida, Michigan, Arizona, Virginia, New Mexico, and a few other States. Like other Foreign Service officers across this great world, these fine individuals wake up tomorrow ready to serve on the frontlines of American diplomacy in hotspots throughout the world—places such as Iraq, Afghanistan, and Libya, where we lost four.

Denying them a promotion they have earned will affect their career advancement and retirement, and it has real consequences for the families. This is not anything that is going to hurt President Obama. It affects our country. These are people who have families. They have children. They are being held up, stopped for this little promotion they get once in a while. We shouldn't be singling out these non-partisan officers and putting their careers on hold because the senior Senator from Iowa is not getting the answer to nine of his letters that have nothing to do with these people.

Promotions for military officers and our Foreign Service Officer Corps have traditionally moved through the Senate without political interference. They shouldn't now be subjected to political gamesmanship because people are concerned that Hillary Clinton may

be elected President. Senators GRASSLEY and COTTON have also placed holds on a man named Brian Egan to serve as the State Department's Legal Adviser, a lawyer—a position that has been vacant for 2½ years. The senior Senator from Iowa stated that his hold is not intended to question the credentials of Brian Egan in any way, but is instead related to Clinton aide Huma Abedin. That says it all.

He continues to hound the State Department. He sent nine different letters, including requesting Ms. Abedin's sensitive private employment information. Not only does Senator GRASSLEY want emails and timesheets, but he wants access to any and all information related to her maternity leave. She had a baby. I wonder if he thinks she faked that. This is nothing more than a transparent attempt to drag this good woman through the mud. For what? Let's be clear. This isn't about her. This is about Hillary Clinton's Presidential campaign. Congressional Republicans are desperate to find something—anything—to embarrass this good woman—a woman who served as First Lady of this country, served as a Senator from the State of New York, and served with distinction as our Secretary of State. They will do anything they can to embarrass her.

They are in the process of doing it across the Capitol Complex now. They have told her to be ready: We have 8 hours of questioning. Remember, their questions are dealing with issues that have nothing to do with what happened in Libya.

This is their frantic attempt to damage her politically. I say to my friend from Iowa: Stop this nonsense. Have some dignity. Stop this obstruction for politics' sake. For whatever sake, it is wrong. She is no longer Secretary of State. She hasn't been for a long time. John Kerry is. Secretary Kerry has been there a long time now. Stop trying to undermine the State Department, and instead give it the resources and people it needs to work for the American people.

I suggest to my Republican colleagues, if they seek expedited responses to their inquiries, it would make more sense to confirm the Legal Adviser, who can advise on these issues and respond to their questions—they don't have a lawyer down there—rather than to block these nominations so that he can't assist anyone.

Senate Republicans are holding Ambassadors captive over an issue that has absolutely nothing to do with the State Department. They are holding up career Foreign Service officers. The Senate Republicans are blocking promotions for a group of career people over an issue that has nothing to do with them, that they possibly can't resolve. They can't do anything about it. They are blocking the person who would be running our Agency for International Aid because they don't like the Iran agreement—an issue that the nominee does not handle.

Finally, Senate Republicans are blocking the nomination of the Legal Adviser of the State Department, the person who would be best able to answer their legal questions if he were confirmed. Thanks to the Republicans' failure to govern—now I am not making this up. It has been determined by political scientists in our country that this Congress is the most unproductive Congress in the history of the country. Thanks to the Republicans' failure to govern, we are still far behind recent historic norms in confirming nominees, and innocent public servants are caught in the middle of this do-nothing Congress led by the Republicans. It is not right, and it is not fair. I hope adult voices in the Republican caucus will say enough is enough. Sometimes enough is enough. People have to rise up against these people who are giving Republicans such a name. The brand is not so good. I hope the Presiding Officer understands that. Partisanship should not extend beyond the borders of our Nation. It is time for Republicans to start acting like a governing party and stop playing these games with our national security based on the fact that they don't like the person who is President of the United States and the one who is going to become President of the United States.

Will the Chair announce what our business is today?

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CYBERSECURITY INFORMATION SHARING ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 754, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 754) to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

Pending:

Burr/Feinstein amendment No. 2716, in the nature of a substitute.

Burr (for Cotton) modified amendment No. 2581 (to amendment No. 2716), to exempt from the capability and process within the Department of Homeland Security communication between a private entity and the Federal Bureau of Investigation or the United States Secret Service regarding cybersecurity threats.

Feinstein (for Coons) modified amendment No. 2552 (to amendment No. 2716), to modify section 5 to require DHS to review all cyber threat indicators and countermeasures in order to remove certain personal information.

Burr (for Flake/Franken) amendment No. 2582 (to amendment No. 2716), to terminate the provisions of the Act after six years.

Feinstein (for Franken) further modified amendment No. 2612 (to amendment No. 2716), to improve the definitions of cybersecurity threat and cyber threat indicator.

Burr (for Heller) modified amendment No. 2548 (to amendment No. 2716), to protect information that is reasonably believed to be personal information or information that identifies a specific person.

Feinstein (for Leahy) modified amendment No. 2587 (to amendment No. 2716), to strike the FOIA exemption.

Burr (for Paul) modified amendment No. 2564 (to amendment No. 2716), to prohibit liability immunity to applying to private entities that break user or privacy agreements with customers.

Feinstein (for Mikulski/Cardin) amendment No. 2557 (to amendment No. 2716), to provide amounts necessary for accelerated cybersecurity in response to data breaches.

Feinstein (for Whitehouse/Graham) modified amendment No. 2626 (to amendment No. 2716), to amend title 18, United States Code, to protect Americans from cybercrime.

Feinstein (for Wyden) modified amendment No. 2621 (to amendment No. 2716), to improve the requirements relating to removal of personal information from cyber threat indicators before sharing.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided between the two leaders or their designees.

The Senator from Nevada.

#### AMENDMENT NO. 2548, AS MODIFIED

Mr. HELLER. Mr. President, after my years of growing up in Nevada, I appreciate the values that make Nevadans distinct, fiercely independent, and very diverse—in fact, as diverse as the terrain is in Nevada. But what never ceases to amaze me about Nevadans is our passion for protecting America's privacy from the intrusion of the Federal Government. It is a value that is shared across the entire State and one that I have sworn to uphold. But many Americans have lost faith that their government will uphold their civil liberties.

It is Congress's responsibility to ensure that every piece of legislation passed by this body protects the privacy and liberties of all Americans, and I will not accept attempts to diminish these nonnegotiable rights. That is why I am on the floor today to continue protecting Americans' and Nevadans' privacy by pushing for my amendment on the Cybersecurity Information Sharing Act.

To begin with, I wish to commend my colleagues, both Chairman BURR and Ranking Member FEINSTEIN, for recognizing the need to address the serious issue of cyber security. As ranking member of the commerce committee's consumer protection subcommittee in the last Congress, I delved into these issues and understand the impact of data breaches and cyber threats. It is an economic concern as well as a national security concern for our country.

I share the desire to find a path forward on information sharing between the Federal Government and the private sector as another tool in the cyber security toolbox, but these efforts cannot come at the expense of personal privacy. The bill, including the substitute amendment that I see today, does not do enough to ensure that per-

sonal, identifiable information is stripped out before being shared, and that is why I have offered this simple fix.

Let's strengthen the standard for stripping out this information. Right now, this legislation says that the Federal Government only has to strip out personal information if they know it is not directly related to cyber threat—that word being “know.” My amendment No. 2548, as modified, will ensure that when personal information is being stripped out, it is because the entity reasonably believes it is not related to cyber threat. That is the change—from knowing to reasonably believing. This distinction creates a wider protection for personal information by ensuring that these entities are making an effort to take out personal information that is not necessary.

Frankly, I am proud of the support I have from Senators LEAHY and WYDEN, both great advocates in the Senate for privacy. However, I am disappointed that my amendment was not included in the substitute amendment that we see today.

The supporters of this bill talk about how this legislation upholds privacy but couldn't accept a reasonable amendment that complements those privacy provisions.

Our friends over in the House of Representatives already agree that the private sector should be held to this standard, which is why they included this language in the cyber security bill they passed. I guess the question is, If this is good enough for the private sector, shouldn't it be good enough for the government sector?

Furthermore, DHS has publicly acknowledged the importance of removing personal, identifiable information because it will allow an information sharing regime to function more efficiently.

What this has come down to is our Nation's commitment to balancing the needs for sharing cyber security information with the needs to protect Americans' personal information. Like many in the tech community have already stated, security should not come at the expense of privacy. In fact, that was said a couple hundred years ago by Benjamin Franklin. Security should not come at the expense of privacy. I believe my amendment No. 2548 to hold the Federal Government accountable strikes that balance, and I hope this simple fix can be incorporated into the legislation.

I encourage my colleagues to support this commonsense effort to strengthen this bill and keep our commitment to upholding the rights of all U.S. citizens.

I appreciate Senators BURR and FEINSTEIN's willingness to work with me on this amendment and look forward to continuing this debate.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.