

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Airport and Airway Extension Act of 2016”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AIRPORT AND AIRWAY PROGRAMS

Sec. 101. Extension of airport improvement program.

Sec. 102. Extension of expiring authorities.

Sec. 103. Federal Aviation Administration operations.

Sec. 104. Air navigation facilities and equipment.

Sec. 105. Research, engineering, and development.

Sec. 106. Compliance with aviation funding requirement.

Sec. 107. Essential air service.

TITLE II—REVENUE PROVISIONS

Sec. 201. Expenditure authority from Airport and Airway Trust Fund.

Sec. 202. Extension of taxes funding Airport and Airway Trust Fund.

TITLE I—AIRPORT AND AIRWAY PROGRAMS

SEC. 101. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—Section 48103(a) of title 49, United States Code, is amended by striking “\$1,675,000,000 for the period beginning on October 1, 2015, and ending on March 31, 2016” and inserting “\$2,652,083,333 for the period beginning on October 1, 2015, and ending on July 15, 2016.”

(2) **OBLIGATION OF AMOUNTS.**—Subject to limitations specified in advance in appropriation Acts, sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2016, and shall remain available until expended.

(3) **PROGRAM IMPLEMENTATION.**—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the period beginning on October 1, 2015, and ending on July 15, 2016, the Administrator of the Federal Aviation Administration shall—

(A) first calculate such funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2016 were \$3,350,000,000; and

(B) then reduce by 20.83 percent—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) **PROJECT GRANT AUTHORITY.**—Section 47104(c) of title 49, United States Code, is amended, in the matter preceding paragraph (1), by striking “March 31, 2016,” and inserting “July 15, 2016.”

SEC. 102. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 47107(r)(3) of title 49, United States Code, is amended by striking “April 1, 2016” and inserting “July 16, 2016”.

(b) Section 47115(j) of title 49, United States Code, is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(c) Section 47124(b)(3)(E) of title 49, United States Code, is amended by striking “\$5,175,000 for the period beginning on October 1, 2015, and ending on March 31, 2016,” and inserting “\$8,193,750 for the period beginning on October 1, 2015, and ending on July 15, 2016.”

(d) Section 47141(f) of title 49, United States Code, is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(e) Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (117 Stat. 2518) is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(f) Section 409(d) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 41731 note) is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(g) Section 411(h) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note) is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(h) Section 822(k) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47141 note) is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

SEC. 103. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k) of title 49, United States Code, is amended—

(1) in paragraph (1), by amending subparagraph (E) to read as follows:

“(E) \$7,711,387,500 for the period beginning on October 1, 2015, and ending on July 15, 2016.”; and

(2) in paragraph (3) by striking “March 31, 2016” and inserting “July 15, 2016”.

SEC. 104. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a)(5) of title 49, United States Code, is amended to read as follows:

“(5) \$2,058,333,333 for the period beginning on October 1, 2015, and ending on July 15, 2016.”

SEC. 105. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a)(9) of title 49, United States Code, is amended to read as follows:

“(9) \$124,093,750 for the period beginning on October 1, 2015, and ending on July 15, 2016.”

SEC. 106. COMPLIANCE WITH AVIATION FUNDING REQUIREMENT.

The budget authority authorized in this Act, including the amendments made by this Act, shall be deemed to satisfy the requirements of subsections (a)(1)(B) and (a)(2) of section 48114 of title 49, United States Code, for the period beginning on October 1, 2015, and ending on July 15, 2016.

SEC. 107. ESSENTIAL AIR SERVICE.

Section 41742(a)(2) of title 49, United States Code, is amended by striking “\$77,500,000 for the period beginning on October 1, 2015, and ending on March 31, 2016,” and inserting “\$122,708,333 for the period beginning on October 1, 2015, and ending on July 15, 2016.”

TITLE II—REVENUE PROVISIONS

SEC. 201. EXPENDITURE AUTHORITY FROM AIRPORT AND AIRWAY TRUST FUND.

(a) **IN GENERAL.**—Section 9502(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) in the matter preceding subparagraph (A), by striking “April 1, 2016” and inserting “July 16, 2016”; and

(2) in subparagraph (A), by striking the semicolon at the end and inserting “or the Airport and Airway Extension Act of 2016.”

(b) **CONFORMING AMENDMENT.**—Section 9502(e)(2) of such Code is amended by striking “April 1, 2016” and inserting “July 16, 2016”.

SEC. 202. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) **FUEL TAXES.**—Section 4081(d)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(b) **TICKET TAXES.**—

(1) **PERSONS.**—Section 4261(k)(1)(A)(ii) of such Code is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(2) **PROPERTY.**—Section 4271(d)(1)(A)(ii) of such Code is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

(c) **FRACTIONAL OWNERSHIP PROGRAMS.**—

(1) **TREATMENT AS NON-COMMERCIAL AVIATION.**—Section 4083(b) of such Code is amend-

ed by striking “April 1, 2016” and inserting “July 16, 2016”.

(2) **EXEMPTION FROM TICKET TAXES.**—Section 4261(j) of such Code is amended by striking “March 31, 2016” and inserting “July 15, 2016”.

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

The bill was read the third time.

The bill (H.R. 4721), as amended, was passed.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DIRECTING SENATE LEGAL COUNSEL TO BRING A CIVIL ACTION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 377, which the clerk will report.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 377) directing the Senate Legal Counsel to bring a civil action to enforce a subpoena of the Permanent Subcommittee on Investigations.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour of debate, equally divided in the usual form.

The Senator from Ohio.

Mr. PORTMAN. Madam President, I rise today in support of S. Res. 377, which is a resolution to enforce a subpoena of the Permanent Subcommittee on Investigations, which I chair. I will be joined shortly by my colleague Senator CLAIRE MCCASKILL of Missouri, who is the ranking Democrat on the subcommittee and whom I worked with as a partner on this issue over the past year.

This is a subpoena that we issued to a group called backpage—backpage.com. This resolution is intended to enforce that subpoena. Backpage and its chief executive officer, Carl Ferrer, have not been willing to cooperate with the committee. Unfortunately, we are at the point where we have to seek the enforcement of our subpoena.

For nearly a year now, Senator MCCASKILL and I conducted a bipartisan investigation into the scourge of human trafficking on the Internet with a focus on sex trafficking involving children. In the past 5 years, the National Center for Missing & Exploited Children reported an over 800-percent increase in reports of suspected child sex trafficking, an increase the organization has found to be “directly correlated to the increased use of the internet to sell children for sex.” They testified before our subcommittee about this. They are the experts. They see this huge increase being related to the Internet. In other words, the destructive crime of sex slavery has moved from the street corner to the smartphone.

An adult can now shop for underaged trafficking victims from their computer screen. Sex traffickers are well aware that backpage.com, the biggest one by far, offers them a quick and easy-to-use marketplace to sell children and coerce adults.

Here is how the National Center for Missing & Exploited Children spells it out, describing this growing problem at a hearing I chaired late last year:

Online classified ad sites such as backpage.com . . . allow [sex traffickers] to remain anonymous, test out new markets, attempt to evade public or law enforcement detection, and easily locate customers to consummate their sale of children for sex. Online sex trafficking also enables traffickers to easily update an existing ad with a new location and quickly move the child to another geographic location where there are more customers seeking to purchase a child for rape or sexual abuse.

This is from the National Center for Missing & Exploited Children. As co-chair of the Senate Caucus to End Human Trafficking, I have spent many hours with those dedicated to fighting this crime and those who are victimized by it. For victims, the toll of sex trafficking is measured in stolen childhoods and painful trauma. For traffickers, it is measured in dollars—often a lot of dollars. It is a problem, I believe, that should command more attention around our country and certainly here in the U.S. Congress.

The aim of our investigation is very straightforward. We want to understand how lawmakers, law enforcement, and even private businesses can more effectively combat this serious crime that thrives on the online black market.

Traffickers have found refuge in new customers through Web sites that specialize in advertising “ordinary” prostitution and lawful escort services. A business called backpage.com is the market leader in that industry, with annual revenues in excess of \$130 million last year. Backpage has a special niche: According to one industry analysis in 2013, \$8 out of every \$10 spent on online commercial sex advertising in the United States goes to backpage.com. The public record indicates that backpage sits at the center of the online black market for sex trafficking.

Again, the National Center for Missing & Exploited Children has reported that of the suspected child trafficking reports it receives from the public, 71 percent involve backpage. Again, they have said that of the suspected child trafficking reports they receive from the public—and they have a 1-800 number; they get reports from the public—71 percent involve backpage.com.

According to a leading anti-trafficking organization called Shared Hope International, “Service providers working with child sex trafficking victims have reported between 80 percent and 100 percent of their clients have been bought and sold on backpage.com.” In fact, this organization has documented more than 400

cases in 47 States of children being sex trafficked on backpage.com.

Despite all this, backpage executives said they are committed to combatting sex trafficking. The company claims that its internal procedures for reviewing and screening the advertisements “lead the industry.” That claim led us to ask a very simple question: What are those industry-leading procedures? If they are so effective in the fight against human trafficking, Congress and other lawmakers ought to know about it. That is why Senator McCASKILL and I asked backpage for documents about their ad-screening practices—a process backpage calls “moderation.” We also asked for other information about their business practices—fair questions, targeted questions, relevant questions. The company has refused to answer them and refused to cooperate.

We then took the next step and issued a subpoena to backpage’s CEO, Carl Ferrer, inquiring him to produce documents about backpage’s moderation practices, efforts to combat human trafficking, and financial information. The company essentially told us no. Wrapping itself in a privileged First Amendment argument, backpage refuses to produce documents about its business practices and told us that the company refuses to even look for documents—not just that they don’t have the documents, but they refuse to even look for them, a clear sign of willful contempt for the Senate’s process.

That is why we are here today on the floor. Senator McCASKILL and I gave backpage every opportunity to cooperate in good faith with our investigation. We carefully considered its objections to the subpoena. We actually issued a 19-page opinion, thoughtfully overruling their objections and directing backpage to comply. They continued to stonewall.

In the meantime, our investigation has not stopped. Our investigators and lawyers found a number of third parties and other witnesses who had information about backpage’s practices and procedures. Along the way, we discovered that from 2010 to 2012, backpage outsourced much of its screening and, again, this moderation; meaning, looking at these ads coming in, the screening and moderation they outsourced to others, including to workers in India.

We obtained emails from the California company that managed those India-based moderators, including emails with backpage’s CEO and other executives. These emails are deeply troubling. Our investigation showed that backpage edits advertisements before posting them by removing certain words, certain phrases, certain images. For instance, they might remove a word or image that makes it clear that the sexual services are being offered for money. Then they might post this sanitized version of an ad. While this editing changes nothing about the underlying transaction, it tends to conceal the evidence of illegality. In other

words, backpage’s editing procedures—far from being an effective anti-trafficking measure—serve to sanitize the ads of the illegal content to the outside viewer.

We still don’t know the full extent of backpage’s editing practices. How much of the illegal conduct—or even the fact that they were selling minors online—was being concealed? Why? Backpage will not tell us.

Then there is this email. It tells the moderators what to do if they have doubts about whether a girl advertised on backpage is underage. I am going to quote from this email. It says:

If in doubt about underage: The process should for now be to accept the ad . . . however, if you ever find anything that you feel is underage and is more than just suspicious, you can delete the ad . . . Only delete if you [are] really very sure person is underage.

To be clear, we didn’t get this information from backpage itself because it refuses to provide it. This came from the contractor. Backpage claims emails like this are protected by the First Amendment, which is not accurate.

In November, Senator McCASKILL and I released a bipartisan staff report about our investigation and held a hearing to consider what to do about backpage’s noncompliance. I encourage Members to take a look at this staff report. It is online. You can find it.

By the way, despite being under subpoena, backpage’s CEO refused to show up for the hearing we held. Shortly before the hearing date, he simply informed us that he wasn’t going to show up. This is something Senator McCASKILL and I will continue to focus on. But others did show up for our hearing. We heard testimony from law enforcement, prosecutors, and the National Center for Missing & Exploited Children confirming what we had come to suspect: Backpage is not really an ally in the fight against human trafficking; they said it profits from it.

The general counsel of the National Center for Missing & Exploited Children told us that it had dozens of meetings with backpage about improving the company’s anti-trafficking measures, but those meetings ended because the national center concluded that backpage was “not engaging in good faith efforts to deter the selling and buying of children for sex on its Web site.”

The national center told us that “[d]espite backpage’s assertions, it was adopting and publicizing only carefully selected sound practices, while resisting recommended substantive measures that would protect more children from being sold for sex . . . on backpage.com.” For example, the national center noted that backpage did not “hash” its photos—a very low-cost technique for comparing digital images that could help identify missing children.

The national center also noted that backpage has more stringent rules to post an ad to sell a pet, a motorcycle,

or a boat than it does to sell a person. A user is required to submit a verified phone number for selling a hamster but not in placing ads that could involve the sale of a child for sex. Think about that.

The human toll of all this is staggering. It is hard to overstate the traumatic effect of a minor being advertised on a daily basis on a site like backpage.com.

In a recent lawsuit brought against backpage in Boston, the plaintiff was a 15-year-old girl who had been raped over 1,000 times as a result of being advertised on backpage.com—1,000 times. In the course of our investigation, we also heard some similarly heart-wrenching stories. For example, backpage receives reports from families pleading with it to take down ads of their children. Here is one such email sent to backpage that the national center shared with us. Remember, this is an email from a parent about a child being sent to backpage. It said this:

Your Web site has ads featuring our 16-year-old daughter [], posing as an escort. She is being pimped out by her old [boy-friend], and she is underage. I have emailed the ad multiple times using your website, but have gotten no response. . . . For God's sake, she's only 16. . . . Stuff like this shouldn't be allowed to happen.

This is from a parent pleading.

Even after receiving such reports, the national center tells us backpage often does not remove the ad. Instead, the ad remains live on the Web site, which allows the abuse of that child to continue. Imagine as a parent or a grandparent, aunt or uncle, brother or sister feeling helpless in the face of backpage not even being willing to take down an ad of a family member.

It is sometimes hard to square backpage's public statements about its business practices with the reality on the ground. For example, the national center recently was searching for a child who was missing—and by the way, still is missing—and found she appeared in a sex advertisement on backpage. Sadly, that is pretty common. What made this case even more incredible was that backpage ad actually contained a missing-child poster of that same child. So the ad advertising sex actually used the missing-child poster of that child. That poster had the child's real name on it, real age, real picture, and the date she went missing. The other pictures in the ad included topless photos. We certainly would like to know what supposedly market-leading screening and moderation procedures missed that one. And that, Madam President, is exactly why we need the documents we have asked for from backpage, documents we have subpoenaed from backpage. Without them, we can't really evaluate how sex trafficking is proliferated in these online marketplaces. We can't really evaluate how Congress can do a better job fighting against this crime. We can't help the many prosecutors at the

local level who are trying to stop this practice or the attorneys general around the United States of America who are trying to stop this practice. We can't really help to stop this from happening.

To be clear, our purpose is absolutely not to shut down any particular company or to deter protected advertising for lawful services. This is not an attempt to shut down something that is lawful on the Internet, it is an attempt to stop something that is unlawful, and nor are we even looking for information about individual advertisers. In fact, Senator McCASKILL and I have made clear that backpage should redact from any documents they send us any of the personally identifying information about its users. We don't need that. That is not what we are about. What we are interested in are facts that will enable smart legislation on a critical issue of public concern. We hope our investigation will help to combat this process directly but also will help to generate legislation here in the Congress.

This civil contempt resolution before us today—S. Res. 377—will enable us to get those facts. It was reported out of the full committee unanimously. I wish to thank Senator RON JOHNSON, the chairman of the committee, and Senator TOM CARPER, the ranking member of the committee, and all of our colleagues on the committee for their unwavering support for this investigation.

This will be the first time in more than 20 years that the Senate has had to enforce a subpoena in court. I can't think of a time when it has been more justified. To my colleagues who are wondering about this, again, I hope they will look at our report and see why it is so important that we move forward with enforcing this subpoena.

The Permanent Subcommittee on Investigations has a long history of investigating crime that infiltrates interstate commerce and affects our Nation's health and safety. In our era, the crime of human trafficking has become a scourge, and Congress needs to know everything it can to be able to better fight it. No investigation of that subject could omit backpage.com. Again, as we have heard from these outside groups, the vast majority of this sex trafficking that is going on online is through this very site. The National Association of Attorneys General has described backpage as a "hub" of "human trafficking, especially the trafficking of minors." That is the attorneys general around the country.

Unfortunately, this is an issue that affects all of our communities. It knows no ZIP Code.

Madam President, before I yield the floor, I ask unanimous consent to have printed in the RECORD a number of statements in support of the resolution from the Nation's leading anti-trafficking organizations, including the National Center for Missing & Exploited Children.

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

"Rights4Girls applauds the Senate's passage of this important resolution that will provide much needed accountability and insight into Backpage.com's business practices—practices that have led to the trafficking and exploitation of children all across this country. We are especially grateful to Senators Portman and McCaskill for their leadership in advancing this resolution and for their dedication to protecting our nation's most vulnerable children."—Yasmin Vafa, Executive Director and Co-Founder, Rights4Girls

"I commend the Senate, particularly Senators Rob Portman and Claire McCaskill, for their leadership on the investigation into Backpage and their dedication to assisting victims of child sex trafficking and their families. I am outraged at the business practices Backpage continues to engage in and that they are not being held accountable for facilitating and profiting from child sex trafficking on their website. Backpage is a shopping mall for people who want to exploit children and they shouldn't be able to continue profiting on the rape of children without repercussions. These creeps keep hiding behind the veil of the First Amendment while knowingly allowing children to be trafficked for sex on their website. This isn't about prostitution or sex between consenting adults, this is about children being purchased for rape and sexual abuse.—John Walsh, human and victim rights advocate and creator of America's Most Wanted

"The Subcommittee's efforts to investigate the practices of Backpage.com and demand answers in an effort to prevent the sex trafficking of children on that website and others like it is critical to our work to end sex trafficking. Shared Hope proudly supports the resolution and the Subcommittee's important work. We are grateful to you for your bravery and diligence."—Shared Hope International

SHARED HOPE INTERNATIONAL,
Vancouver, WA, March 16, 2016.

Hon. ROB PORTMAN,
Chair, Permanent Subcommittee on Investigations, Committee on Homeland Security and Governmental Affairs, Washington, DC.

Hon. CLAIRE McCASKILL,
Ranking Member, Permanent Subcommittee on Investigations, Committee on Homeland Security and Governmental Affairs, Washington, DC.,

DEAR CHAIRMAN PORTMAN AND RANKING MEMBER McCASKILL: Shared Hope International is writing to strongly support the resolution directing the Senate Legal Counsel to bring a civil action to enforce a subpoena issued by the Subcommittee to the Chief Executive Officer of Backpage.com, Carl Ferrer (S. Res. 377). We thank you for your brave leadership on this investigation and dedication to assisting the victims of online commercial sexual exploitation and trafficking.

Shared Hope International was founded and exists to end sex trafficking of women and children and assist the victims through restoration and access to justice. Since 1998, we have implemented programs and advocated for laws and policies that would ensure victims of sex trafficking are protected, served and honored as victims. Increasingly, the victims we serve have been sold for sex on the internet, and most often the website named is Backpage.com. In fact, NCMEC reports that 71% of all child sex trafficking reports to the CyberTipline relate to Backpage ads. Shared Hope documented 495 cases representing at least 548 child victims who were sold for sex on Backpage.com in nearly every

state in the U.S. These are cases we identified through media coverage, which means they represent only a fraction of the total number of cases. Our partners indicate most of the youth they serve in recovery programs were sold on the site. A study by YouthSpark in Atlanta, Georgia, found 53% of children receiving care from service providers across the country were bought and sold for sex on Backpage.com.

The Subcommittees efforts to investigate the practices of Backpage.com and demand answers in an effort to prevent the sex trafficking of children on that website and others like it is critical to our work to end sex trafficking. Shared Hope proudly supports the resolution and the Subcommittee's important work. We are grateful to you for your bravery and diligence.

Sincerely,

LINDA SMITH,
(U.S. Congress 1995–99,
Washington State
Senate/House 1983–
94), Founder and
President, Shared
Hope International.

NATIONAL CENTER FOR
MISSING & EXPLOITED CHILDREN,
Alexandria, VA, March 15, 2016.

Hon. ROB PORTMAN,
Chairman, Permanent Subcommittee on In-
vestigations, Committee on Homeland Security
and Governmental Affairs, Washington,
DC.,

Hon. CLAIRE MCCASKILL,
Ranking Member, Permanent Subcommittee on
Investigations, Committee on Homeland Security
and Governmental Affairs, Wash-
ington, DC.

DEAR CHAIRMAN PORTMAN AND RANKING
MEMBER MCCASKILL: On behalf of the Na-
tional Center for Missing & Exploited Chil-
dren (NCMEC) and the families and children
we serve, I am writing to express our strong
support for your resolution directing the
Senate Legal Counsel to bring a civil action
to enforce a subpoena issued by your Sub-
committee to the Chief Executive Officer of
Backpage (S. Res. 377). We commend you for
your leadership on this investigation and
your dedication to assisting victims of child
sex trafficking and their families.

NCMEC is a private, non-profit organiza-
tion that for over 31 years has been desig-
nated by Congress to serve as the national
clearinghouse on issues related to missing
and exploited children. In this role, NCMEC
has learned a great deal about child sex traf-
ficking, including its pervasive growth on-
line and the devastating impact this crime
has on children and their families. We know
that sex trafficking is a crime that takes
place in nearly every community in the
United States and increasingly children are
sold for sex online on websites like
Backpage.com.

NCMEC receives reports of child sex traf-
ficking through intakes of missing child
cases, requests for analytical assistance, and
reports to the CyberTipline, the reporting
mechanism for child sexual exploitation
crimes. In recent years, NCMEC has wit-
nessed an increase in missing and exploited
child cases involving the online trafficking
of children for sex. In 2015, NCMEC assisted
with approximately 10,000 reports regarding
possible child sex trafficking, but we know
this is only a small fraction of suspected
child sex trafficking victims in this country.

Even more concerning is that a majority of
child sex trafficking cases reported to
NCMEC involve ads posted on Backpage.com.
More than seventy-one percent (71%) of all
child sex trafficking reports submitted by
members of the public to NCMEC relate to
Backpage ads. We also have seen a disturbing

trend of runaway children trafficked on
Backpage.com. Today, when we are looking
for a runaway child who we have reason to
believe might be trafficked, Backpage.com is
the first place we look for the child.

We have long been alarmed about
Backpage's business practices that fail to
prevent children from being sold for sex on
its website. The work of your Subcommittee
to investigate these practices and to demand
answers is to be widely commended.

NCMEC is proud to lend our support to this
important resolution, and we hope the Sen-
ate's work can uncover more information re-
garding the use of online websites, such as
Backpage.com, to traffic children. We are
grateful for your dedication to the safety of
our nation's children and look forward to
continuing to work with you and others who
are working tirelessly to halt the terrible
tragedy of online child sex trafficking.

Sincerely,

JOHN F. CLARK,
President and CEO.

POLARIS,

Washington, DC, March 16, 2016.

Hon. ROB PORTMAN,
Chairman, Permanent Subcommittee on In-
vestigations, Committee on Homeland Security
and Governmental Affairs, Washington, DC.

Hon. CLAIRE MCCASKILL,
Ranking Member, Permanent Subcommittee on
Investigations, Committee on Homeland Security
and Governmental Affairs, Wash-
ington, DC.

DEAR CHAIRMAN PORTMAN AND RANKING
MEMBER MCCASKILL: On behalf of Polaris, a
non-profit organization working to end
human trafficking and restore freedom to
victims and survivors, I am writing to ex-
press my strong support for S. Res. 377,
which directs the Senate Legal Counsel to
bring a civil action to enforce a subpoena
issued by your Subcommittee to the Chief
Executive Officer of Backpage. I appreciate
your tremendous work on this investigation
and your leadership in the fight to ensure
victims of child sex trafficking and their
families receive justice.

Since 2007, Polaris has operated the Na-
tional Human Trafficking Resource Center
(NHTRC), a 24-hour, national, confidential
anti-trafficking hotline and resource center
created and overseen by the Department of
Health and Human Services. Additionally, in
March 2013, Polaris launched our BeFree
textline, allowing trafficking victims and
concerned citizens to use text message to
contact us for help.

In 2015, the NHTRC received 1,383 cases in-
volving sex trafficking of a minor, and Polaris
received 22 cases through our BeFree
textline involving sex trafficking of a minor.
In these two sets, Backpage was specifically
referenced in 222 cases. In total, the NHTRC
has received 5,810 minor sex trafficking cases
since 2007, BeFree has received 66 cases since
2013, and Backpage has been referenced in 595
cases.

Backpage's business practices have long
been a major source of concern for Polaris
and the anti-trafficking community as a
whole. We wholeheartedly support your Sub-
committee's investigation into Backpage,
and we think that S. Res. 377 is critical to
ensuring Backpage is held accountable for
its shocking, blatant disregard for your in-
vestigation. We are proud to stand with your
Subcommittee in this fight to stop child sex
trafficking, and we hope the Senate will
unanimously pass S. Res. 377.

Sincerely,

BRAD MYLES,
CEO.

Mr. PORTMAN. Madam President, I
urge my colleagues to vote yes on this

resolution and vindicate the authority
of Congress to obtain information nec-
essary for sound legislation to protect
the most vulnerable among us.

We are going to hear shortly from
Senator CLAIRE MCCASKILL, who has
been a partner of mine in this effort
from the beginning. This investigation
has taken about a year. We have done
it thoughtfully and carefully. Again, I
wish to express my gratitude to her for
her support for the legislation. We
wanted to wait until she was back in
Congress—she was home taking care of
some important health matters—in
order to take up this vote today. I
know she will express her own strongly
held views on this.

I just want to say I hope all of my
colleagues—Republicans and Demo-
crats alike—will look at this issue and
realize this is an opportunity for us to
go on record supporting an investiga-
tion that could lead to legislation that
can actually help to protect those most
vulnerable among us.

With that, I yield the floor.

Mr. LEAHY. Madam President, today
the Senate will vote on S. Res. 377, a
resolution directing Senate legal coun-
sel to bring a civil action to enforce a
subpoena of the Permanent Sub-
committee on Investigations, PSI,
against Carl Ferrer, chief executive of-
ficer of backpage.com LLC,
“backpage”. I support this resolution
in furtherance of PSI's bipartisan in-
vestigation into businesses that di-
rectly or indirectly facilitate sex traf-
ficking.

Backpage officials have publicly ac-
knowledgeed that their website may
have been used by criminals to engage
in sex trafficking, including the traf-
ficking of children. Identifying and
shutting down the tools that help
criminals engage in such illegality is
critical to preventing these crimes. We
must do all we can to stop these crimi-
nals and to support the survivors. That
is why I support this resolution and
why I have worked tirelessly to enact
legislation to prevent human traf-
ficking in the first place and to provide
resources for trafficking victims so
that they can begin to rebuild their
lives.

Last year the chairman and ranking
member of PSI jointly launched a bi-
partisan investigation to examine busi-
nesses that directly or indirectly facili-
tate sex trafficking. Backpage is one of
the companies that PSI has been inves-
tigating, but it is not the only one. PSI
aims to learn as much as possible
about these businesses so that the Sen-
ate can craft appropriate legislative
and policy responses to combat sex
trafficking and child exploitation.

On October 1, 2015, and in accordance
with subcommittee rules, PSI voted on
a bipartisan basis to issue a subpoena
to backpage's CEO, Carl Ferrer. This
subpoena was issued only after
backpage failed to comply with a sub-
poena issued earlier in the year and
after several backpage employees re-
fused to testify. The subpoena required,

among other things, the production of backpage's policies and practices with respect to reviewing advertisements for potential criminal activity, information on how backpage cooperates with law enforcement, data on how many advertisements backpage denies or deletes, and information relating to revenue earned through adult advertisements. To date, backpage has refused to comply with the subpoena.

On November 19, 2015, PSI held a hearing about backpage.com. At this hearing, the senior vice president of the National Center for Missing & Exploited Children testified that 71 percent of reports of suspected child trafficking it receives involve backpage. The hearing also raised significant concerns about backpage's willingness to cooperate with law enforcement. PSI issued a subpoena compelling the testimony of Carl Ferrer at the hearing, but he refused to appear.

The refusal of backpage to comply with the subpoena compelled the full Homeland Security and Governmental Affairs Committee to vote unanimously in favor of the resolution now before us. The resolution authorizes Senate legal counsel to begin to take action to enforce the subpoena in Federal court. PSI's investigation is exactly the type of oversight the Senate should be conducting. The subject matter is one of utmost importance, and PSI's efforts have been jointly conducted by the chairman and ranking member of PSI since the investigation began. Most importantly, the requested documents are critical to understanding how online sex trafficking is effectuated and to finding ways to stop it.

Authorizing Senate legal counsel to enforce a Senate subpoena is a very serious matter that should not be taken lightly. This action should be taken only in the most limited of circumstances and should never be pursued for partisan or political motives. Given the serious nature of this investigation and the unanimous support by all members of the committee and subcommittee throughout the process, I support this resolution.

Mrs. FEINSTEIN. Madam President, I wish to express my strong support for the resolution to enforce the subpoena against backpage's CEO Carl Ferrer.

From my work as chairman and now ranking member of the Select Committee on Intelligence, I know how important congressional investigations can be to ensure that we have all the facts, and that is the type of issue before us today.

In this case, the Permanent Subcommittee on Investigations is conducting a bipartisan investigation into the use of the Internet to facilitate sex trafficking, particularly sex trafficking of minors. As my colleagues know, this has been an area I have worked to address legislatively, including in an amendment to the Justice for Victims of Trafficking Act that passed 97-2 that makes it a Federal crime to knowingly

advertise minors for commercial sex. I believe the Investigations Subcommittee's work can inform the work of the Congress as a whole to better protect vulnerable children trafficked over the Internet.

Backpage is a Web site that allows for the advertisement of commercial sex online. In 2013, it was estimated that \$8 out of every \$10 spent on online sex advertising in the U.S. goes to backpage. Moreover, the National Center for Missing & Exploited Children has itself determined that backpage is linked to 71 percent of all suspected child sex trafficking reports that it receives from the public through its "CyberTipline." Thus, this bipartisan investigation naturally involves questions about the specifics of how backpage operates.

As I understand it, the subcommittee's subpoena seeks documents to help explain backpage's current policies and practices. These questions involve, among other things, whether backpage edits the content of ads before they are published, whether backpage might be more helpful to law enforcement with the data it collects, and whether backpage has resources sufficient to further prevent trafficking on its site. But backpage has refused to comply with this subpoena.

Where an investigative subcommittee is conducting a bipartisan investigation into the most horrific crimes committed against young people, it is the right thing to do for the Senate to enforce this subpoena through the legal process.

I would like to also share about a case that arose in my State very recently. Last week, the Los Angeles County Sheriff's Department arrested three individuals charged with abducting a 20-year-old woman and transporting her to the Bay Area to sexually exploit her. The victim was initially kidnapped in Palmdale, where she was viciously assaulted and then moved 6 hours north to Oakland, where her pictures were taken and posted to backpage.com. She was then driven back down to Orange County and had a gun pointed at her by one of her attackers. The victim was fortunately able to make some panicked calls to her mother while taken captive, and the L.A. Sheriff's office was able to find her in a motel and rescue her. The suspects were then captured and now face a litany of charges. This all occurred just weeks ago.

The point is sex trafficking, facilitated by the Internet, continues to plague communities all over the country.

I recently met with John Clark, the new president and CEO of the National Center for Missing & Exploited Children. The National Center reported that over the last 5 years, there has been an 846 percent increase in reports of suspected child sex trafficking and that this increase is "directly correlated to the increased use of the Internet to sell children for sex." That is sobering.

Every day in America, vulnerable victims are advertised over the Internet and exploited by traffickers. I believe the Congress must get to the bottom of it, try to understand how it is happening, and do all that we can to stop it. So I fully support enforcement of this subpoena and urge my colleagues to do the same.

I thank the Chair.

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

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, I come to the floor today to support S. Res. 377, a resolution to enforce a subpoena of the Permanent Subcommittee on Investigations against backpage.com and Carl Ferrer, the company's chief executive officer. This action comes as part of the subcommittee's ongoing investigation into the sex trafficking of minors and the unfortunate and increasing role of the Internet in facilitating this horrific crime.

Before I go much further, I would like to express my deep appreciation to the chairman. Senator PORTMAN has been tenacious. He is committed. He is forcing us as a body to address an issue that is so unpleasant that many times we shy away from it because we would rather talk about more pleasant subjects and issues that are less emotional. But it is what is happening in America and in the world, and thanks to the leadership of Senator PORTMAN, it is being addressed in a forthright manner that alerts all of us and, indeed, alerts the world. I very much appreciate the great work he has done on this issue. I know he remains committed for as long as he is a Member of this body, and we are incredibly grateful for his friendship and his leadership.

This marks the first time in 20 years that the Senate has been required to enforce a subpoena in court. I have been in Congress for a long time, and I have never seen anything quite like it. As part of the subcommittee's fair and deliberative investigation into human trafficking and child exploitation on the Internet, we have encountered a company that, instead of doing everything in its power to assist in protecting the most vulnerable in our society, has decided to focus its energies on stonewalling congressional efforts to do so.

Let me be clear. As is always the case in this unsavory underside of society, it is about money. Backpage.com is the market leader in commercial sex advertising. It was valued at over \$600 million in 2015, with over \$130 million in annual revenue, and their business model is dependent on the revenue generated from this part of its Web site.

Backpage claims to be a leading partner in the fight to combat child sex trafficking by screening advertisements for evidence of trafficking and taking deliberate steps from preventing illegal activity from appearing on its Web site. But the company has refused to produce documents that could verify this claim, and the facts gathered by the subcommittee from other sources indicate this is not the case.

As Senator PORTMAN has indicated, backpage has been linked to hundreds of human trafficking cases, including those of children. The National Center for Missing and Exploited Children has gathered data that indicates that the vast majority of suspected child trafficking reports it receives from the public include postings made on backpage. Identifying what screening procedures are in place and the effectiveness of these efforts in curbing trafficking are an important part of this investigation.

Thanks to the leadership from the Senator from Ohio, it is hard to think of a more worthy use of the Senate's investigative authority than examining the methods used to facilitate the buying and selling of children for sexual exploitation. This investigation is designed to guide Congress as we consider ways to combat human trafficking and identify what can be done to protect children and eliminate this crime. Enforcement of this subpoena is necessary to accomplish that goal and to protect the prerogative of the Senate to investigate matters of consequence to our national interest. I appreciate Senators PORTMAN and MCCASKILL's truly bipartisan efforts to investigate matters of consequence to our national interest. I appreciate their efforts to shed light on this difficult issue, and I appreciate their commitment to defending the Senate's role in addressing it.

I hope and believe that vote will be 100 to 0, as we strongly support Chairman PORTMAN's right to obtain the information he believes is necessary to the subcommittee's investigation concerning human trafficking. I urge my colleagues to join me in support of this important resolution.

I know that my friend and colleague Senator PORTMAN knows that one of the areas where human trafficking is most intense are those States that are on the border, and our southern border is obviously penetrated regularly by these human traffickers. I would like, as a representative of the people of my State of Arizona, where this issue is of particular importance, to thank Senator PORTMAN and Senator MCCASKILL for their unending worthy and important efforts on this issue.

By passing this legislation, we will send a message to others. We will send a message to others, I say to my colleague from Ohio, that they can run but they can't hide.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I want to thank my colleague from Arizona. He has been a leader on this issue for many years. For people who don't know, Cindy McCain, the wife of the Senator from Arizona, is an international leader on this issue dealing with human trafficking all over the world and also sex trafficking here at home. I appreciate his passion and his commitment to it. As a former chair and a ranking member of this committee, I look to him for counsel and advice on how we conduct ourselves. He has been very helpful in this specific issue, and I thank him.

I yield to the Senator from Minnesota for such time as she may consume.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I want to thank Senator MCCAIN for his work. I started to work on some of these backpage issues in conjunction with Senator MCCAIN's wife Cindy McCain, as well as with Senator HEITKAMP. We took a trip to Mexico focusing on the trafficking going on across the border with that country.

I want to thank Senators PORTMAN and MCCASKILL for leadership on this really important resolution. Just last year, five St. Paul residents were charged with running a multistate sex trafficking ring. One of the alleged victims was 16. Those underage girls were being advertised on backpage, and the ads were placed in Minnesota, Wisconsin, Iowa, Georgia, Ohio, Kentucky, and Illinois.

In Southwest Minnesota, an operation involving backpage resulted in charges against 48 men around the towns of New Ulm and Mankato, the town my husband grew up in. These cases prove that sex trafficking isn't just happening in some faraway place. It is happening right now in the United States of America. It is happening in our own neighborhoods. It is happening in oil patches in North Dakota. It is happening in Cleveland, and it is happening in St. Paul. These are real stories with real people.

In 2014 I spoke to the trafficking advocacy group Polaris when they released their State-by-State rankings of efforts to fight human trafficking. They said then:

The scope and scale of human trafficking within the United States presents a daunting challenge to policymakers, service providers, law enforcement, and advocates. Originally, human trafficking was thought to be more of a problem in other countries, but now it is known to be happening in our backyards. It is estimated that there are hundreds of thousands of victims of sex and labor trafficking inside our borders.

We have learned more about human trafficking through the advocacy and dedication, as I mentioned, of our friend Cindy McCain and her work at the McCain Institute. Their 2014 report actually focuses specifically on this advertising.

When I was a prosecutor for 8 years, yes, we had trafficking—of course, we

did—and, yes, we had child pornography, but I would say we didn't see this tsunami of advertising that we see now. Why? The Internet has made it easier. We love the Internet. It has allowed us to communicate in ways, but it has expanded demand for sex trafficking victims because of the fact that it is easier to do than it used to be.

What the McCain report shows is that the availability of potential victims of domestic minor sex trafficking exceeded researcher expectations, with no less than 38 different Web sites advertising victims who showed indications of being juvenile sex trafficking victims, with at least 4 Web sites providing customer feedback and soliciting recommendations of victims of sex trafficking.

The McCain report went on to say: "In Phoenix, during 10 days of ad screening, 34 ads were identified as possibly depicting minor victims with duplicate ads resulting in 81 distinct tips of domestic minor sex trafficking."

Last year we successfully passed the Justice for Victims of Trafficking Act that Senator CORNYN and I led. We are making good progress in implementing this bill. Senator CORNYN and I met recently with Attorney General Lynch. They are working hard. Ongoing work not only includes this resolution and is the focus on the advertising of illegal sex trafficking but also partnering with the private sector.

Senator WARNER and I have introduced the Stop Trafficking on Planes Act or the STOP Act, which is built on the work of the industry to train flight attendants and train people on the planes to find the victims. I note this investigation led by the Permanent Subcommittee on Investigations is a bipartisan attempt to address a serious issue. I urge my colleagues to join me in supporting S. Res. 377. This is just one element of this fight against sex trafficking, but it is an important one because people should not be allowed to violate the Senate rules, they shouldn't be allowed to skirt hearings, and they shouldn't be allowed to get away with this kind of behavior. Backpage and others of its ilk are not just a vehicle for advertising this crime, they are actually a vehicle for expanding this crime and hurting more people.

I appreciate the work of Senator PORTMAN and Senator MCCASKILL.

Thank you.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I thank my colleague from Minnesota for her strong support of this resolution today, which again is just enforcing a subpoena that is targeted and focused on information that can help us to be able to legislate in this matter. I hope all of my colleagues on both sides of the aisle will join us in this effort. I also thank her for broader work on this issue, specifically the leadership role she has played as a former prosecutor in trying to get at this problem of sex trafficking online.

Senator KLOBUCHAR is absolutely right. The Internet has provided so many wonderful things for our economy and for our society. Yet there is a dark side, isn't there. That dark side is shown as clearly as anywhere with regard to backpage; the fact that this sex trafficking has been made more efficient through the Internet and specifically through this one Web site that contains the vast majority of sex trafficking and commercial sex.

Again, I refer you to my comments I made earlier. We talked about the fact that there is a girl who is currently missing. The National Center for Missing & Exploited Children has been trying to find her. They put up posters about her, and recently she appeared on a sex advertisement on backpage. Again, this is more common than you would expect.

What made this case even more incredible to me was the backpage actually contained a missing child poster of that same child. So the missing child poster that the national center had put out there for all of us to help find her shows up on backpage.com as an advertisement for this young girl. This poster had the child's real name, real age, real picture, and the date she went missing. Other photos in that ad included topless photos of this girl. She is 16 years old.

This is another example of where there is a problem that must be addressed. Our investigation is to create the information for us to be able to legislate wisely on this issue.

I see my colleague from New Hampshire has joined us. We wish to hear from her. She is another former attorney general of a State and has been involved in this issue for many years and is an active member of the caucus we talked about earlier to try to combat trafficking.

I yield to my colleague, the Senator from New Hampshire, such time as she may need.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I thank Senator PORTMAN and Senator MCCASKILL for their strong leadership on the Permanent Subcommittee on Investigations, of which they are the chair and ranking member, on such an important issue because enforcing the subpoena—the resolution we have before us to enforce the subpoena is critical.

As you heard today, I was attorney general of New Hampshire. I had the opportunity to work with the Internet Crimes Against Children Task Force. The National Center for Missing & Exploited Children reports that of suspected child trafficking reports it receives from the public, 71 percent involve backpage.com.

What is the resolution about? It is about the fact that Senator PORTMAN, Senator MCCASKILL, and the committee they lead has asked legitimate questions and asked for documents from backpage.com.

We have heard the horrific stories of things that have happened and have been reported. Senator PORTMAN referenced a recent report in Boston about a 15-year-old girl who had been raped over 1,000 times as a result of being advertised on backpage.com.

Of course, we have heard horrific stories about children. In one Pennsylvania case, a defendant forced a minor to have sex with approximately 15 different men in one encounter where she was threatened with a weapon—advertised on backpage.com, so it is pretty straightforward.

In a Florida case, a trafficker drugged and threatened to kill a 14-year-old girl so he could sell her for sexual services online—backpage.com.

In a California case, a trafficker forced two women to work as prostitutes through beating and threatening them with sexual violence—backpage.com.

These are very legitimate questions that have been asked to inform our policy decisions of backpage.com. Yet they will not produce the documents that have been asked of them, to ask how they were screening to ensure they aren't taking illegal actions when it comes to child sex trafficking and trafficking of women and men and boys and girls. Yet they will not answer that. The CEO of backpage.com was subpoenaed to testify, and he refused to appear here.

If backpage.com is not doing the things in some of these reports that have come forward and is not acting illegally, then they will come and talk to us about this. The CEO of backpage would not try to hide behind the First Amendment, making arguments that don't bear out under the First Amendment because we are talking about illegality, the trafficking of children in horrific ways—then this is a legitimate inquiry for this committee.

I again commend Senator PORTMAN and Senator MCCASKILL.

I urge the Members of the Senate to support this resolution to enforce this subpoena so we can ensure that we get the information this committee needs to inform our policy decisions to address a very important issue that is putting children at risk, that is harming families, that is harming men and women who are being trafficked, and we need to get to the bottom of it.

I yield the floor back to Senator PORTMAN.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. I thank my colleague from New Hampshire.

Let me just say I already talked about Senator MCCASKILL in my remarks, but she has been a terrific partner on this issue and many others. She has a passion for it as a former prosecutor, someone who understands this issue well.

I yield all remaining time to Senator MCCASKILL.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, last year a 15-year-old girl wandered into an emergency room in St. Louis, told a horrific tale, asking for help. She had been trafficked across truckstops throughout the Midwest, taken from truckstop to truckstop, and sold to truckers for sex—all through backpage. As we debate this today, it is important we stay focused on that 15-year-old girl and don't get lost in the process of the Senate.

This is a valid investigation. This is an important investigation. What we are doing today is making sure the Senate can do its work under the Constitution. Backpage has refused to cooperate. It has refused to willingly cooperate. It has refused two legitimate and duly authorized subpoenas concerning backpage asking for information at the heart of the investigation.

Under any circumstances, I find it shocking that a company would refuse a lawful subpoena of the U.S. Senate, would ignore a lawful subpoena of the U.S. Senate. It is particularly outrageous given that backpage has already admitted that serious criminal activity, including sex trafficking of children, occurs on its site. Backpage simply has no excuse for not complying with these legal subpoenas.

During our November 19 hearing, I promised that while the subcommittee would move forward carefully and cautiously, we would not go quietly into the night, and on some day in the near future we would use the Senate's enforcement measures to compel cooperation from backpage. Today is that day. While we stay focused on that 15-year-old girl, I know I speak for the chairman—and I wish to give the chairman great accolades for our working relationship. It is not always easy to reconcile differences in positions, differences in policy, and staffs working together, but he didn't give up. We both stay at it, and we are both determined to work on this committee in a bipartisan fashion. I am very grateful to him for his effort in that regard.

As we think of that 15-year-old girl and the information we need, we also need to think that a bigger principle is at stake; that is, if we ignore backpage's refusal, what does that say to companies in the future when we need information in order to do our job? That you can give the back of your hand to the U.S. Senate and there will be no consequences? Obviously, that is a slippery slope I don't think we should go down. I don't think the Founding Fathers would want us to go down that slippery slope.

That is why today is the day we say enough. We go with this vote to the courts and we get enforcement of these legal subpoenas so we can truly find out what, if any, role backpage has had in the highly illegal and immoral practice of trafficking children for sex.

I yield the floor.

I yield back all remaining time for the Democrats.

Mr. PORTMAN. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. All time is yielded back.

The question occurs on adoption of the resolution.

Mr. PORTMAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 38 Leg.]

YEAS—96

Alexander	Flake	Murphy
Ayotte	Franken	Murray
Baldwin	Gardner	Nelson
Barrasso	Gillibrand	Paul
Bennet	Graham	Perdue
Blumenthal	Grassley	Peters
Blunt	Hatch	Portman
Booker	Heinrich	Reed
Boozman	Heitkamp	Reid
Brown	Heller	Risch
Burr	Hirono	Roberts
Cantwell	Hoeven	Rounds
Capito	Inhofe	Rubio
Cardin	Isakson	Sasse
Carper	Johnson	Schatz
Casey	Kaine	Schumer
Cassidy	King	Scott
Coats	Kirk	Sessions
Cochran	Klobuchar	Shaheen
Collins	Lankford	Shelby
Coons	Leahy	Stabenow
Corker	Lee	Sullivan
Cornyn	Manchin	Tester
Cotton	Markey	Thune
Crapo	McCain	Tillis
Daines	McCaskill	Toomey
Donnelly	McConnell	Udall
Durbin	Menendez	Warner
Enzi	Merkley	Warren
Ernst	Mikulski	Whitehouse
Feinstein	Moran	Wicker
Fischer	Murkowski	Wyden

NOT VOTING—4

Boxer	Sanders
Cruz	Vitter

The resolution (S. Res. 377) was agreed to.

The PRESIDING OFFICER. Under the previous order, the preamble is agreed to and the motions to reconsider are considered made and laid upon the table.

(The resolution, with its preamble, is printed in the RECORD of February 29, 2016, under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Arizona.

MORNING BUSINESS

Mr. MCCAIN. 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.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senator from South Carolina and I be permitted to engage in a colloquy.

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

PRESIDENT'S SYRIAN POLICY AND RUSSIA

Mr. MCCAIN. Mr. President, briefly, the Senator from South Carolina and I discussed this announcement that Russia will begin withdrawing some military forces from Syria. It obviously signals Vladimir Putin's belief that he has bombed and killed enough of the opponents of the murderous Assad regime to assure Assad's survival.

For 4 years, this administration—this President—stood by as the Assad regime slaughtered nearly half a million people in Syria. Then, when Assad appeared weak, it watched as Putin intervened militarily and protected his brutal regime, in a move that the President described as Putin going into a "quagmire." Well, apparently now Vladimir Putin is leaving that "quagmire," and he is leaving a solid Bashar Assad in a position of strength. He is leaving thousands of dead moderate opposition that he has indiscriminately bombed, and the United States has their begging bowl out, asking and pleading that they somehow reach some agreement again in Geneva.

It is really embarrassing to watch this President and this Secretary of State as they continue to beg Vladimir Putin and his stooge Lavrov as they continue to place Russia in a position of influence they have not had since Anwar Sadat threw them out of Egypt in 1973.

They now have a major role to play in the Middle East. They have a military base. They have a naval base. They have upgraded airfields, and they have now solidified Bashar Assad's position in power.

Is there anybody who believes that Russia will agree to an arrangement that Bashar Assad or his stooge doesn't remain in power? Of course not. Aren't we tired of begging Vladimir Putin? Aren't we tired of watching the United States and the young men we trained and equipped being bombed by Vladimir Putin and killed and murdered? Don't we sometimes grow a little tired of that? It is no wonder that the United States of America has no standing and no influence in the region.

I don't often quote from the New York Times. I would ask my colleague if he has seen this:

The Russian move may . . . be a reflection that Mr. Putin is now supremely confident in Mr. Assad's renewed stability and can afford to step back a bit and play statesman. Mr. Putin has achieved many of his main goals: bringing Russia back to center stage as a global power; preventing, on principle, regime change by outside powers, particularly Western ones; gaining a stronger foothold in Syria; picking off Russian jihadists on the Syrian battlefield; and strengthening Mr. Assad.

I wish to ask my friend from South Carolina: Isn't it obvious what is going to happen next; and that is, an increase in fighting in eastern Ukraine, more Ukrainians slaughtered while we refuse to give them defensive weapons, but just sufficient amount of violence and killing to prevent the United States of America or the Europeans from taking any significant action? Indeed, won't there now be pressure on the part of the special interests and the industrialists, particularly in Germany, to lift the sanctions on Vladimir Putin?

Mr. GRAHAM. I think you are right, I say to Senator McCain.

Let's look at what our military leaders say rather than just look at what political people think. General Dunford, the Chairman of the Joint Chiefs of Staff, in a hearing you chaired today was asked: What is Putin up to? What do you think he is trying to do here?

He said: Well, all I can tell you is the reason he came into Syria was to destroy ISIL and help fight ISIL. He has proven that he did not do that. He didn't try to do that.

So what General Dunford said was that basically Putin lied about why he came to Syria. If he is leaving Syria, the job against ISIL is far from done. But I think you nailed it, I say to Senator McCain. The job of propping up Assad has been accomplished.

So what General Dunford said is that the reason that Putin came into Syria was not to destroy ISIL but to help his stooge, his puppet Assad. He believes he achieved such military superiority on behalf of Assad by bombing the people we trained that he can now leave.

So at the end of the day, he is not leaving. A naval base and an air force base will be in Syria. He said: We are withdrawing our forces, but, of course, we will have a naval presence and an air base.

Here is what I would say. If he needs to help Assad in the future, he will. Geneva has become a joke. There is no way you are going to negotiate a successful agreement when Assad is backed by Russia and Iran. The opposition has been abandoned by the United States and the free world. The Russian President has bombed the people the American President trained to take Assad out.

Mr. MCCAIN. What does the Senator from South Carolina think that does to our reputation when we arm, train, and equip young men, send them in to fight, ostensibly against ISIS or Bashar Assad—although, in this case ISIS—and we stand by and watch the Russians slaughter them from the air?

Mr. GRAHAM. I think it sends a signal that you can't rely upon us. You have two training programs—one by the CIA and one by the Department of Defense. The people trained outside the Department of Defense have been wholesale slaughtered by the Russian air attacks, and we have done nothing about it.