

prepared to start a natural gas price war with the United States. Gazprom is, of course, the Russian gas company that is mostly owned by the government and controlled by Vladimir Putin. A price war would help them maintain their grip as being the biggest gas supplier in Europe, and it would discourage U.S. liquefied natural gas projects from ever being built.

What has the Obama administration done? The Obama administration has a documented history of delaying permits to American businesses that want to export our liquefied natural gas. Needless bureaucratic delays just deter energy production and producers from wanting to start these projects in the United States because it is so hard to get them approved, and that just drives up the cost. The administration's approach plays right into Vladimir Putin's hands.

This is not the time to add cost to American energy production. That will only help our adversaries more, and it will make our allies more dependent on energy—not from us but from places such as Russia and Iran and, of course, from other OPEC countries. This is not the time to shut down the production of American energy.

There are a lot of far-left, extreme environmentalists out there who want to make sure American energy resources are never used but stay in the ground. There are also a lot of Washington Democrats who are eager to give these environmental extremists everything they want—everything.

Last week in New Hampshire, Hillary Clinton was caught on tape promising one of these extremist supporters that the end of fossil fuel development on public land, she said, is “a done deal.” The end of exploration of fossil fuels on public land is “a done deal.” Well, it may be a done deal in her mind. It is also unrealistic, unwise, and unworkable. Take a look at it. Forty-one percent of America's coal production right now comes from public land; 22 percent of our crude oil comes from public land; 16 percent of our natural gas comes from public land; and Hillary Clinton, in her speech and her comments last Thursday in New Hampshire, said, in terms of any of that production, it is “a done deal.”

I remind my colleagues that energy is the master resource. America needs energy for our economy to grow. We need those jobs. Where are we supposed to get our energy if we don't get it from public lands? We can't power America's manufacturing on wind alone.

Instead of building new barriers to American energy production, we should be tearing down those barriers. The energy legislation we have been debating in this body actually includes ideas to help do that. One bipartisan idea in this legislation would help speed up the permitting process to export liquefied natural gas. It is bipartisan, with six Democratic cosponsors.

After all the environmental studies have been done, after everything has

been approved, it then takes an average of another 7 months for this administration to say yes or no on the permits. That is after everything has already been approved. Why would it take 7 additional months to get a decision by the administration? The Energy Department should be able to say yes or no, and this legislation says they should be able to do it within 45 days. This is going to force Washington to do its job in an accountable and timely way. That will help make sure other countries have options for where to get their energy, other than the concerns we have about a dominance of Russia, a dominance of Iran, and a change of the balance of power internationally.

It is time for America's energy policies to help American energy producers compete and to help those jobs in our energy security at home. That is how we are going to build our economy, how we are going to create American jobs, and how we are going to strengthen our national security.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. 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. NELSON. Mr. President, I ask unanimous consent to speak for up to 7 minutes.

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

THE EL FARO

Mr. NELSON. Mr. President, late last year a cargo container ship carrying 33 men and women left Florida from the Port of Jacksonville en route to Puerto Rico. It typically sailed back and forth, carrying cargo to and from San Juan, Puerto Rico, but this time it sailed directly into the path of a hurricane.

Two days later the crew sent what would be its final communication, reporting that the ship's engines were disabled and the vessel was left drifting and tilting, with no power, straight into the path of the storm.

Subsequent to that, despite an exhaustive search and rescue attempt by the Coast Guard in the days that followed, the El Faro and her crew were never heard from again. Only in one case, in desperately trying to do a search and rescue mission, did they find one decomposed body in a body-suit, but they could not find anybody else.

Since then, the National Transportation Safety Board—the agency charged with investigating the incident—has been working tirelessly to understand what happened. Why would the ship leave port when they knew there was a storm brewing and it was going to cross the path of where the ship was supposed to go?

Working with the U.S. Navy and the Coast Guard, investigators eventually found the ship's wreckage scattered at the bottom of the ocean east of the Bahamas Islands in waters 15,000 feet deep. But what they didn't find that day was the ship's voyage data recorder, or what we typically refer to as the ship's black box, not unlike the black box we look for in the case of an aircraft incident that records all of the data.

Since we have no survivors, this data recorder is a key piece to getting the information to understand this puzzle of why that ship would sail right into the hurricane. It records and it stores all of the ship's communications. Finding it could shed light on what really happened onboard in those final hours. Despite the search team's exhaustive efforts to locate the data recorder amongst the scattered wreckage, they couldn't find it, and eventually they had to call off the search.

Earlier this year, this Senator wrote to the Chairman of the NTSB and urged him to go back and search again because finding the ship's data recorder is important for us to understand how these 33 human beings who have families back at home were lost. I am here to report that at this very minute, the NTSB is announcing that they are going back to do the search again. At this moment, the NTSB is saying it will resume the search for the ship's black box. This time it will do it with the help of even more sophisticated equipment to help investigators pinpoint the approximate location of the recorder and hopefully, if it is not among the wreckage of the ship, point to its location and pick it up off the ocean floor.

The NTSB's decision today—which I commend; and I thank the Chairman for continuing to keep after this—to search again for the data recorder is a critical step in our understanding of what went so tragically wrong that day. We owe it not only to the families of the lost mariners aboard the El Faro but to the future safety of all those who travel on the high seas. It is up to us to not only understand what happened but to do what we can to ensure that it doesn't happen in the future.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Leonard Terry Strand, of South Dakota, to be United States District Judge for the Northern District of Iowa.

The PRESIDING OFFICER. There will now be 15 minutes of debate, equally divided in the usual form.

Mr. GRASSLEY. Mr. President, today, as was just reported, we will vote on the nomination of Len Strand from Iowa. I am very pleased to be here to support him, just as I was here a few days ago to support Judge Ebinger from Iowa, who was unanimously confirmed by the U.S. Senate on Monday, and I hope this person will likewise be unanimously approved.

I said this on the floor earlier this week, but for the benefit of my colleagues who didn't get a chance to hear that wonderful speech I gave, in my opinion, the Iowa nominees, Judge Ebinger and now Judge Strand, are the two best judicial candidates this President has nominated. Earlier this week I discussed the extensive selection process these nominees underwent. I will not go into those details again, but I will say that I am very pleased the process produced such a nominee as Judge Strand.

Judge Strand has deep Iowa roots. He received his undergraduate degree from the University of Iowa in 1987 and his law degree from the University of Iowa College of Law in 1990. Upon graduation, he joined one of the most prestigious law firms in Iowa as an associate, where he specialized in employment law and commercial litigation.

During his time at the law firm, he received several awards, including "Super Lawyer" for Iowa and the Great Plains region for 6 years straight. During his time at the firm, he was very involved in his community. He has been a member of a wide range of organizations important to Iowa, all the way from the symphony orchestra, to the medical center, to the YMCA.

In 2012 Judge Strand was appointed as a magistrate judge for the U.S. District Court for the Northern District of Iowa. In this capacity, he has handled hundreds of cases, which has prepared him well to be a Federal district judge, article III.

The ABA considers him—as you know the classifications—"unanimously well qualified" for this position.

As I did Monday for Judge Ebinger, I urge all my colleagues to support his nomination today, and we will be voting on it shortly.

Mr. LEAHY. Mr. President, today we will vote on the nomination of Leonard Strand to fill a judicial emergency vacancy in the Federal district court in the Northern District of Iowa. I will vote to support his nomination.

The next district court nominee pending after we return from the President's Day recess will be Waverly Crenshaw, an exceptional African-American nominee who is nominated to a judicial emergency vacancy in the Middle District of Tennessee. Mr. CRENSHAW has

the support of his Republican home State Senators, Senators ALEXANDER and CORKER, and he was voice voted out of the Judiciary Committee last July. There is no reason to continue to delay the confirmation of such a qualified nominee who is urgently needed for Tennesseans to receive swift justice. I hope the Senators from Tennessee can convince their majority leader to schedule a vote for Mr. CRENSHAW as soon as we return from recess. I further hope that the majority leader will continue to regularly schedule judicial confirmation votes to ensure that our Federal judiciary is fully functioning.

Since Republicans took over the majority last January, they have allowed votes on just 15 nominees. In stark contrast, at this point in the last 2 years of the Bush Presidency in 2008, when Senate Democrats were in the majority, we had confirmed 40 judicial nominees. Senate Republicans' obstruction has resulted in judicial vacancies soaring across the country—rising by more than 75 percent. Judicial vacancies deemed to be "emergencies" by the Administrative Office of the U.S. Courts because caseloads in those courts are unmanageably high has nearly tripled in that time. Senate Democrats worked hard to reduce these judicial emergency vacancies to 12, but under Republican leadership, they have now risen to 32. There is an urgent need for the Senate to confirm highly qualified nominees who will get to work in Federal courthouses across the country where justice for too many Americans has been delayed. Judge Strand will fill just one of these emergency vacancies. There are dozens more to fill.

Judge Strand is an excellent judicial nominee who has served in our Federal judiciary since 2012 as a U.S. magistrate judge in the district court for the Northern District of Iowa. Prior to joining the bench, he spent over 20 years in private practice as a partner at the Cedar Rapids, IA, law firm Simmons Perrine Moyer Bergman PLC. The ABA Standing Committee on the Federal Judiciary unanimously rated Judge Strand "Well Qualified" to serve on the Federal district court, its highest possible rating. He has the strong support of his home State Senators, Chairman GRASSLEY of the Judiciary Committee and Senator ERNST.

After today, 17 judicial nominees will remain pending on the Senate floor. These nominees are from Tennessee, Maryland, New Jersey, Nebraska, New York, California, Rhode Island, and Pennsylvania. Many of these nominees will fill emergency vacancies, and nearly half of these nominees have Republican home State Senator support. Furthermore, there are another 15 judicial nominees pending in the Judiciary Committee from California, Florida, Georgia, Indiana, Kansas, Louisiana, Maryland, Massachusetts, North Dakota, Oklahoma, Utah, and Wisconsin.

It is our constitutional duty as Senators to provide advice and consent on

these judicial nominees. The Federal judiciary is dependent on us to fulfill this obligation, and the American people expect that we will do the jobs we have been elected to do in the U.S. Senate. This is why the demand from certain moneyed Washington interest groups that Republican Senators oppose the confirmation of any judicial nominee this year, regardless of a nominee's merit or qualifications, is so destructive. Not only would this require Senators to cede their role and judgement to outside political action committees, but refusing to confirm any judicial nominees for the rest of this year would also make the high number of vacancies in our Federal judiciary even worse. This would hurt the American people and weaken our justice system. We cannot allow this to happen.

In the first 5 weeks of this year, the Senate has voted on five judicial nominees. During this time, we have also debated and voted on legislation and confirmed executive nominees. There is no reason why the Republican majority cannot continue to hold confirmation votes on judicial nominees when we return. In 2008, when I was chairman of the committee with a Republican President, we worked to confirm judicial nominees as late as September of the Presidential election year. In fact, that year Senate Democrats confirmed 28 of President Bush's judicial nominees, 22 of these in the last 7 months of 2008. This includes the confirmation of 10 of President Bush's district court nominees pending on the Senate floor in a single day by unanimous consent on September 26, 2008.

I urge my fellow Senators to vote to confirm Judge Strand and look forward to continuing to work with my fellow Senators to ensure that we continue to vote on the remaining pending judicial nominees when we return from recess.

Mr. GRASSLEY. I yield back all time on this side, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Strand nomination?

Mr. GRASSLEY. 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 legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Alaska (Mr. SULLIVAN).

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 93, nays 0, as follows:

[Rollcall Vote No. 23 Ex.]

YEAS—93

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

NOT VOTING—7

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|--------|---------|----------|
| Boxer | Moran | Sullivan |
| Cruz | Rubio | |
| Graham | Sanders | |

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Iowa.

UNANIMOUS CONSENT REQUEST—
S. 1169

Mr. GRASSLEY. Mr. President, soon Senator WHITEHOUSE and I will be offering a unanimous consent request. It is in regard to the Juvenile Justice and Delinquency Prevention Reauthorization Act. It has an amendment at the desk. I introduced this measure last April with Senator WHITEHOUSE, and it has three main goals.

First, this measure would extend a federal law, known as the Juvenile Justice and Delinquency Prevention Act, for 5 more years. The centerpiece of this 1974 law, which Congress last extended in 2002, is its core protections for youth.

There are four core protections. The first calls for States to avoid detaining

youth for low-level status offenses. The second requires that juveniles be kept out of adult facilities, except in rare instances. The third ensures that juveniles will be kept separated from adult inmates whenever they are housed in adult facilities. The fourth calls for reducing disproportionate minority contact in State juvenile justice systems. States adhering to these four requirements receive yearly formula grants to support their juvenile justice systems.

Second, this legislation would make important updates to existing law in order to ensure that juvenile justice programs will yield the best possible estimates. The authorization for these programs expired in 2007, but they continue to receive appropriations. Nearly 14 years have elapsed since the last reauthorization, and the programs are long overdue for an update.

Third, this bill would promote greater accountability in government spending. The Judiciary Committee that I chair heard from multiple whistleblowers that reforms are urgently needed to restore the integrity of formula grant programs that are the centerpiece of our current juvenile justice law. The Justice Department's Office of Juvenile Justice and Delinquency Prevention administers this formula grant program.

This grant program would be continued for 5 more years under this bill, but the Justice Department would have to do much more oversight if this bill is enacted. This bill also calls for evidence-based programs to be accorded priority in funding. The goal is to ensure that scarce Federal resources for juvenile justice will be devoted mostly to the programs that research shows have the greatest merits and will yield the best results for these young people.

For years and years, I have been reading inspector general reports that disclose shortcomings within the Justice Department, under both Republican Presidents and Democratic Presidents. Money is not being spent according to congressional intent, and it has not yielded the results we should be getting. That's why we want evidence-based programs to be accorded priority in funding.

A coalition of over 100 nonprofit organizations, led by the Campaign for Youth Justice and the Coalition for Juvenile Justice, worked closely with us on this bill's development. Others that have endorsed this measure include Fight Crime: Invest in Kids, Boys Town, Rights4Girls, the National Criminal Justice Association, the National Council of Juvenile and Family Court Judges, and the National District Attorneys Association. Senator WHITEHOUSE and I are very grateful for their support.

I also take this opportunity to thank our 15 cosponsors, who include not only numerous Judiciary Committee members but people off the committee, such as Senators BLUNT, RUBIO, ERNST, and other non-committee members. This bill is a truly bipartisan effort, and

many Senators contributed provisions to strengthen this bill since we introduced it last April.

There are a few provisions of the bill that I especially want to highlight. First, as already mentioned, this bill calls for continued congressional support of existing grant programs that serve at-risk youth. It also incorporates new language, championed by the organization called Rights4Girls, which emphasizes Congress's support for efforts to reduce delinquency among girls. Experts tell us that many girls in the juvenile justice system today have experienced violence, trauma, and poverty.

Second, at the urging of the National Council of Juvenile and Family Court Judges, this bill gives States 3 years to phase out the detention of children who have committed so-called status offenses. Status offenses are those that are low-level offenses, such as running away from home, underage tobacco use, curfew violations, or truancy, which wouldn't be crimes if committed by an adult and which would never result in an adult being jailed.

Most status offenders are boys, with one exception. Girls account for about 60 percent of the runaway cases. Many of these girls and boys come from broken homes, and many have experienced trauma or mental health issues in childhood. Research shows that detention tends to make mentally ill status offenders worse. Because some detention facilities are crowded, violent, or chaotic, they can be very dangerous places for the low-risk offender. It is very expensive to lock up status offenders who don't pose a public safety risk. Finally, experts say that the status offenders learn negative behavior from high-risk offenders in detention, which greatly increases their risks of reoffending. Researchers call this peer deviancy training.

Third, the bill incorporates new provisions designed to rehabilitate and protect juveniles while they are in custody. It encourages screenings of boys and girls who may be exploited by human traffickers, as well as those with trauma, mental health, or substance abuse issues. It includes language, authored by Senators CORNYN AND SCHUMER, which would end the shackling of pregnant girls in detention. It calls for greater data collection, including reports on the use of isolation on juveniles in State or local detention facilities, and it includes language calling for States to ensure that juveniles will continue their education while in detention.

The measure we are seeking to pass today also includes a minor amendment at the request of Senator MURKOWSKI to ensure that the bill's definition of the phrase "Indian tribes" is the same as existing law. We also have added several new provisions to meet the better needs of tribal youth, who are overrepresented in the juvenile justice system. They include a requirement that the GAO report back to Congress on ways to improve prevention