

has reportedly accused of being personally corrupt, occupies Crimea, destabilizes Ukraine, menaces our NATO allies in Europe, violates the Intermediate-Range Nuclear Force Treaty, sends weapons to Iran, and bombs U.S.-backed forces in Syria to prop up the murderous regime of Bashar Assad, and all for the benefit of a rocket plant in Alabama.

I won't go into too many details here, except to point out that after the United States imposed sanctions against Russia in March of 2014, Russian Deputy Prime Minister Dmitry Rogozin, who oversees the space industry in Russia, indicated several times that Russia expects that the United States will not use RD-180 engines for military launches and threatened to stop supplying them.

Rogozin declared: "We are not going to deliver the RD-180 engines if the United States will use them for non-civil purposes. We also may discontinue servicing the engines that were already delivered to the United States." He also threatened to deactivate all GPS sites in Russian territory and ban U.S. astronauts from the International Space Station by 2020. Rogozin suggested that in the future, the United States should deliver "its astronauts to the ISS with a trampoline."

Later that year, Rogozin appeared to reconsider. After all, in order to design and build more rocket engines in Russia, Rogozin said, "we need free money. This is why we are prepared to sell them . . . taking the sanctions very pragmatically."

So what are Russia's two desired outcomes? On the one hand, America continues its dependency on Russian rocket engines. On the other hand, America helps Putin go around sanctions by getting "free money" for rocket engines. And this is who ULA and its congressional sponsors want us to do business with?

At the same time, Russia has threatened to cut off supply, Energomash has pursued other business opportunities with other countries that would give Russia a freer hand in making good on its threats—most notably, China.

In July 2015, President Putin signed a new law that consolidated the Russian space industry under a single state corporation, an entity called Corporation Roscosmos. This was done to enhance the power of the Russian Government to better implement state-based policy and control the space industry. He signed an order that will effectuate this law.

In addition, Putin appointed Igor Komarov chief executive of the newly created Corporation Roscosmos. Komarov was the former chairman of one of Russia's largest carmakers and an adviser to Sergei Chemezov. Chemezov, who was also appointed to the board, is said to have served as a KGB officer with Vladimir Putin in Germany back in the 1980s, and he has been targeted by our sanctions.

Under the same order, Putin also appointed Russian Deputy Prime Minister Dmitry Rogozin, and the list goes on and on.

So why do we want U.S. taxpayers sending millions of dollars to the Russian Government when Vladimir Putin occupies Crimea, destabilizes Ukraine, et cetera. To add insult to injury, this last year, on the defense bill, we had to legislate to stop—to stop—the U.S. Defense Department from giving \$800 million per year to ULA. That is the outfit that now launches using Russian rockets—ULA—with Russian rocket engines. We had to prohibit the continued payment of \$800 million a year they were paying them to stay in business. It is amazing. I figured out that roughly, since 2006, we have paid this ULA, which is a combination of Boeing and Lockheed Martin, some \$7 billion to stay in business. It used to be called the military industrial complex that Eisenhower warned us about when he was leaving office. It is now the military industrial congressional complex that puts in a 2,000-page bill a requirement to build a \$225 million ship that nobody wants and that the Navy doesn't need, for the second year in a row. That is \$450 million of your tax dollars that went to build two ships that the Navy neither needs nor wants.

My friends, do you wonder about the cynicism of the American people? Do you wonder why they think the way we are doing business in Washington is corrupt, when we spent \$240 million in 2 years on two ships that the Navy doesn't want or need and when we subsidize an outfit—the only one that until recently does space launches—and paid them \$800 million a year to stay in business, spend hundreds of millions of dollars on unspecified scientific programs, take hundreds of millions of dollars from medical research that has nothing to do with defense and take it out of defense? Would we wonder that the American people are angry and frustrated? Look at what we are doing with their tax dollars.

I don't know if it was 48 or 72 hours that we had to vote up or down on a 2,000-page, \$1.1 trillion document, and no amendments were allowed.

So I say to my colleagues: Do not wonder; do not be curious why they are out there flocking to the banner of Senator SANDERS, the only announced socialist in the U.S. Senate and on the other side people like Donald Trump, who has never had anything to do with Washington, DC. They should not be surprised.

Well, all I can say to my colleagues is that I am not going to stop, because I owe the people of Arizona a lot better than what we are giving them. We owe them an accountability of why we would spend \$800 million a year to keep a company in business. We owe them an explanation of why we would over the last 2 years spend \$450 million for two ships that the Navy neither wants nor needs because they are made in Mobile, AL. We owe them a lot better

than our performance on this omnibus appropriations bill.

I will be glad to talk more about how each individual was blocked by the other side and would not agree to move forward and the rules of the Senate and all that, but that really doesn't make much difference at the Rotary Club. What makes a difference is that we have wasted billions of dollars of the taxpayers that were neither wanted nor needed nor ever had a hearing in the authorizing committee.

I am proud of the work we do on the Armed Services Committee. We have literally a hearing every day. We spend hours and hours and hours in markups and debate and discussion on these various programs. We have hearings with administration officials. We have hearings in the subcommittees. I am so proud of the bipartisan approach that we take on our Defense authorization bill, working closely with Senator REID and my colleagues on the other side of the aisle. I am proud of the product, after literally thousands of hours of testimony, of study, of voting, and all of that. Then we get a 2,000-page omnibus appropriations bill stuffed with billions of dollars of projects that we never, ever would consider in the authorizing committee.

So the system is broken. The system is broken, and it better be fixed. I am telling my colleagues, especially those on the Appropriations Committee: This will not stand.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:40 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. SCOTT).

ENERGY POLICY MODERNIZATION ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Delaware.

TRIBUTE TO FEDERAL EMPLOYEES

Mr. CARPER. Mr. President, in 2014, I began coming to the Senate floor almost every month. I came here to highlight some of the great work done each and every day by the men and women who serve us in the Department of Homeland Security. I continued that effort throughout much of last year and plan on coming to the Senate floor every month in 2016 with a new story to share. There is simply so much good being done across the Department by the employees, our public servants who work there. I don't think I am going to run out of material anytime soon.

As you know, the Department of Homeland Security is made up of some 22 component agencies and employs over 200,000 Americans. These men and women work around the clock to protect all of us, our families, and our country.

One part of the Department is called the Federal Emergency Management Agency. We call it FEMA. It has the unique task of keeping Americans safe when everything around them has been thrown into chaos. In times of crisis, the men and women at FEMA coordinate rescue operations, provide emergency medical care, and give shelter to those who lost their homes. Simply put, they bring hope back to Americans whose towns and cities have been swept away by floods, destroyed by a fire or torn apart by a tornado.

Ten years ago, in the days after Hurricane Katrina, Congress passed the Post-Katrina Emergency Management Reform Act. That law completely overhauled FEMA from top to bottom. It increased its authority and stature within the Department of Homeland Security and provided it with needed new resources. This legislation also required FEMA to bolster its regional offices and to build stronger relationships with State, local, and tribal governments. Taken together, these reforms have improved our capability at all levels of government to respond to disasters, while also improving FEMA's capacity to support State, local, and tribal governments as they rebuild.

Over the past 10 years, the men and women of FEMA have worked countless hours to improve our preparedness for, response to, and recovery from disaster. Bad things still happen. In the aftermath of a tornado, wildfire or even a snowstorm like the nor'easter we saw on the East Coast this week, we still see the images of destruction and lives turned upside down on our television screens. Most of the work that the men and women at FEMA do 365 days a year to prepare for these events and make them less damaging rarely ever get discussed.

Every day the men and women at FEMA create evacuation plans, stock emergency shelters with food and medical supplies, and they partner with law enforcement and first responders in every state to improve preparedness through exercises and drills. In addition to training first responders, one of FEMA's top priorities is to educate and train all of us on what to do in case of disaster. The more you and I and our families know, the more likely it is that we will be safe and will stay together during a disaster.

MILO BOOTH

One FEMA employee charged with helping some of our most vulnerable communities prepare for disaster is a fellow named Milo Booth who serves as FEMA's tribal affairs officer. Milo is an Alaskan Native from Metlakatla, AK. It is an Indian community on the southernmost tip of Alaska.

After graduating from Oregon State University with a bachelor of science degree in forestry and minor in economics, Milo returned home to serve as the Metlakatla Indian community's director of forestry and land resources, working to protect his hometown for the next 16 years.

After 2 years with the U.S. Forest Service, Milo moved to FEMA to serve as the National Tribal Affairs Advisor, and that is what he does today. In this role, Milo works to communicate disaster preparedness to reservations, Alaskan Native villages, and tribes across the country. These communities, some of the most remote and isolated in the country, are also most at risk in times of disasters. Ensuring that these communities are educated in preparedness helps some of the most vulnerable among us.

As a FEMA liaison and an advisor to Indian Country, Milo doesn't just help the communities prepare for disaster. He also educates senior FEMA officials in the Department of Homeland Security tribal affairs staff on how FEMA could better prepare for and respond to hazards. In times of planning, Milo leads workshops and trains FEMA staff. He advises the senior leadership on tribal policy, and he works every day to build strong relationships between FEMA and tribal leaders and their communities. In times of crisis, when disaster strikes, Milo coordinates with tribal emergency managers and FEMA regional managers on the best ways to help and support these communities. In only 2 years at FEMA, Milo has visited more than 2 dozen reservations and Alaskan Native villages and has met with more than 100 tribes at trainings and regional tribal meetings.

Perhaps more important than any of this technical work that Milo does in planning is the work he has done in building relationships and earning the trust of tribal leaders.

When asked their thoughts on Milo, tribal leaders described him as accessible, responsive, and understanding, but most importantly, they described him as trustworthy. They trust that in Milo, their communities have a voice at FEMA.

When Milo isn't working in Washington, DC, he returns home to Alaska with his wife and two children, where he enjoys spending time with them outdoors. One of his favorite activities these days is going trout fishing with his young son, who says he wants to grow up to be just like his dad.

Milo is just one shining example of the thousands of dedicated men and women at FEMA who work to protect hundreds of communities across our Nation, treating every one of them as if it were their own hometown.

The Presiding Officer will remember that Pope Francis addressed a joint session of Congress last September at the other end of this Capitol Building. He invoked the words of Matthew 25, which call for us to help the least among us, saying:

I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in, I needed clothes and you clothed me, I was sick and you looked after me.

These have become known as the works of mercy or the acts of mercy. Milo Booth and all of his colleagues at

FEMA perform these acts of mercy each and every day. They protect our children and our homes, saving lives and doing truly remarkable deeds. And for the thousands of civil servants at FEMA and the tens of thousands of others across the 22 components of the Department of Homeland Security, these acts of mercy are their life's work.

For all these things you do, for all these things all of you do, to each and every one of you, I wish to say thank you from all of us. God bless you.

The Senators from Alaska and Wyoming are on the floor. Good to see them both.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. I thank my colleague.

AMENDMENT NO. 2953

(Purpose: In the nature of a substitute)

Ms. MURKOWSKI. Mr. President, at this time, I call up amendment No. 2953.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI] proposes an amendment numbered 2953.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of January 26, 2016, under "Text of Amendments.")

AMENDMENT NO. 2954 TO AMENDMENT NO. 2953

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to call up Cassidy amendment No. 2954.

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

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for Mr. CASSIDY, proposes an amendment numbered 2954 to amendment No. 2953.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for certain increases in, and limitations on, the drawdown and sales of the Strategic Petroleum Reserve)

At the end of subtitle B of title II, add the following:

SEC. 2102. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

Section 403 of the Bipartisan Budget Act of 2015 (Public Law 114-74; 129 Stat. 589) is amended by adding at the end the following:

“(d) INCREASE; LIMITATION.—

“(1) INCREASE.—The Secretary of Energy may increase the drawdown and sales under paragraphs (1) through (8) of subsection (a) as the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers.

“(2) LIMITATION.—The Secretary of Energy shall not drawdown or conduct sales of crude oil under this section after the date on which a total of \$5,050,000,000 has been deposited in the general fund of the Treasury from sales authorized under this section.”

Ms. MURKOWSKI. Mr. President, at this time, we will resume the consideration of S. 2012, which is the Energy Policy Modernization Act. Senator CANTWELL and I have had an opportunity to speak, as well as the Senator from Texas, and now the Senator from Wyoming has joined us. He has been a leader on these issues. He sits next to me on the energy committee and has worked on so many of the issues we have contained within this good bill, but the piece on which he has probably been most aggressive and shown his leadership is what we have done to help facilitate the export of our resources with regard to liquefied natural gas.

I am pleased to turn to my colleague from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I thank the distinguished chairman of the energy committee. She does a remarkable job, and she has brought many people together on this bipartisan piece of legislation. It passed the committee 18 to 4. People are energetic about this Energy bill because it is so critical and important to our communities and our economy.

As the Senate is discussing this important energy legislation, I come to the floor today because energy is one of those issues on which we should actually all be able to agree in terms of the basic idea. The basic idea and my goal for this Energy bill is that we make energy in America as clean as we can, as fast as we can, and do it in ways that don't raise costs on American families. I think most of us would consider that to be a worthy, commonsense goal. That is why the Energy bill before the Senate today is so important and why it has such broad bipartisan support. As I said, the bill passed the committee 18 to 4. And this is a bill that actually takes concrete steps to help our country produce the energy we need.

I think one of the good ideas in the bill is a provision to speed up permitting for the exportation of liquefied natural gas. Six Democrats have co-sponsored this language on the LNG exports as a separate piece of legislation, which is now incorporated into this Energy bill. That is because Senators on both sides of the aisle recognize the importance of natural gas to our economy and to our national security.

America has the world's largest supply of natural gas in terms of what we are able to produce today. We also have the resources to be a major exporter of this clean and versatile fuel. It is estimated that liquefied natural gas exports can contribute up to \$74 billion to America's gross domestic product by the year 2035. All we need is for Washington to give producers some regu-

latory certainty—certainty that is not there today.

To liquefy and to export natural gas requires special production and special export terminals, places to get it done. Under President Obama, the Department of Energy has been very slow and very unpredictable about approving these projects. The Energy bill would expedite the permit process for LNG exports to countries around the world and countries that right now do not have free-trade agreements with the United States. It opens it up to new markets, new customers, people who are friends and allies who want to buy a product we have right here for sale.

This legislation would require the Energy Secretary to make a final decision on an export application within 45 days after the environmental review process is completed. It would also provide for expedited judicial review of legal challenges to the LNG export projects because things can get tangled up in legal challenges that can go on for months and years.

Finally, the bill requires that exporters publicly disclose the countries to which the LNG is delivered so the American people know whom we are selling to.

This legislation doesn't force the administration to approve the projects, it doesn't shut down the environmental reviews, and it doesn't take away anybody's right to voice their opposition; it just says that the Obama administration should do its job in an accountable, timely, and predictable way.

This legislation would help create jobs. It would help to reduce our trade deficit, which is something President Obama has said is a priority of his. It would also help the security of America and our allies. That is something which should be a priority for all of us in this body. Speeding up American exports of liquefied natural gas will give our allies an alternative for where they can get the energy they need. It would help our allies reduce their dependence on gas from hostile places, many of whom are now getting it from Russia. Remember, Russia invaded Ukraine largely to get control of the gas pipelines there.

Now Iran wants to step up its natural gas business as well—Iran. The Iranians have been working on a liquefied natural gas export plant that is almost complete. Construction had stalled a few years ago because of the economic sanctions against Iran. Now that the Obama administration has lifted the sanctions against Iran, Iran can start construction again. The managing director of the National Iranian Gas Export Company says that it could start shipping liquefied natural gas to Europe in 2 years. That was in an article in the Wall Street Journal today. The headline is “Iran Seeks Ways To Ship Out Gas As Sanctions Ease.” This is today. What we are discussing on the floor of the Senate is incredibly timely. When you read through the article, it says that European companies are

promising billions in new deals in Iran as Iranian President Ruhani visits Europe this week to revive trade and political ties. So Iran is on the move.

The Obama administration, as of right now, is shackling American natural gas, shackling the production, shackling the export. At the same time, the President, through his agreement with Iran, is enabling Iran to move forward and seek ways to ship out gas as sanctions ease.

If our allies are dependent on gas from Russia or from Iran or from both, how does that make the world a safer place?

This administration has been dragging its feet on approving liquefied natural gas exports. It has blocked North American energy projects in the past, such as the Keystone XL Pipeline. That would have created thousands of jobs. Then, earlier this month, the Secretary of the Interior halted all new leases on mining coal on Federal land. This action by the administration is alarming, it is drastic, and it is destructive. Forty percent of all the coal produced in the United States comes from Federal land. The Interior Secretary wants the coal to stay in the ground, wants it to become a stranded asset. With this new rule, she took one more step toward wiping out the jobs of thousands of Americans, and then she staged a press conference to brag about it. If that weren't bad enough, last week the administration announced new restrictions on oil and gas operations on Federal land and on Indian land.

The unelected, unaccountable bureaucrats of the Obama administration have been relentlessly attacking American energy producers with new rules, new regulations—costly—hurting our economy, hurting jobs. They are costing American workers and families billions of dollars, and they will do great damage to American energy reliability. Reliability is key. We need a different approach.

It is essential that we create as much energy as possible here at home, and it is essential that we be able to export American energy to our allies as well, people who want to get it from us. That is why energy is called the master resource, and that is why this Energy bill is so important.

This legislation is a good start toward making sure America has the energy we need to keep our economy growing. There are things we could do to improve this legislation. We could use this bill to protect Americans from President Obama's reckless attempt to end coal leases on Federal lands. We can also make sure the Obama administration stops its unwise new rule on natural gas and oil operations. We can actually capture more energy while we reduce waste and emissions from this kind of oil and gas production.

I have introduced bipartisan legislation that is going to expedite the permitting process of natural gas gathering lines on Federal and Indian land.

These are pipelines that collect unprocessed natural gas from oil and gas wells and ship it to a processing plant and then on to interstate pipelines. Today a lot of that gas is flared off right at the well. You can see that at the well, the flames. One of the reasons that is happening is because the Obama administration has been so slow in granting the permits for the natural gas gathering lines on Federal land. People want to build them; they want to use this natural gas. The President opposes the flaring. More gathering lines would mean less flaring. It is good for energy producers, it is good for the environment, and it is good for taxpayers.

We need the energy. Keeping it in the ground is not the answer. The answer is making energy as clean as we can, as fast as we can, without raising costs on American families. I believe that is a better approach. A bipartisan group of Members of this body knows it is a better answer. It is time for the Obama administration to join us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise today to discuss the Energy Policy Modernization Act. Along with a broad, bipartisan group of my colleagues, I supported this bill as a member of the Energy and Natural Resources Committee. I thank Chairman MURKOWSKI, Ranking Member CANTWELL, and their staff for their commitment and hard work in producing a bill that could earn a strong bipartisan vote in the committee.

There were other proposals that I would have liked to have seen included in the bill, such as the national Renewable Electricity Standard introduced by Senator UDALL, which I cosponsored, and there were other proposals included in the bill that I would not have supported on their own. However, I was willing to support a compromise that provides positive direction for our country in the midst of an energy transformation.

Now that the full Senate is considering the bill, I would like to remind my colleagues of the effort that went into reaching this compromise. We should not squander the opportunity before us with amendments that will simply erode bipartisan support for the bill or draw a Presidential veto.

So much has changed in how energy is produced and consumed since the Senate passed its last energy bill in 2007. Our country is in the middle of a transformation toward cleaner sources of energy and greater energy efficiency in our vehicles, homes, and businesses. Hawaii is leading the way on many fronts in this transformation. Hawaii has already set the most ambitious electricity standard of any State, and that is 100 percent renewable electricity by 2045. Our State has already more than doubled its use of renewable electricity in 6 years to 21 percent.

Making sure that we have clean and affordable power for families and busi-

nesses will require a more modern and reliable electricity system. The Energy Policy Modernization Act tackles research, job creation, and innovation on a number of fronts. Let me highlight some of the bill's important provisions.

This bill includes provisions from my Next Generation Electric Systems Act that would establish a Department of Energy grant program for projects to improve the performance and efficiency of electrical grid systems. These grants could assist efforts in Hawaii and around the country to make greater use of renewable energy, energy storage systems, electric vehicles, and other innovative energy technologies.

The bill also provides \$500 million over 10 years to support the energy storage research, demonstration, and deployment program from Senator CANTWELL's Grid Modernization Act, which I cosponsored. Energy storage will help smooth the delivery of power from renewable sources so that it is available even when the sun is not shining or the wind is not blowing. Greater use of energy storage systems could help cut energy bills by reducing the need to build expensive powerplants that operate only at times of highest demand and avoiding blackouts.

Thanks to Chair MURKOWSKI, the bill also promotes the development of microgrid systems for communities that are not connected to the grid, so that isolated communities in places like Hawaii and Alaska can also use alternative energy and energy storage to secure more reliable and affordable sources of power.

The bill includes my amendment to ensure that the U.S. Territories and the District of Columbia can join Hawaii and other States in being eligible to participate in a Department of Energy loan guarantee program to help States support new investments in clean energy projects. For instance, Hawaii could expand its Green Energy Market Securitization—or GEMS—Program to make rooftop solar systems and other clean energy improvements more affordable for renters and other underserved consumers.

The bill authorizes research and development in promising renewable energy technologies like marine and hydrokinetic energy, which harness the power of the ocean's waves, heat, and currents. In partnership with the U.S. Navy, the Hawaii National Marine Renewable Energy Center at the University of Hawaii-Manoa is one of three federally funded centers for marine energy research and development in the Nation, including a wave energy test site at Kaneohe Bay on Oahu.

The bill will help people find well-paying jobs in the energy and energy efficiency fields by establishing a \$10 million grant program for nonprofit partnerships that train workers to earn energy efficient building certifications. It also creates a \$20 million energy workforce training grant program for colleges and workforce development

boards. This program will focus on helping workers earn industry-recognized credentials. I will be offering amendments to ensure that our veterans can take full advantage of these programs to speed their transition into the civilian workforce.

The bill will also help boost energy efficiency. Hawaii set a goal requiring a 30-percent improvement in energy efficiency by 2030. According to the Hawaii State Energy Office, that standard has resulted in the equivalent of \$435 million in energy savings for Hawaii's homes, farms, and businesses.

Finally, the bill strengthens our protection of public lands by permanently reauthorizing the Land and Water Conservation Fund—LWCF—a fund that, throughout its 50-year history, has financed over 40,000 projects across all 50 States and protected public lands that support our Nation's \$646 billion outdoor recreational industry. In Hawaii alone, the LWCF has directly provided \$195 million to our local conservation efforts, and, as most people know, we in Hawaii go to great lengths to protect and conserve our native ecosystems. LWCF funds will support Hawaii's "Island Forests at Risk" proposal. These funds will expand Hawaii Volcanoes National Park and Hakalau National Wildlife Refuge by a total of 12,000 acres. These two locations host a total of nearly 2 million visitors each year and protect some of Hawaii's most beautiful and sensitive habitats. The bill also permanently reauthorizes the Historic Preservation Fund and creates a new National Park Maintenance and Revitalization Fund. The new national park fund will help reduce the backlog of \$11.5 billion in repairs and maintenance needed in our national parks, including the \$127 million backlog of maintenance at Hawaii's national parks. This much needed new fund will ensure that people can enjoy the beauty of our parks for generations to come.

In addition to improving energy usage in our homes and businesses, we must ensure that government takes full advantage of new energy and energy efficient technologies. For the fourth consecutive year, the State of Hawaii led the Nation in per capita use of energy performance contracting for State and county buildings, resulting in the creation of over 3,000 jobs and an energy savings of over \$989 million.

I would like to expand the use of energy contracting at the Federal level to save taxpayer dollars and support the use of cleaner sources of energy. I will be offering an amendment to allow all Federal agencies to use long-term contracts to reduce their energy bills, as the Department of Defense is allowed to do under current law.

I also plan to offer an amendment to establish a pilot project to expand the use of Federal energy savings performance contracts to mobile sources such as federally-owned aircraft and vehicles. The guaranteed energy savings will mean taxpayer savings.

With oil accounting for 80 percent of the energy needs of our State, the people of Hawaii are acutely aware that there must be new alternatives to the volatile prices and vulnerable supply of the global oil trade. Hawaii, which for too long has been paying the highest electricity rates in the country, recognizes that we have renewable resources in our own State that should be developed so that we keep at home more of the \$5 billion per year we currently spend to import oil. That is more money circulating in Hawaii's economy, creating jobs, raising wages, and helping families make ends meet.

For all the reasons I have mentioned, I urge my colleagues to support this bill and those amendments that will be offered that move our country forward, not backward, to a future with affordable, clean, and reliable energy.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. 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. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

SOLITARY CONFINEMENT

Mr. DURBIN. Mr. President, I believe it was in April of 2009 that I picked up a *New Yorker* magazine and read an article that had a real impact on me. It was an article written by Dr. Atul Gawande, a practicing surgeon at Brigham and Women's Hospital in Boston, an amazing man. In addition to his medical responsibilities, he is a person with a very inquisitive mind and a real knack when it comes to investigating challenging issues.

The article that I read in the *New Yorker* by Dr. Gawande examined the human impact of long-term solitary confinement and asked, "If prolonged isolation is—as research and experience have confirmed for decades—so objectively horrifying, so intrinsically cruel, how did we end up with a prison system that may subject more of our own citizens to it than any other country in history has?"

Dr. Gawande's article inspired me—motivated me—to begin to look into the issue of solitary confinement in prisons. I was amazed to learn that the United States holds more prisoners in solitary confinement—about 100,000—than any other democratic nation in the world. So in 2012, as chairman of the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights, I held the first-ever congressional hearing on solitary confinement.

At the hearing, we took a look at the serious fiscal impact of solitary. We learned that it costs almost three

times more to keep a Federal prisoner in segregation than in the general population. We also discussed the significant public safety consequences of widespread solitary confinement, given that the vast majority of inmates held in segregation will ultimately be released to the community someday. And we heard testimony about the human impact of holding tens of thousands of women, men, and children in small, windowless cells 23 hours a day—for days, months, even years—with very little, if any, human contact with the outside world. Clearly, such extreme isolation can have a serious, damaging psychological impact. I will never ever forget the compelling testimony of Anthony Graves. In the year 2010, after 18 years in prison—and 16 of those years in solitary confinement—Anthony Graves became the 12th death row inmate to be exonerated in the State of Texas.

At the hearing, Mr. Graves testified about his experience. The room was silent. He stated:

Solitary confinement does one thing, it breaks a man's will to live. . . . I have been free for almost two years and I still cry at night, because no one out here can relate to what I have gone through. I battle with feelings of loneliness. I've tried therapy but it didn't work.

In 2014, I held a follow-up hearing on the issue. I called for an end to solitary confinement for juveniles, pregnant women, and inmates with serious mental illness. At the hearing, we heard from Damon Thibodeaux. He had spent 15 years in solitary confinement at the Louisiana State Penitentiary before being found not guilty and released. Mr. Thibodeaux testified:

I do not condone what those who have killed and committed other serious offenses have done. But I also don't condone what we do to them, when we put them in solitary for years on end and treat them as sub-human. We are better than that. As a civilized society, we should be better than that.

In recent years a number of experts and State and Federal officials across the country have questioned our Nation's overuse of solitary confinement. In 2014, Supreme Court Justice Anthony Kennedy testified to Congress: "Solitary confinement literally drives men mad."

Last year, Justice Kennedy again brought up the issue in a powerful concurring opinion. He wrote: "Research still confirms what this Court suggested over a century ago: Years on end of near-total isolation exacts a terrible price."

He went on to say:

The judiciary may be required . . . to determine whether workable alternative systems for long-term confinement exist, and, if so, whether a correctional system should be required to adopt them.

Pope Francis, who spoke to a joint session of Congress a few months ago, has also criticized solitary confinement. In a 2014 speech at the Vatican, he referred to the practice of extreme isolation as "torture" and "a genuine surplus of pain added to the actual suffering of imprisonment."

The Pope went on to say:

The lack of sensory stimuli, the total impossibility of communication and the lack of contact with other human beings induce mental and physical suffering such as paranoia, anxiety, depression, weight loss, and significantly increase the suicidal tendency.

In light of the mounting evidence of the dangerous and harmful impacts of solitary confinement, several States have led the way in reassessing the practice. Colorado has implemented a number of reforms, including no longer releasing offenders directly from solitary to the community, and ensuring that inmates with serious mental illness are not placed in solitary confinement. As a result of the reforms, inmate-on-staff assaults are at the lowest levels in Colorado in 10 years, incidents of self-harm have decreased among the inmates, and most inmates released from solitary do not return.

In the State of Washington, a focus on rehabilitation and programming for inmates in solitary confinement has led to a reduction of more than 50 percent in the segregated population.

The Association of State Correctional Administrators—a group representing the heads of all 50 State prison systems—recently called for limits on the use of long-term solitary confinement. In a statement, they said:

Prolonged isolation of individuals in jails and prisons is a grave problem in the United States. . . . Correctional leaders across the country are committed to reducing the number of people in restrictive housing. . . .

Progress has been made at the Federal level since our first hearing. A substantial percentage of those in solitary confinement are no longer serving in that situation. After my first hearing on the issue, I asked the Bureau of Prisons to submit to the first-ever independent assessment of its solitary confinement policies and practices.

The assessment, released last year, noted that some improvements have been made since the 2012 hearing, the initial hearing we had on the subject. The Federal Bureau of Prisons has reduced its segregated population by more than 25 percent and continues to look for more reductions.

Despite this, there is a lot of work to be done. That is why I was pleased to see President Obama's announcement this week that he has accepted a number of recommendations from the Department of Justice to reform and reduce the practice of solitary confinement in the federal prison system.

In an op-ed published yesterday in the *Washington Post*, the President explained how the Department of Justice's review of solitary confinement policy led to the conclusion that the practice should be used rarely, applied fairly, and subjected to reasonable constraints.

The President's recommendations included: banning solitary confinement for juveniles, diverting inmates with serious mental illness to alternative forms of housing, diverting inmates in need of protection from solitary confinement to less restrictive conditions,

reducing the use of disciplinary segregation, and improving the conditions of solitary confinement by increasing inmates' out-of-cell time and access to services.

I welcome these changes. I commend the President for his actions. I look forward to working with the Bureau of Prisons and the Department of Justice on this issue.

In the course of studying this issue, I decided I had to see it firsthand. I went to Tamms prison in Southern Illinois. It was the maximum security State prison in the State. I went in, met with the warden, and I took my tour. Then I said to her: I want to see the most restrictive solitary confinement. She took me into an area where five men were in solitary confinement. I had a chance to speak to each of them. One of the men I will never forget. I asked him: How many years are you in for?

He said: Originally 20, but they added 50 to that.

I said: Fifty additional years?

He said: Yes. He said in a very calm voice: I told them that if they put another prisoner in my cell I would kill him, and I did.

I thought to myself, be aware, Senator, there are ruthless and vicious people and violent people who really need to be carefully scrutinized and carefully imprisoned in a situation where they can't harm other inmates or the personnel, but still, even in that circumstance, we have to look to the most humane way to treat them in the course of their imprisonment.

The President's decision to address the use of solitary represents a major step forward in protecting human rights, increasing public safety, and improving fiscal responsibility in our federal prisons. Still, we have the highest per capita rate of incarceration in the world—the United States, the highest rate of incarceration in the world.

President Obama noted yesterday that changing our approach to solitary confinement is just one part of a larger set of reforms we must pursue. Last year, the Senate Judiciary Committee chairman, CHUCK GRASSLEY of Iowa, and I worked with a bipartisan coalition of Senators to introduce the Sentencing Reform and Corrections Act. The bill passed the Senate Judiciary Committee in a 15-to-5 bipartisan vote several months ago.

In order to comprehensively address the problems facing our Federal prisons, we should bring this bipartisan criminal justice reform legislation to the Senate floor and work with our colleagues in the House to send a bill to the President this year.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. 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. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, today marks the 125th time I have come to the Senate floor to ask this body to wake up to the threats of climate change. This week is a little different because we are currently debating the bipartisan Energy Policy Modernization Act. The bill was crafted by my colleagues, Senators MURKOWSKI and CANTWELL, and it may become our first comprehensive energy efficiency legislation since 2007. While the base bill is a good start, we have much work to do before we come anywhere near meeting the challenges we face as a result of our decades of carbon pollution.

As we begin debate on this legislation, calls for bold action on climate continue to mount. The World Economic Forum released its "Global Risks Report 2016," which for the first time ranked an environmental risk—climate change—as the most severe economic risk facing the world. The report found that a failure to deal with and prepare for climate change is potentially the most costly risk over the next decade.

Cecilia Reyes, chief risk officer of Zurich Insurance Group, said: "Climate change is exacerbating more risks than ever before in terms of water crises, food shortages, constrained economic growth, weaker societal cohesion and increased security risks."

Some of my Republican colleagues have begun to wake up to these risks. It was just last year that Chairman MURKOWSKI said: "What I am hoping that we can do now is get beyond the discussion as to whether climate change is real and talk about what to do." The chairman deserves credit for reporting a bill that has solutions a broad majority of the Senate can support; however, she has been handicapped by the fact that many in her party still refuse to take seriously that human-caused climate change is real and that it presents a significant and growing risk to our economy, our national security, and our way of life.

Many of the provisions in this bill are not new. We saw much of it in the Shaheen-Portman Energy bill that Republicans twice before have filibustered. With so many Republicans seemingly incapable of supporting responsible energy legislation, those of us who want to promote energy efficiency and a clean energy economy sometimes feel a little bit like Charlie Brown, hoping that this time Lucy won't yank the ball away yet again. These issues are too important, and I am hoping this time will, in fact, be different.

The bill contains commonsense reforms, such as reforming building codes to improve energy efficiency and directing the Secretary of Energy to establish a Federal smart building program to demonstrate the costs and

benefits of implementing smart building technology. It reauthorizes the weatherization and State energy programs that States such as Rhode Island rely on and the Advanced Research Projects Agency—Energy. That has shown the importance of government investment in new energy technologies. It will modernize and secure our electric grid and enhance cyber security safeguards.

My State, Rhode Island, is a national leader in promoting energy efficiency, so we know how programs like these are good for consumers, businesses, and the environment. In fact, I came here to the floor after a meeting with our grid operator. She said Rhode Island was the leading State when it comes to efficiency. Rhode Island has had energy policies guiding electricity and natural gas efficiency standards since 2006. We have consistently ranked in the top five States when it comes to energy efficiency. We do this as one of the founding members of the Regional Greenhouse Gas Initiative—or RGGI for short—the Northeast's carbon pollution cap-and-trade program. States that belong to RGGI are proving that we can grow our economies at the same time we cut our emissions. Between its founding in 2005 and the report of 2012, emissions in the RGGI States decreased by 40 percent, while the regional economy grew by 7 percent, so we won on both sides. Putting a price on carbon and plowing that money back into clean energy projects is, in fact, saving us billions of dollars while helping to reduce carbon pollution.

I hope this bill will be a small step forward toward solutions that will begin to help reverse the devastation carbon pollution is wreaking on our climate and particularly on our oceans.

I have to ask my Republican friends, what is your best bet on whether this climate and oceans problem gets better or worse in the next 20 or 40 years? I ask this seriously because a great party's reputation is on the line here. How are you going to bet—with the 97 to 98 percent of the scientists and 100 percent of the peer research? Do you want to bet the reputation of the Republican Party that suddenly all of this is going to magically get better?

Right now the American public sees what is going on. The American public knows that the Republican Party in Washington has become the political wing of the fossil fuel industry. There has always been a bit of this within the Republican Party, but since the Republican appointees on the Supreme Court gave the fossil fuel industry that great, fat, juicy gift of its Citizens United decision, the fossil fuel industry menace looming over the Republican Party in Congress has become near absolute.

Trapped by the fossil fuel industry, the Republican vision for energy policy has been stuck in the past. Most of the time, it is just complaints and obstruction: Oh, the President's Clean Power Plan is no good. Oh, the States should engage in massive civil disobedience

against the President's Clean Power Plan. Oh, we should defund the EPA.

It will be no surprise if they try to block the Department of Interior's plan to reform a coal leasing program that has not been updated in over 30 years. It doesn't matter to them that the way we price the extraction of fossil fuel on Federal lands is a massive taxpayer giveaway to fossil fuel companies and it is based on a market failure that ignores the costs those fuels impose on taxpayers and our climate. Conservative and progressive economists alike agree on that market failure point. Indeed, Republicans defend all the subsidies we give to the fossil fuel industry. There is no subsidy to the fossil fuel industry that does not earn constant Republican support.

Rather than gambling on more oil and gas production, I suggest we make the safe bet on a strategy that cuts emissions, encourages American investment in American clean energy, saves taxpayers billions of dollars, and creates and supports millions of jobs.

There is an old hymn that the Presiding Officer probably knows. It says: "Turn back, O man, forswear thy foolish ways." Well, it is time to turn back and forswear our foolish fossil fuel ways. If we don't, there will be a day of reckoning and a harsh price to pay.

Remember what Pope Francis told us:

God always forgives. We men forgive sometimes, but nature never forgives. If you give her a slap, she will give you one.

We have given our Earth one heck of a slap.

I will leave the Chamber with this: Last week, NASA and the National Oceanic and Atmospheric Administration reported that 2015 was the warmest year on record globally. That is not a fluke. Fifteen of the warmest 16 years recorded occurred during this century, which, by the way, has had 15 years. They are all in the warmest 16 years ever recorded. According to the World Meteorological Organization, the most recent 5-year period—from 2011 to 2015—was the warmest 5-year period ever recorded. You can see that the long-term trend is going in one direction and one direction only—hotter. There is no pause. The pause was a trick. These changes are primarily driven by the excessive carbon pollution we continue to dump into our atmosphere and oceans.

By the way, for all of this measured heat, 90-plus percent of the heat actually goes into the oceans. There is little change in the oceans but big changes here. As the oceans stop absorbing as much warmth, I don't know where that will lead.

As we bring our ideas to the floor during our discussion about modernizing our electric grid, we have an opportunity to also have a real conversation on climate change. We still have a real responsibility to act.

It is time for this body to wake up.

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

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

DONALD TRUMP

Mr. REID. Mr. President, there are some things I shouldn't joke about. I tried to be funny an hour ago at my weekly stakeout and I guess it wasn't very funny—at least I don't think so.

The danger Donald Trump's candidacy poses to our country is not a joke. Since he launched his bid for the Republican nomination, Donald Trump has proven over and over again that he is a hateful demagogue who would do immeasurable damage to our country if elected. I have come to the Senate floor many times to decry his hateful comments.

Donald Trump threatens to diminish the integrity of our democracy around the whole world. If he wins the nomination of the Republican Party to run for President of the United States, the Republican Party will never recover from the damage he will inflict on conservatism.

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

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

NOMINATION OF ROBERT CALIFF

Mr. MANCHIN. Mr. President, I rise to voice my opposition to Dr. Robert Califf, the President's nominee to be the Commissioner of the FDA.

I do this with all respect for Dr. Califf, his expertise, and all the work he has done. He is a quality human being. I am sure the administration is going to be able to find a position for him that suits his background better than being the head of the FDA, and I say that with all due respect. We had a thoughtful conversation when he came to visit with me.

I do not believe he can be the leader we need to change the culture of the FDA. I say that coming from a State that has been ravaged by this opiate addiction. It is going to take someone who is totally committed through and through to make the changes that need to be made.

The No. 1 priority of the FDA and its Commissioner should be public health. It is inappropriate for the FDA Commissioner to have such close financial ties with the pharmaceutical industry. I will give a little bit of background on this because what he has done I think is what most of them do.

Between 2010 and 2014, Dr. Califf received money through his university salary as well as his consulting fees from 26 different pharmaceutical com-

panies, including opioid manufacturers. Dr. Califf has described FDA regulations as a "barrier"—not a safeguard—to public health. That is troubling in itself.

In 2008, the FDA's approval of new marketing claims for existing drugs was 56 percent. In the first 8 months of 2015, it was 88 percent. This includes just last year approving OxyContin for children as young as 11 years old. At a time when opioid deaths are killing tens of thousands of Americans every day, our FDA would like to give these dangerous drugs to kids. Someone at the FDA needs to change this way of thinking. They are giving all of the excuses in the world, and it makes no sense whatsoever to me.

Dr. Califf's past involvement with the pharmaceutical industry shows that he will not be able to be this person—the person of change who is needed. He will not have the impact or leadership capabilities that this Nation needs to stem the tide of the opioid crisis.

These are the facts of what this horrific pain reduction, if you will—pain suppressor, opiates—does to Americans. With 51 Americans dying every day due to an opioid overdose—51 Americans die every day—the FDA, now more than ever, needs a champion who is committed to dramatically changing the way this agency handles opioids. Every other Federal agency is fighting to address opioid addiction.

Let me tell my colleagues about addiction. There is not one of us in the Senate, there is not one person who works here who doesn't have someone in their immediate family or extended family or a close friend who has been affected by prescription drug abuse or illicit drugs, but the FDA continues to approve stronger and more dangerous opioid drugs, endangering the public.

In 2014, 18,893 people died due to a prescription opioid overdose. Again, as I have said, that is 51 people every day. That is a 16-percent increase from 2013 and it increased every year before that. We have lost almost 200,000 Americans to prescription opioid abuse since 1999.

The FDA Commissioner is an important figure in the fight against prescription drug abuse, and he or she must be a public health official whose top priority is stopping the opioid abuse epidemic.

We need to change the culture of the FDA to make them address the crisis seriously. That will not happen if the person at the helm is not a strong advocate—and I say a very strong advocate—who is committed to pushing back against the pressure to continually approve new opioid medications given the significant risks to public health, just for meeting a business model or a business plan.

I believe the FDA needs new leadership, a new focus, and a new culture. This is not disparaging anybody who is there or who wishes to be there. When I talked to Dr. Califf, I found him to be most qualified and will do a good job in some other position, I am sure.

I believe the FDA must break its close relationship with the pharmaceutical industry and instead start a relationship with the millions of Americans impacted by prescription drug abuse. It is just human nature for a person that basically has had all his research funded for many years from this industry, and it is going to be hard to change.

It is because of this that I will filibuster any effort to confirm Dr. Califf instead of voting to confirm a nominee who will not address the concerns of the people of West Virginia and all of America. I will come to the floor and read letters from those who have had their lives devastated by opiate addiction. I will read letters from children who have seen their parents die from an overdose. I will read letters from grandparents who have been forced to raise their grandchildren when their kids went to jail, rehab, or the grave. I will read letters from teachers and religious leaders who have seen their communities devastated by prescription drug abuse. I will read letters from West Virginians who need help from the FDA—not by putting more of these opiate killers on the market.

I urge all of my colleagues to examine the financial support Dr. Califf has received throughout his research career and ask themselves if he is the right person to change the culture of the FDA. This Senator is confident that when looking at all the facts, you will agree that we need a new nominee, one who will join us in the fight against this horrible epidemic affecting every nook and cranny of this country.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I know we are waiting for other colleagues to come to the floor to speak to the Energy bill itself or perhaps to offer amendments. I certainly would encourage that, as we are trying to get the process going with the Energy Policy Modernization Act.

Before my colleague from West Virginia leaves the floor, I want to thank him for his leadership on this issue. We have had conversations. I traveled to West Virginia at his invitation to view how West Virginia deals with its energy issues. They have a little bit of everything there in West Virginia, and I was able to see that.

One of the sad stories I learned, though, is what we were seeing in his State as it relates to opioid abuse—OxyContin and meth at that time. Our States share some similarities in that there are very rural characteristics in both West Virginia and Alaska. Even though we are far removed from most of the other States in this country, we are not immune or insulated from what we are seeing with this epidemic of opioid abuse brought on initially by access to prescription drugs and now being replaced in a horrible way with heroin that is impacting our kids,

young people, and folks who are ages that would surprise many. It is deeply troubling.

When you use words like “epidemic” or “pandemic,” those are very strong words, but I think that is what we are seeing in this country, and it is reaching from one end of the country to the other.

I want to acknowledge my colleague for the issues he has raised.

Mr. MANCHIN. If I may, Mr. President, let me first of all thank the Senator from Alaska for her leadership on the Energy bill. It has been a long time since we have had one on the floor, working in a most rational, common-sense approach trying to bring all parties together. She has done a great job working with MARIA CANTWELL, the Democrat on our side from the State of Washington.

I think we are finding there is a little bit of something for everybody, understanding that the energy policy should be an all-in policy. I come from a fossil fuel State and she comes from a fossil fuel State, and people think they can live without it. I think they can live better with it if we use technology, and that is what we have tried to push in this piece of legislation.

On the opiate issue, I have a passion. I have watched it, and it is devastating. When you have young kids coming to you and telling you that they have watched their parents die of overdose, they have watched their families split up, with the kids taken in different directions, it makes your heart bleed and makes you think about future generations and what we are going to face.

Then to have the Food and Drug Administration—I will give one example. It took them working 3 years to get all opiates to be reclassified from a schedule III to a schedule II. It took 3 years to get that done. To show the success we have had, millions of prescriptions have been reduced because now it is a 30-day mandatory, but let me tell you, it is still a problem that we have. Not everybody needs 30 days. Unless we start doing a whole reeducation of the doctors who basically write the prescriptions to understand sometimes you need it only for 1 or 2 days of assistance, we are over-prescribing and the pharmaceuticals are over-enticing, if you will, with stronger and stronger medications.

This Senator believes we need an FDA cultural change. That is it. I think if we can't do it here, if we don't drive it on the inside, then there is no one expected to do it on the outside.

In States that do the heavy lifting—Alaska, West Virginia—people are going to get injured from time to time. They have pain, and they need help. There are other methods. We are trying to go in a different direction.

I thank the Senator for recognizing that, but I also thank the Senator for coming to our State. We enjoyed having her, and I enjoyed being in her State.

Ms. MURKOWSKI. Mr. President, my colleague from West Virginia is always welcome to come back and learn more.

On the issue of Dr. Califf, let it be known that I, too, have concerns about his nomination, and it has nothing to do with opioids. It has everything to do with fish, and basically what we have referred to as a fake fish, a genetically engineered fish. All this Senator is looking for is an assurance from the FDA that if they are going to put this genetically engineered product out there for human consumption then there should be an appropriate labeling. I do not think that is too much to ask. I have asked for that, and the difficulty is getting folks within the FDA to have a full and important conversation about the import of that. So it is a different issue from what the Senator from West Virginia has discussed, but I think it goes to the issue of needing to have some communication within the FDA.

The FDA is an agency that has considerable authorities, and we in the Congress need to know that we can have a good level of dialogue and discussion going back and forth. I think we have seen a real lack or shortfall, and until I get certain assurances from the FDA as well, I am not planning on removing the hold that I currently have on this nominee, and we will be working with other colleagues on this.

My friend, the Senator from Colorado, has arrived to the floor, and I know he wishes to speak on the Energy Policy Modernization Act. The Senator from Colorado has been a great Member of the U.S. Senate since he came. He was a leader on energy issues when he was over at the House, and he has continued that in a very constructive and robust way. We can talk about energy matters that come from producing States like ours, but a recognition that Senator GARDNER's approach is not just that he comes from a fossil-fuel producing State; he is also looking to make sure that we move to a clean energy future. He is also very conscious and considerate about what we do with conservation. His leadership has been greatly appreciated.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I thank the Senator from Alaska for her leadership on the bipartisan Energy bill. It is a bill that came out of committee with an 18-to-4 vote, strong support on both sides of the aisle.

This is a bill that has components in it from grid reliability, to transparency, accountability, and clean energy. On the floor there are opportunities for amendments that will be discussed and brought out, including an amendment that is important to Senator SHAHEEN and I that will be discussing the impact the recreation economy has—the amount of dollars raised and generated through the recreation economy, spending money in the great outdoors, how it impacts our States, and the jobs it creates.

We know people come to States such as Colorado, New Hampshire, and Alaska to hike, fish, climb, ski, and partake in all of the great incredible recreational benefits we have year-round in Alaska, Colorado, and the rest of our many States with so many recreational offerings. I look forward to these discussions, and over the next few days I look forward to coming back to the floor to discuss other ideas in the bill right now, such as renewable energy, energy efficiencies, including my legislation to expand the use of energy savings performance contracts which could save this country \$20 billion without spending a dime of taxpayer money. These are incredible opportunities.

At this time, Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

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

REMEMBERING U.S. CAPITOL POLICE OFFICER
VERNON ALSTON, JR.

Mr. GARDNER. Mr. President, I rise today in memory of Vernon Alston. Vernon Alston, Jr., was a member of the U.S. Capitol Police. On Sunday, January 24, Officer Alston passed away after suffering from a heart attack. As was so common for Officer Alston, his concern had been for others that day. He spent the morning by serving those around him, helping those in his community shovel the incredible amounts of snow the area received.

Day after day, the men and women of the Capitol Police work to protect us all, not just the Members and staff, but anyone who comes to the Nation's Capitol to share in the history, heritage, and traditions of this place.

For two decades, Officer Alston dedicated himself to his work, and I am grateful for his many years of dedicated service on the Capitol grounds. This building stands as a representation of the values our Nation was founded on, and it is in this building that we continue to uphold the values of democracy.

The Capitol Police are often called America's police. They protect us as we carry out this work and safeguard those who travel from around the world to experience this living piece of American history which serves as the stage for our future. Their support for us is invaluable and unwavering, and this week it is our turn to support them as they mourn the loss of a dear colleague and friend.

Whether it is September 11 or the ricin attacks or anthrax or somebody who is here visiting who has a health issue, we know the support and the pride that every member of the Capitol Police Force brings to the job each and every day. They are never the first to flee, they are the last to leave, and for that we are eternally grateful.

My deepest condolences go to Officer Alston's wife Nicole, their children, and his family members. We will always honor his work and legacy. He is a member of our Capitol community, and he will truly be missed.

I yield back.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Minnesota.

TRIBUTE TO CANADIAN AMBASSADOR GARY DOER

Ms. KLOBUCHAR. Mr. President, I rise to honor the outgoing Canadian Ambassador to the United States, Gary Doer. Soon Ambassador Doer will return home to Manitoba, but, lucky for us, he will be a frequent visitor to Washington, DC, as the new cochair of the Wilson Center's Canada Institute Advisory Board. We are glad the Ambassador will continue to be an influential voice in shaping U.S.-Canada relations.

Over the last 6 years, I have had the privilege of getting to know the Ambassador. I knew we would get along well when I learned he was a longtime fan of Bud Grant, an incredible athlete who became the head coach of the Minnesota Vikings. From a Canadian perspective, he first coached the Winnipeg Blue Bombers of the Canadian Football League.

Bud Grant is adored in Minnesota and is still adored many years after he left coaching. In fact, it was during a recent playoff game that we remember well—in Minnesota versus the Seahawks—where Bud Grant came out in 17-below-zero weather and flipped the coin with no jacket on.

What I will also never forget is attending an event at the Ambassador's home. I walked in the door, and he had a framed photo of Coach Grant right next to a framed photo of the Prime Minister of Canada. We like that in Minnesota.

The Ambassador served for 6 years—or double-overtime, as he likes to call it. This is longer than his two predecessors combined. Ambassador Doer's long tenure and the fact that he served Prime Ministers from different political parties are testaments to his professionalism and character. Ambassador Doer is also well known in Washington for his humor and good nature, and I am sure that helps.

Minnesota shares a long border with Canada—in fact, about 547 miles. As I like to say, I can see Canada from my porch. That must be why early on in my Senate career Leader REID asked me to head up the Canada-United States Inter-Parliamentary Group, along with Senator MIKE CRAPO of Idaho. Together we have come to understand what an important geopolitical partner Canada is to the United States. I am a Minnesotan who is proud to share a border with Canada. I appreciate the country's friendship, culture, and beauty.

Not only is Canada America's biggest trading partner, but it is the only country with an embassy that at one point draped a sign that said "friends, neighbours, partners, allies." I will never forget how gracious Ambassador Doer was for hosting my swearing-in celebration at the Canadian Embassy in 2013. I am the only Senator in recent history to choose the Canadian Embassy as a site for my Senate reelection

swearing-in party, and a lot of that had to do with the Ambassador.

President Kennedy said this to the Canadian Parliament in 1961:

Geography has made us neighbors. History has made us friends. Economics has made us partners. And necessity has made us allies.

During his tenure in Washington, Ambassador Doer has been a strong champion for Canada and Canadians and an effective diplomat who gets things done. Through his successful 10 years as Premier of Manitoba and his efforts as Ambassador to engage leaders and citizens across the United States, the Ambassador has strengthened the already robust friendship and partnership between our two great nations.

His list of accomplishments is impressive. He has worked tirelessly on tourism and trade while ensuring the safety and security of the border between our two countries.

The Ambassador championed the agreement on the new bridge that will link Detroit and Windsor. This bridge is destined to become the most important border crossing between our two countries. For too long there has been complete gridlock on the bridge linking our countries. I know how hard the Ambassador has worked on the Windsor bridge, and for a while it looked as though it wouldn't get done. But the Ambassador never stopped fighting for it and refused to be satisfied until the deal was done, often using an old Gordie Howe saying that "you don't put your hands in the air until the puck is in the net." That is a hockey analogy between Minnesota and Canada. The Ambassador made sure the puck was in the net.

The Ambassador was also instrumental in the U.S.-Canada preclearance agreement, a new agreement that will facilitate travel, create jobs, and encourage economic growth in both countries, while ensuring a secure border. This initiative reaffirms the commitment of the United States and Canada to enhancing security, while facilitating economic activity, and will help move more than \$2 billion in goods and services and an estimated 300,000 people across the longest border in the world.

I know that the Ambassador considers it an accomplishment that he helped to eliminate unnecessary bureaucratic redtape, making it easier for businesses and agencies to operate by working to align regulatory systems and practices in health, safety, and the environment.

The Ambassador also strengthened Canada's role as a world leader in renewable energy when he worked to harmonize vehicle emission standards between our two countries, which will ultimately improve air quality on both sides of the border. In addition, the Ambassador fought for the Environmental Protection Agency Clean Power Plan, which provides Canadian hydroelectricity as a renewable energy that U.S. States can import and use to

comply with new Federal emission rules.

Ambassador Doer ensured that the surviving members of the World War II joint American-Canadian First Special Service Force, nicknamed the "Devil's Brigade," received the Congressional Medal of Honor for its part in ending World War II.

Like all friends, sometimes our nations have differences, but with his experience, tact, and plain-spoken pragmatism, Ambassador Gary Doer has ensured that these differences are bridged so that our two governments can move forward together.

In a 1943 address, President Roosevelt said this to the Canadian Parliament:

Your course and mine have run so closely and affectionately during these many long years that this meeting adds another link to that chain. I have always felt at home in Canada, and you, I think, have always felt at home in the United States.

Ambassador Doer, your service has added another strong and important link in the chain that connects our two countries. And as you have said many times in the past in Gordie Howe hockey terms, it is only safe to put your hands in the air after the puck is in the net.

Ambassador, you have put a lot of pucks in the net, and now you deserve a moment to put your hands in the air to celebrate your work. In hockey parlance, you have scored for your great country of Canada.

I am proud to have worked with the Ambassador during his time in the United States, and I hope he will always feel at home in our country.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent to engage in a colloquy with a number of Members.

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

NUCLEAR AGREEMENT WITH IRAN

Mr. COONS. Mr. President, today I come again to the floor to speak about the ongoing challenges that we face in our relationship with Iran, about some of the benefits that we have seen through the JCPOA—the joint comprehensive agreement on the nuclear program that Iran has now significantly set back—and some of the challenges that we face going forward.

We will hear from a number of my colleagues in the next 45 minutes, and I am grateful that they, too, are coming to the floor today to talk about the balance, what there is that we can recognize about the progress we have made under the JCPOA and what there is that remains to be done and that remains as a challenge.

There are some who believe that having reached so-called implementation day means that we have settled our scores with Iran, that there are no more concerns we have, and that we can now expect a complete and positive change in its behavior. But in my view this couldn't be further from the truth.

Now more than ever, we cannot afford to take our attention away from Iran.

My colleagues and I are on the floor today to explain why we must do more to strictly enforce this deal and to aggressively push back on Iran's bad behavior outside of the parameters of the nuclear deal. My personal concern is that if we don't, if we don't do this effectively, this important landmark nuclear agreement may not survive even into next year.

Let me at the outset say that there have been some encouraging developments in recent days. It is hugely encouraging to see an American, a U.S. citizen such as Jason Rezaian from the Washington Post, return to United States soil and be reunited with his family. He is someone who had been unjustly detained and sentenced without foundation. He is now once again free. A journalist—the best and brightest of American journalism—is now free and back in the United States.

I also want to recognize former marine Amir Hekmati, who was arrested while visiting his grandmother in Iran. He was also unjustly arrested and detained and is now also free in the United States.

I wish to move to another topic by way of introduction. In the past week alone, the Iranians have signaled that Iran is open for business again as Iran's leaders have hosted Chinese's President Xi Jinping, and Iranian President Ruhani has traveled to Europe to meet with the Pope and with leading officials from the French Government and the Italian Government.

Just a few weeks ago, Iran was still an international pariah. Business deals with the Iranian Government were illegal. Today, some foreign governments—some who are supposed to be our vital partners in enforcing the JCPOA—at times seem all too eager to resume business ties with the regime. At the outset I might caution those allies of ours to be mindful that American sanctions remain in place against Iranian bad behavior—whether it is their support for terrorism, their human rights violations, such as arresting and detaining Americans without foundation, or their illicit ballistic missile program.

So to further expound on the challenges that we face and the importance of having the resources in the U.S. Government and in the international monitoring agency called the IAEA that we need to be successful in enforcing this deal, I wish to invite my colleague from the State of New Hampshire to rise for a few minutes and to share with us her thoughts, having served on the Foreign Relations Committee, having closely studied this deal, and having looked forward to what the opportunities and challenges are for us in the weeks and months ahead.

Mrs. SHAHEEN. Mr. President, I am delighted to be able to be here to join my colleague from Delaware to talk about what is happening with enforce-

ment of the Joint Comprehensive Plan of Action.

If we want this to succeed, one of the things we need to do is to make sure we support the IAEA, the international agency that is charged with monitoring and verifying Iran's compliance with the agreement. I want to address that first, and then I wish to talk about some national security nominees who are also critical as we think about how we enforce this deal.

First, we all know that the IAEA is absolutely critical to the international nonproliferation system and to the enforcement of the JCPOA. Their employees are working day in and day out to verify critical aspects of the implementation of the agreement that prevents Iran from developing a nuclear weapon.

For example, on December 28, Iran shipped more than 12 tons of low-enriched uranium to Russia, where the fuel is stored in a facility that is guarded by the IAEA. The IAEA has increased the number of its inspectors on the ground in Iran. They have deployed modern technologies to monitor Iran's nuclear facilities, and they have set up a comprehensive oversight program of Iran's nuclear facilities.

The IAEA is constantly enhancing and improving its efforts. For example, earlier this month they installed the online enrichment monitor, or OLEM, to verify that Iran keeps its level of uranium enrichment at up to 3.67 percent, as they committed to under the JCPOA to keep it at that 3.67-percent level. This prevents Iran from enriching uranium to a point where it could conceivably be used in a nuclear weapon.

This is new technology. It was developed by the IAEA with significant support from American scientists at our Department of Energy national labs.

As a result of the JCPOA, this new system can be used in Iran.

The IAEA resources devoted to verification and monitoring are also increasing considerably with personnel devoted to monitoring Iran's nuclear program increasing by 120 percent and the number of days monitors spend in the field by 100 percent. If we want the IAEA to be successful in making sure this agreement is successful, we need to provide robust financial support so that they can deploy the best scientists in the world for inspections and so that they can deploy the best equipment to monitor Iran's compliance.

IAEA Director General Amano has called on member states to provide long-term funding for the IAEA's additional activities in Iran that are estimated at approximately \$10 million a year. If we think about this cost, that is a very good investment for America as we prevent Iran from getting a nuclear weapon.

I have other colleagues on the floor who wish to speak. So I can wait and talk about nominees after they have had a chance to speak, if that makes sense.

Mr. COONS. That would be fine. I think there is a strong point being made by my colleague from New Hampshire that I will just briefly expound upon and then invite my colleague from New Jersey to join in this conversation.

Earlier this month, I traveled with a number of my Senate colleagues to the headquarters of the International Atomic Energy Agency and heard from them directly the same sorts of concerns my colleague from New Hampshire just laid down. They are struggling with how to ensure that they have the resources, the staffing, and the equipment to take on this remarkably broadened scope of inspections.

One of the underappreciated, positive benefits of the JCPOA is that the IAEA now has unprecedented 24/7 access not just to Iran's nuclear enrichment sites but to its centrifuge production workshops, its uranium mines mills, the entire so-called fuel cycle for the production of nuclear material within Iran. So I believe, as does my colleague from New Hampshire, that the IAEA needs and deserves greater funding, more reliable funding, more robust and long-term funding.

The oversight and monitoring mechanisms of the JCPOA, if strictly enforced, can serve as a viable deterrent to Iran's cheating and, in a worst-case scenario, provide the international community with early warning and enough time to respond if Iran decides to break out and dash to a nuclear weapons capability. But access to all of these sites is only valuable if the IAEA has the resources it needs and has asked for to conduct thorough inspections.

So my colleagues and I will be working together with the administration and others of our colleagues in the months ahead to authorize not just an adequate level of funding of 1 year or 2 years in advance but to put in place a long-term, reliable source of funding. As my colleague from New Hampshire said, there could be no better investment than in ensuring deterrence through vigorous and comprehensive inspections to prevent Iran from ever renewing its dream of access to a nuclear weapon. We will press the administration to work with all of us on this and to make this a higher priority going forward.

The idea that we have world-class nuclear scientists in the United States and that the IAEA has world-class nuclear inspectors and together they have developed new technologies and can deploy highly skilled teams to do this monitoring in Iran is a great opportunity, but it is only meaningful if we contribute the resources to ensure that those inspectors do their jobs.

So let me turn to our colleague from the State of New Jersey who wants to speak about some of the pros and cons of this critical turning-point implementation.

Mr. BOOKER. I thank my colleague, and Senator SHAHEEN as well, for em-

phasizing what I think needs to be emphasized, which is that we have in the IAEA an ability to do the most intrusive inspections ever before seen on the planet Earth. That agency—an important point Senator SHAHEEN was making—needs to be funded and funded well. We need to make sure the international community is standing there, and America needs to lead in that way.

I anticipate hearing Senator SHAHEEN also make the point, though, that it is the height of malfeasance for us here in this country not to have people in the right places to do the other things necessary to hold Iran accountable. We can't sound like a hawk around the debate over the JCPOA and then sound like a chicken when it comes to putting the funding forward necessary to prevent them from engaging in destabilizing activities in the region. I am grateful Senator SHAHEEN will make that point further, but I just want to review again what has been accomplished come implementation date because it is still an extraordinary victory for diplomacy, taking the spectre of a nuclear-armed Iran and evaporating, eviscerating, pushing it back at least for 15 years.

In that region, we now have the spectre of a nuclear-armed Iran pulled back, and we have the ability of moving forward with greater diplomacy. In order to get there, some pretty extraordinary things have happened. We have now effectively blocked Iran's uranium pathway to a bomb, with 12 tons of enriched stockpile—virtually all of its stockpile—shipped out of its country, and two-third of Iran's centrifuges have been taken offline. So there has been a significant removal of Iran's pathway.

In addition, we have blocked the plutonium pathway. The heavy water reactor in Iran has been filled with concrete. It is no longer operational. It has been permanently disabled. This makes sure that pathway to producing weapons-grade plutonium has been eliminated for the foreseeable years in the future.

Again, it has established unprecedented monitoring. The IAEA has gained unprecedented 24/7 access to all of Iran's nuclear facilities, including the pathway toward a weapon. Now we have intrusive monitoring and intelligence-gathering capabilities we never had before.

Most recently, Secretary Kerry was able to call upon his Iranian counterpart to secure the release of sailors. The reason why I say that is the quick turnaround of the sailors being released shows that these historic steps of the JCPOA have put us in an environment where diplomacy works in other critical areas.

Now, let's be clear, and these are important points I want to make. We must remain vigilant as a Congress and we must be vigilant in this body to make sure that other areas of Iran's activities are being watched in every single way and that there are repercus-

sions for any Iranian violations of its nuclear agreements. This first step is impressive and historic and has really done a lot of good in removing that nuclear threat for at least 10 to 15 years, but it must come with real repercussions for any violations. The only way to ensure that the path of diplomacy is validated is to hold Iran accountable. It must meet all of the commitments—not just those for implementation day but during the whole process of the JCPOA for the many years ahead.

Again, the oversight and engagement of Congress on monitoring provisions of this agreement are absolutely vital. That is in many ways a chorus of conviction amongst my colleagues speaking here tonight to make unmistakably clear that we have eyes and ears on this agreement. All of my colleagues are saying on the floor today that we expect Iran to test the bounds of the JCPOA, but if there are signs that Iran is not abiding by the terms of the agreement, we are firm in our conviction that Congress must not hesitate to levy new economic sanctions, isolate Iran diplomatically and financially, and use security and military measures if that is what it takes to keep them from obtaining a nuclear weapon.

Iran's obligations under the JCPOA are ongoing and must be continually verified. It is one thing for Iran to cooperate sufficiently to achieve the transfer of frozen assets and the dismantling of the international sanctions regime; it is quite another for it to cooperate in an ongoing basis after these aims have been achieved. That is the responsibility of the administration and this Congress.

The JCPOA must serve as one part of a larger strategy with Iran. This is about the nuclear agreement and pushing back the spectre of a nuclear-armed Iran. But this is just one part—it must be just one part of a larger strategy with Iran. The diplomatic success with the JCPOA is commendable, but tensions between our closest partners in the region and Iran remain high. I was just there, and we saw the concerns of the Israelis, of Saudi Arabia, of Turkey. Iran is continuing its destabilizing activities, testing ballistic missiles, and further flaming tensions in the region. These events demand that we be even more attentive and engaged so that our allies and others know that the United States will not hesitate in the face of Iran's continued defiance of international rules. The implementation of the JCPOA is again an important step, but as a stand-alone strategy, it is just not enough.

In addition, Iran has been a bad actor in nonnuclear areas, and the United States needs to hold it responsible. Therefore, in addition to the accountability measures we are taking with the nuclear regime, there must be an understanding that we cannot allow the Iranians to grow the shadow of this agreement to cover all their other non-nuclear destabilizing activities. Congress and the administration must be

prepared and must be willing to levy appropriate economic sanctions needed to respond robustly to these destabilizing activities.

I believe it is unacceptable for us to move forward in any way that allows Iran to flaunt international law to violate any of the balance of the agreements we have made. We need to make sure we meet them. Iran could try to use the additional funds they receive through this deal to do things that undermine regional security. That cannot be allowed. We must continue to work closely with our allies and respond to every single bit of Iranian aggression that undermines international order and violates international regions.

With that, I turn back to Senator COONS to continue this dialogue.

Mr. COONS. Mr. President, I thank my colleague from New Jersey.

I wish to emphasize a point he made. We need to remain vigilant. We need to remain ready to impose additional sanctions on those actions by Iran that are outside the JCPOA. We saw two launches of ballistic missiles by Iran late last year, designations recently having been made of those involved in supporting Iran's ballistic missile program.

There is other bad behavior by Iran—violations of human rights that led to the long and unjust detention of Amir Hekmati and also potentially their increased support for terrorism in the region.

I invite my colleague from New Hampshire to help us understand what barriers there might be to the administration vigorously enforcing the sanctions that remain on the books here in the United States if we as a body don't act to do our part in making sure the administration has the resources they need.

Mrs. SHAHEEN. I thank Senator COONS.

As we know, one of the challenges is having people in place in the various agencies who can enforce this agreement and hold Iran accountable. That is where I think we have a real challenge because we have a number of nominees who need to be approved, but there are three who stand out as particularly important. First is Tom Shannon, who was nominated to be the State Department's Under Secretary for Political Affairs. Second is Laura Holgate, who is nominated to be the U.S. Ambassador to U.N. offices in Vienna. Included in those offices is the IAEA. The third and maybe even the most important as we think about future sanctions on Iran is Adam Szubin, who has been nominated as the Treasury Department's Under Secretary for Terrorism and Financial Crimes.

Shannon was nominated on September 18. This nomination is currently on the floor. Holgate was nominated on August 5. Her nomination is pending in the Senate Foreign Relations Committee. Szubin was nominated on April 16, and his nomination has been held up in the Banking Com-

mittee despite the support he has from the chairman of the Foreign Relations Committee.

I know a number of my other colleagues are going to speak to these nominees, but I would like to point out that last week we had a hearing in the Foreign Relations Committee on the implementation of the JCPOA, and one of the witnesses who had not been a supporter of the agreement—Michael Singh—was a witness at that committee hearing. I asked him about Adam Szubin. He described him as a "good guy who had done great work for the country" and as someone whose nomination should go forward because it would allow us to continue to look at the sanctions regime and what we need to do.

The reality is—and I am sorry to say this because I think it contributes to what the American public is concerned about when they look at us in Washington and what we are doing. I think these nominations are being held up for purely political reasons. It has nothing to do with the background of these candidates, with their expertise, or with what they would do on the job; this is about individuals within this body who are trying to hold up these people for their own political gain. I think this delay is harming the national security interests of the United States. It is something every one of us ought to be concerned about, and we ought to be yelling about this because it is long past time that we confirm these individuals, let them do their jobs, and continue to do everything we can to protect this Nation's national security.

I thank Senator COONS for organizing all of us to come to the floor today to talk about what we need to do as we are implementing the joint plan of action.

Mr. COONS. I thank the Senator from New Hampshire.

I want to emphasize again that these three nominees—Tom Shannon, Laura Holgate, and Adam Szubin—have been waiting for months. In particular, Adam Szubin is a nonpartisan career professional, having served in both the Bush and Obama administrations. Being the lead enforcer, the lead investigator in sanctions, he has now been nominated to take on the top role at the Department of Treasury in making sure our sanctions have bite and stick.

Why wouldn't we proceed on a bipartisan basis to give this administration the senior officials and the resources it needs to enforce sanctions, to keep us safe, to make sure this nuclear deal is enforced? Whether we voted for or against it, supported it or opposed it, I can't comprehend why any Senator would consent to the ongoing months-long delay in these vital nominees being confirmed so that the administration can do the job that I believe all of us want them to do, which is to enforce sanctions against Iran for its bad behavior.

Mrs. SHAHEEN. Will my colleague yield for a question?

Mr. COONS. Of course.

Mrs. SHAHEEN. It is my understanding that Adam Szubin has been held up and we have never heard a reason why he is being held up in that committee. Is that the Senator's understanding as well?

Mr. COONS. That is my understanding as well. There is no publicly articulated basis—certainly no basis that has anything to do with his qualifications, skills, experience or relevance to the job—as is the case with all three of these nominees.

There are many other nominees we could be talking about, whether for judgeships, ambassadorships or senior positions. These three we have chosen to focus on today because they are so directly relevant to America's national security and to the successful enforcement of this complex nuclear deal with Iran.

As I said, and Senator SHAHEEN and Senator BOOKER said earlier, the IAEA has incredibly broad scope to investigate what is going on in Iran, but if we don't have the senior people in our government, in the administration, that can take action when things are discovered in Iran that we want to be active in taking on or when there is bad behavior outside of this nuclear agreement, we have no one to blame but ourselves as a body for failing to provide our administration with the senior leadership and the skills and the resources needed to really defend America.

I wish to encourage and invite my colleague from the State of Connecticut to add, as he wishes today, both the positives about implementation day and the concerns he might have going forward, such as these vital national security nominees whom Senator SHAHEEN and I have been discussing.

Senator MURPHY.

Mr. MURPHY. Senator COONS, thank you for convening us.

I think it is important to restate the progress we have made. I know it has been said before, but frankly not enough attention has been paid to the fact that since implementation day Iran has shipped 12 tons of enriched uranium out of Iran and kept enrichment at that 3.67 level, which is significantly below what is necessary to create a bomb. They filled the core of the Iraq plutonium reactor with concrete, preventing them from producing weapons-grade plutonium. They started to allow the IAEA access to the entire nuclear fuel cycle or uranium enrichment, including their centrifuge production shops and uranium mines and mills.

Of course, as has been stated before, the IAEA has been given an unprecedented level of access to the entirety of the supply chain leading up to any future potential development of a nuclear weapon. That is an unprecedented level of access that will require an unprecedented level of support. We are talking about an additional \$10.6 million per year that the IAEA is going to

need to carry out these oversight responsibilities. The United States puts up a percentage of IAEA's funding, but it is still the minority of funding.

One development that we need to guard against are attempts in Congress to undermine this agreement in very quiet, subtle ways. There is a bill that has been introduced in the House of Representatives that would disallow the United States from funding the IAEA unless it grants the United States access to the contents of proprietary bilateral arrangements. That would have the results of stripping the funding necessary to carry out this agreement. If the IAEA doesn't get U.S. funding, it simply can't have the purview it has been granted, by virtue of this agreement, of the entire field cycle throughout the country.

As important as it is to get the personnel in place who can enforce this agreement, who can root out the ways in which Iran may take money they get by virtue of this deal and support terrorism in the region, it is also important to make sure the IAEA is properly funded as well.

Senator COONS, the only comment I would add to this discussion is this. I think for those of us who supported this agreement—I will speak for myself. I supported it because this was the most effective way to stop Iran from obtaining a nuclear weapon—period, stop. With this agreement, we were much more likely to prevent Iran from obtaining a nuclear weapon than we were without this agreement, but we certainly accepted the premise that it is in our long-term security and strategic interest as a country to facilitate the transition of power within Iran from the hardliners who have chosen a path of Iranian foreign policy to be simply a provocateur and an irritant in the region to the more moderate elements who would like to see Iran re-engage on big questions of both regional and global security.

I don't think you can count on that happening. I don't think anybody should have voted for this agreement or supported this agreement because they were counting on that being the end result, but you have started to see a different level of engagement, whether it is with the release of the prisoners as you spoke about, whether it was about the resolution of the detainment of U.S. personnel, and we will shortly see whether this battle that plays out almost every day inside Iran is ultimately accruing to the benefit of the moderates. We will have elections next month in Iran.

I think we should support this agreement because it strips from Iran the ability to rush to a nuclear weapon, and you see the evidence already in the steps they have taken since the implementation agreement, but I think we should read with some level of positive interpretation some of the resolution of crises that we have seen just in the time passed over the course of 2016. That doesn't mean there aren't still

enormous issues still at stake, but it is in our security interests, and it was part of the discussion of this agreement to ultimately bring Iran to a place in which the will of the vast majority of that country be expressed in the leaders who speak to the world community.

I thank Senator COONS for continuing to bring us down to the floor. I think as important as it is to talk about the positive steps that have been taken since implementation day, it is also important to note that we have a lot of work undone—whether it be funding the IAEA, confirming these important positions—and we have a lot of work to do in terms of remaining vigilant about the quiet, subtle ways that may be undertaken in this body and across the hall in the House of Representatives to try to undermine this deal that is working.

Thank you very much.

Mr. COONS. I wish to thank my colleague from Connecticut for his active leadership role on the Foreign Relations Committee and his deep interest in this topic.

By way of transition to my colleague from Pennsylvania, I briefly want to point out this picture of the Arak heavy water reactor in Iran. To me, it is a symbol of both what implementation day and the JCPOA letter promises positively and the unresolved risks it presents.

Implementation day has only been reached because the IAEA—the International Atomic Energy Agency—certified to the world that Iran had taken the very core of this reactor, capable of producing weapons-grade plutonium, and filled it with concrete, rendering it useless for the production of significant quantities of plutonium. That is a significant step forward, but when a reporter asked me the other day: Does Iran still pose a nuclear threat to the United States and our vital ally Israel, I said: Of course. When asked why, I said because they still possess the knowledge, the resources, the engineering, the uranium in the ground, in the mines, in the mills of their country, and the engineers and the facilities to at some point enrich once again to weapons grade. If we don't stay on this, if we don't fund the IAEA effectively to conduct this oversight and these inspections, if we don't stay attentive to this issue, we will simply wake up again at a point 5, 10, 15 years from now and discover that what we have in Iran is a nation that has translated its natural resources, its rich uranium deposits, and its engineering know-how into once again being in a place to threaten the world.

I wish to invite my colleague from Pennsylvania to talk about how our regional vital allies perceive the path forward and what concerns he has and how he sees implementation day.

Mr. CASEY. Mr. President, I first of all thank Senator COONS and my other colleagues who are working on this. It is very important to walk through

where we are in the process. If I had to step back at this moment and say: Well, now that the Joint Comprehensive Plan of Action is moving forward and we are beyond implementation day, what do we have to look for over time? If I had to boil that down to three words—really three goals we must work toward every day. On some days it has to be the United States on its own and other days working with allies, those who participated in this agreement and signed it and partners in the region—but the three words I guess would be as implementation is going forward, we have to focus on three goals: enforce, counter, and deter. Enforce, making sure the agreement is enforced at every step. I will get to the issue of the consequences for violations of the agreement. Counter, meaning countering the Iranian aggression in the region. That is why it was so important that the President and the administration he leads was very clear about the designation and the sanctioning of the Iranian regime as it relates to ballistic missile launches and their activity. The third is deter. We have to have a deterrence policy that stays in place and, if anything, is strengthened over time.

If we do a good job on those three things over the next several decades—literally—enforcing the agreement, countering the aggression, and deterring them—we will have the result we want years from now.

First of all, on the question of consequences, similar to a lot of Members of the Senate when I made a decision about the agreement, I wrote down page after page walking through my reasons. At the time I wrote the following: "We have to prepare for the possibility that the Iranian regime may violate the agreement and may even engage in activity constituting significant non-compliance with the JCPOA."

That is what I wrote several months ago. That still holds true today. We must not trust in Iran's compliance. In fact, some may say that using President Reagan's old formula, which was "trust but verify"—and I will be blunt about this, these are my words—in this case, until proven otherwise, we must mistrust and verify, mistrust the regime and verify. That is the nature of where things are right now.

We have to vigorously verify any asserted reason or action the Iranians would take. Also, in the process of doing that, we have to work with our partners to ensure that any violations will be met with swift multilateral consequences. That means we need other nations to help us. We can't do this on our own.

We cannot know whether and how the Iranian regime might violate the agreement. For example, we might see them drag their feet on allowing the IAEA access to certain nuclear sites, especially ones where covert activity may be suspected.

I firmly believe hardliners in Iran will be watching how we respond to

any violation. The best way to condition behavior, the best way to impact what they might do, the best way to cause them a second thought down the road is to aggressively enforce violations of the agreement.

It is important we work in lock step with our European partners to prepare for these violations. I hope it doesn't come to pass, but I think we have to assume, and I will assume, that they will violate the agreement. Many of us met with our European friends before making decisions about the Joint Comprehensive Plan of Action. We need to continue these conversations to ensure that as businesses and business ties increase between the Iranian regime and Europe and other parts of the world, we have to remain unified in our stance on the potential Iranian violations of the deal. That is about violations.

The second and final point, briefly but so important to our deliberations and our actions, our friend and ally Israel, the relationship between the United States and Israel is unbreakable. We have to make sure that as we move forward with the implementation of the agreement, we insist that our policy reflects that unbreakable relationship and also continues what has been very strong support for Israel for many years, if not generations, now. We have to recognize at the same time that Israel faces significant threats from Iran and its proxies, especially Hezbollah and Hamas. We also have to assume that Iran will continue its aggression in the region. That is why I talked about countering that aggression before. And we have to assume that Iran will try to expand its support for terrorism.

We have already taken some initial steps to expand cooperation with Israel on defense and homeland security, including beginning consultations toward a new 10-year memorandum of understanding, or MOU. That memorandum of understanding on defense cooperation is vital in initiating new efforts to address, among other threats, the terror tunnels Hamas has constructed, which threaten Israel all the time.

I urge the administration to focus on the capabilities Israel requires to face both conventional and asymmetric threats and to ensure that the new memorandum of understanding constitutes a transformational investment—not just one budget year to the next budget year or appropriation to appropriation year—in our bilateral relationship with Israel going forward. We should all meet with Israeli leaders to hear their firsthand assessments of the threats and to reassert our mutual interests in countering Iranian aggression.

I yield the microphone to my colleague Senator COONS again, but first I wish to thank the Senator from Delaware for his leadership and for what I believe is a bipartisan determination that we have to do everything possible to enforce this agreement aggressively, with consequences when there is a vio-

lation, counter Iranian aggression in the region and beyond, and deter, deter, deter over what will be more than one generation.

I yield the floor.

Mr. COONS. Mr. President, I thank my colleague from Pennsylvania for his clear-eyed assessment of the challenges that lie ahead as we try to move past implementation day and into a positive world where together we might be able to provide the administration with the resources they need to enforce the agreement, counter Iran's bad behavior, and deter Iran from any further illicit or bad behavior.

I wish to invite my colleague on the Foreign Relations Committee, Senator KAINE of Virginia, to offer any thoughts he might care to share at this point before we bring this colloquy to a close.

I know Senator KAINE has followed the importance of the inspections regime under the JCPOA closely. As Senator SHAHEEN and I both referenced earlier, full and robust funding of the IAEA is the only way to ensure they really have the ability to enforce this agreement and make sure this heavy water reactor does not somehow get redesigned, reengineered, and restarted in the future.

I invite my friend and colleague from Virginia to offer his thoughts on how to make sure we are effectively enforcing this deal.

Mr. KAINE. Mr. President, I thank my colleagues for taking the floor on this important matter. While I serve on the Senate Foreign Relations Committee, I actually want to talk about this issue from my standpoint on the Senate Armed Services Committee.

I happen to believe that one of the most valuable military assets we have as a nation is information intelligence. In that capacity, what we have under the JCPOA is the dramatic ability to learn, sadly, from tragic mistakes.

After more than a decade of war in Iraq and thousands of lives lost, we know that operating in an environment where we base national security decisions on what we don't know rather than what we do know can be tragically costly.

Over the weekend, there was press about a recently declassified report from the Joint Chiefs of Staff on weapons of mass destruction. It was submitted to former Secretary of Defense Donald Rumsfeld in September of 2002, around the time Congress and the administration were trying to decide whether to invade Iraq. The report that was given to the Secretary of Defense—and it was not widely shared with the administration or Congress at the time—confirmed that our officials at the very top levels of the intel and military community knew very little about the actual status of Iraq's WMD program. The report concluded that what we suspect is “based largely—perhaps 90 percent—on analysis of imprecise intelligence.”

While the national security apparatus was acknowledging that it was

operating in the dark, it was nevertheless planning for war.

On March 7, 2003, 2 weeks before the beginning of the Iraq invasion, the IAEA presented to the U.N. an updated report on Iraq's nuclear activities. The report stated that they had conducted 218 nuclear inspections at 141 sites and concluded at the time that there was no indication of resumed nuclear activities since 1998, no indication that Iraq had attempted to import uranium since 1990, no indication that Iraq had imported aluminium tubes, and no indication that they had sought to import magnets for use in centrifuge enrichment. The IAEA said they had no information suggesting that Iraq had a WMD program specifically with nuclear weapons.

We ignored what the IAEA told the U.N. the world, and us, and instead we went to war based upon a national intelligence estimate that said we didn't know what they were doing. That decision locked us into a decade of combat operations which resulted in a tragic cost. We know the rest of the story: 4,484 Americans lost their lives in connection with the war in Iraq from 2003 to 2011 and another 32,246 Americans were wounded. We also know that it turned out the IAEA was right. Once the war was waged and we got in and had our own ability to gather intelligence and information, we found out that Iraq didn't have a program of weapons of mass destruction, so we went to war based upon a faulty assessment and we didn't have the information we needed.

Let's contrast what happened in 2002 and 2003 with the opportunity we now have before us as a result of the JCPOA. The agreement of Iran to follow for the next 25 years an enhanced inspection regime and be inspected by the IAEA to a standard that no other country in the world must follow is very unique. It will provide us and all of our international partners with significant intelligence about Iran's program. After year 25, Iran has also agreed to submit and follow the additional protocol of the IAEA, which also guarantees significant intelligence and inspections.

What does that give us? It arms us with information. It arms us with facts. It arms us with intelligence. Those are some of the best military assets we can have. With intelligence, we obviously hope that Iran never makes a move to develop nuclear weapons, but if they do, with intelligence we can blow the whistle and inform the world that they are violating paragraph 1, page 1 of the agreement where they pledged never to seek, acquire, or develop nuclear weapons. With intelligence, we can make a wise decision rather than a blind decision as to whether we should send American men and women into war to try to stop a nuclear weapons program. With intelligence, we can even target military action to be more effective. That is what the JCPOA gives us that we

didn't have before. That is what it gives us that we didn't have in Iraq, and we regret that we didn't have it.

I say to the Senator from Delaware that I noticed during our recent visit to Israel that the tone seems to be changing a little bit as far as our dialogue with our Israeli allies about this deal because the dramatic nature of the intelligence is now being seen by our strong allies in Israel as something that is potentially transformative.

Two days ago, the chief of staff of the Israeli Defense Forces gave a speech in Tel Aviv. Gadi Eizenkot spoke on Monday at a national security conference in Tel Aviv and basically said that the nuclear deal with Iran constitutes a strategic turning point. He didn't whitewash it; he said "many risks but also opportunities." What are the opportunities? He said the deal reduces the immediate Iranian threat to Israel because it rolls back Iran's nuclear capabilities and deepens the monitoring capabilities of the international community.

After all the drama about how it was a historic mistake, how refreshing it was to go to Israel a few weeks ago and hear security and intel officials talk about what this enhanced intelligence meant with respect to Israel's security.

We know there is no guarantee that a diplomatic deal will work out, and my colleagues have laid out the need for strict implementation, but we also know—and we have the scar tissue, so this is painful knowledge—that we are much safer if we have better information, we are much safer if we have better intel, and we will make much better decisions.

I certainly pray that we will never again send American men and women into war based on a false intelligence assessment. The only way we can guard against that eventuality is to have stronger intelligence. The IAEA inspections will give us better intelligence and should help us make better military decisions in the future.

With that, I yield the floor back to my friend from Delaware.

Mr. COONS. Mr. President, I thank the Senator from Virginia. We had a terrific experience traveling together to Israel, Turkey, Saudi Arabia, and Vienna. In Vienna, we met with the leadership of the IAEA. We asked tough questions and learned more about their needs and plans for thoroughly inspecting every aspect of Iran's nuclear program. We heard about the concerns of our close regional allies in Turkey and Saudi Arabia.

We need to strengthen our partnership with regional allies who are uncertain about the future with ISIS but who were, frankly, grateful for the increased intelligence partnerships between the United States, Turkey, and Saudi Arabia, but most importantly with our vital ally Israel, as the good Senator from Virginia has recounted. We heard from the Prime Minister, the Minister of Defense, opposition leader-

ship, and intelligence and defense community leaders that the partnership with the United States is stronger than it has ever been and that they view this path forward with Iran as having challenges and opportunities—opportunities in terms of intelligence to be gained, opportunities in terms of pushing back on what was a rapidly advancing Iranian nuclear infrastructure and program, and now a challenge—a challenge to work together and provide exactly the sort of oversight and engagement that only a duly-empowered and active Congress can take.

Let me close out the colloquy of six Senators by making a few simple observations, if I might. Congress has an essential role to play in ensuring that this nuclear deal with Iran moves forward and moves forward in our best national interest. Congress should not only provide oversight but also take action. The simplest is a point about which Senator SHAHEEN spoke at length—the importance of securing key national security nominees essential to the enforcement of sanctions.

We can also take proactive action here in this Chamber by passing the Iran Policy Oversight Act. Its drafting was led by Senator CARDIN of Maryland, but a dozen other colleagues—some who opposed and some who supported the deal—joined in as initial cosponsors. It is a bill that would clarify some ambiguous provisions of the JCPOA, establish in statute America's commitment to enforcing the deal, engage us in more comprehensive efforts to counter Iranian activity in the Middle East, and provide increased support to our allies in the region, especially our valued ally Israel. This is a step this body can and should take, and to do so would be much in the bipartisan spirit we saw in the Foreign Relations Committee between Chairman CORKER and Ranking Member CARDIN that produced the Iran Nuclear Agreement Review Act.

I think passing the Iran Policy Oversight Act would be a strong and important contribution by this Chamber.

Speaking for only myself, I will also say that I think we should reauthorize the Iran Sanctions Act, which is set to expire this year. Having that law reauthorized would provide a viable framework through which the United States could snap back sanctions if Iran violated the JCPOA.

Each of the ideas we have outlined—confirming vital national security nominees; passing enforcement legislation; and fully funding, reliably and for the long term, the IAEA, the inspections watchdog that is supposed to keep a close and persistent eye on Iran's nuclear facilities represents critical—these represent critical, concrete steps Congress can take.

If the United States alone cannot enforce this complex deal, we have to keep building international support for the imposition of new sanctions to punish Iran for its ongoing human rights abuses, its illegal ballistic missile ac-

tivity, and its support for terrorism in the Middle East.

If we are going to be serious about our constitutional role to provide for the common defense and general welfare, I would argue that we here in the Senate have a sacred obligation to provide not only oversight of this deal but to also take action and enforce its terms and push back on Iran's bad behavior and to demonstrate to the world that the United States is serious about securing a peaceful, nuclear-free future, as difficult as that may be, for the Middle East.

With that, I thank my colleagues who joined me here on the floor and yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I wish to talk about the bill we have on the floor and how important I think it is not only to my State but to our United States in terms of our energy security and energy policy modernization.

I rise to support the Energy Policy Modernization Act of 2016. I think this legislation recognizes the critical need to improve our Nation's energy infrastructure and how we can use our natural resources.

I commend Chairman MURKOWSKI and Ranking Member CANTWELL for their hard work to get this bill on the floor. I am honored to be a member of the Energy and Natural Resources Committee. The open process they led in the Energy and Natural Resources Committee, as the Presiding Officer knows, resulted in a strong bipartisan vote of 18 to 4 in support of this bill.

I think it goes without saying, but this country needs an updated, comprehensive policy that brings an "all of the above" approach to the way we utilize energy. This is the first major energy legislation to be considered by the Senate since 2007. This bill will help make our homes, our cars, our public buildings—think about how old and inefficient a lot of our public buildings are, including our schools—more energy efficient. It will help improve our parks and lands through the reauthorization of the Land and Water Conservation Fund.

This bill will enhance our ability to fully utilize our vast natural resources so that we remain and become even more energy secure in the years to come.

There are few people who know energy potential better than the people of West Virginia. West Virginia's Marcellus region has the largest shale gas reserves in the United States. It is really a magnificent thing to watch as it is developing. It is a job creator, an excitement creator, and a revenue generator. It is a reason to have a revitalized part of our State come alive as we participate in the energy economy. Coupled with the nearby Utica region, these two shale formations have accounted for major increases in natural gas production since 2012.

West Virginia's natural gas production has nearly quadrupled between the

years 2008 and 2014. As I said earlier, it has happened fast and quick, and it has really exploded throughout the region in terms of job creation.

Unfortunately, despite this unprecedented increase in natural gas recovery, our producers have been underserved by a lack of pipeline capacity. Nobody knew this existed until just in the last 10, 12 years. Our current permitting process for pipelines can take years. It is slow and uncertain, which means delayed construction, if we get to construction, and, in turn, delayed manufacturing projects and access to affordable energy. Many manufacturers across this country rely on cheap, affordable natural gas, not just as an energy producer but in our chemical industries as feedstock to create.

Last spring, the Charleston Daily Mail editorialized that “the big gas boom that has increased employment and tax revenue in West Virginia has slowed considerably less due to slowing markets than a lack of pipeline infrastructure to carry the burgeoning supplies.”

Earlier this month, the Clarksburg Exponent Telegram, another fine newspaper in West Virginia, editorialized that “the promise of more than 18,000 jobs tied to the construction of six interstate gas pipelines is the last hope for prosperity for a generation of Mountain State residents.” The paper continued that regulatory delays are slowing these important projects.

West Virginia has been hard hit by job loss in the energy sector. Just this week, more than 850 West Virginia coal miners received notices that their jobs may be at risk. They join more than 500 other West Virginia miners who were informed after the start of this year that they would be losing their jobs, not to mention that the whole total job loss in the coal economy in my State has been 10,000 direct jobs, as miners as well as some other indirect jobs that contribute to the mining industry, most recently CSX and Norfolk Southern, are announcing cutbacks.

Moving forward with improvements to our energy infrastructure will create construction jobs and economic opportunity in my State, where both are desperately needed. That is why I am pleased that this bill includes language that I introduced, along with Senators HEITKAMP and CASSIDY, that would address the fragmented and prolonged permitting process for pipelines. This provision will streamline the application process so pipelines can be constructed in a more timely and efficient manner and will meet our energy transportation needs, along with meeting the environmental requirements that we feel are proper in order to site the pipelines.

The provision establishes FERC as the lead agency for the permitting process. This helps to address any interagency squabbles or disputes that can lead to project delay.

We must make use of our natural resources to grow our domestic manufac-

turing. We should also use our abundant gas reserves to export liquefied natural gas to our allies. A strong export policy will bring jobs and revenue to producing States such as my State of West Virginia and to many others across the country. It will also help with energy security for our allies in Europe and Japan at a time of growing instability around the globe.

This bill includes Senator BARRASSO’s bill to expedite LNG export permitting so that natural gas produced here in America can be sold to our allies around the world. Going forward, innovation will be a key component in powering West Virginia’s energy economy.

In addition to our rich natural gas reserves, West Virginia has been one of the major producers of coal for energy generation in this country for decades—centuries. My State and our Nation have faced an uphill battle in the administration’s war on coal, despite the fact that coal still remains America’s baseload energy source. We need a commonsense approach to coal-fired energy generation, one that doesn’t simply try to eliminate it but instead incorporates it into a modern, innovative energy policy.

That is why I cosponsored language included in this bill, with Senators MANCHIN and PORTMAN, that will revitalize the fossil energy program at the Department of Energy. This program is critical to the research and development of new technologies that make fossil energy more efficient and more reliable, while at the same time reducing emissions.

One of the most promising advances in fossil energy technology is carbon capture utilization and storage. Not only will this technology ensure that our significant coal reserves are part of an overall strategy, but it could also be used for enhanced oil recovery that will further strengthen our energy security.

A modern energy policy must recognize that coal and natural gas will remain a key part of our Nation’s energy portfolio for decades to come. I think everybody agrees that the baseload needs to be there. By acting now to support infrastructure and innovation, we can support jobs and grow our economy for future generations.

I started out my speech talking about the way this bill moved through the Energy and Natural Resources Committee and how bipartisan it was and how we worked out the wrinkles. I, again, wish to thank Chairwoman MURKOWSKI and Ranking Member CANTWELL for the way they wove through a very complicated procedure.

This bipartisan legislation is critical to all Americans and their families. It means more efficient, affordable, and reliable energy for millions of people. It makes us energy secure and more competitive with other countries in innovative energy and efficiency technologies.

These are the reasons why I support this important piece of legislation, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Idaho.

Mr. CRAPO. Mr. President, I ask unanimous consent to speak about an amendment I have filed and that will soon reach the desk.

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

Mr. CRAPO. Mr. President, we don’t yet know the exact number of the amendment because we are refiled a minor correction to it. However, I wish to talk about a very critical amendment that I and a number of our colleagues on both sides of the aisle are bringing to the legislation today dealing with nuclear energy. Nuclear energy is one of the key elements of our national energy policy, and it must be one that is strengthened and improved as we move forward into the new global energy climate that we are dealing with in this country.

I wish to start out, however, by going back in time. Sixty-four years ago, in a desert plain near Arco, ID, the Idaho National Reactor Testing Station used the Experimental Breeder Reactor, known as EBR-1, to light four lightbulbs. This was the first time in the history of the world that a nuclear reactor was used to generate electrical power. This singular event proved that atomic energy could be used to create commercial electricity.

After this momentous event, EBR-1 went on to serve its real purpose, proving it was possible to build a reactor that could create more fuel than it consumed. Breeder reactors were possible. Another reactor at the National Reactor Testing Station named BORAX-III went on to power the entire town of Arco, ID. Now, Arco is not a huge metropolis like New York City, but there, once again, a nuclear reactor was used to provide the electrical needs of an entire city—another energy first for nuclear energy in our history. So began the legacy of what would become the Idaho National Laboratory, which is now the home of over 50 one-of-a-kind nuclear reactors.

Everything the lab did was new. Everything was innovative. The lab in Idaho went on to achieve tremendous breakthroughs—breakthrough after breakthrough. The imagination, ingenuity and hard work of the scientists in Idaho’s lab now, along with the same ingenuity of scientists at Argonne and Oak Ridge, ensured that the United States was the leader in the development and commercialization of nuclear energy.

Today, many in the industry are focusing on what it takes to keep a current fleet of reactors alive and operational. Industry leaders are worried about waste issues, the economics of operation, and navigating the requirements of the Nuclear Regulatory Commission. Understandably, many are not focused on the future of nuclear energy

and what lies beyond the current generation of reactors.

Congress must find a way to help deal with the very real challenges that the current generation of nuclear reactors face. Congress must also address the waste issue, and we must evaluate the safety and cost benefits of regulations the government has placed on this industry. Many of the burdens on the nuclear industry are government created, and so they must be government solved. I look forward to working with my colleagues on the Environment and Public Works Committee to do our part in providing sound solutions.

Congress needs to find a way to multitask. Again, we can't ignore the challenges of the current fleet of reactors, but we must not allow these challenges to keep us from looking forward. The nuclear industry in America is, for better or worse, completely controlled by the government. Congress must lead in preparing government agencies to move forward into the future and to prepare for the next generation of our nuclear reactors. If our government is not able to create an environment in which the industry can grow and advance, companies will take their technologies overseas. We have seen this begin to happen already. Companies are now going to places such as China, Russia, South Korea, and India. These countries want to develop exportable nuclear technology. If we continue down our current path, these countries will take the lead in establishing non-proliferation norms and safety norms in the advanced nuclear industry. I would prefer that America continue to lead in this area.

Today, Senators WHITEHOUSE, RISCH, BOOKER, HATCH, KIRK, DURBIN, and I introduced the Nuclear Energy Innovation Capabilities Act, or NEICA, as an amendment to the Energy Policy Modernization Act of 2016. This measure is the Senate companion to the House measure of the same name, introduced by Representatives RANDY WEBER, EDDIE BERNICE JOHNSON, and LAMAR SMITH. I wish to thank my colleagues for their hard work on this measure. As my colleagues can tell from the list I gave, it is highly bipartisan. There is broad support for this legislation on both sides of the aisle and on both sides of the Rotunda.

We are all very excited by this legislation, and we all agree that innovation within the nuclear industry must continue. America's preeminence in all things nuclear must endure.

The Senate version of NEICA would do four very important things to encourage innovation in advanced nuclear.

No. 1, the bill directs the Department of Energy to carry out a modeling and simulation program that aids in the development of new reactor technologies. This is an important first step that allows the private sector to have access to the capabilities of our national labs to test reactor designs and concepts.

No. 2, the measure also requires the DOE to report its plan to establish a user facility for a versatile reactor-based fast neutron source. This is a critical step that will allow private companies the ability to test the principles of nuclear science and prove the science behind their work.

No. 3, NEICA directs the Department of Energy to carry out a program to enable the testing and demonstration of reactor concepts proposed and funded by the private sector. This site is to be called the National Nuclear Innovation Center and will function as a database to store and share knowledge on nuclear science between Federal agencies and the private sector. The Senate version of NEICA encourages the Department of Energy and the Nuclear Regulatory Commission to work together in this effort. We would like to see the DOE lead the effort to establish and operate the National Nuclear Innovation Center while consulting with the NRC regarding safety issues. We would also like to see the NRC have access to the work being done by the center in order to provide its staff with the knowledge it will need eventually to license any new reactors coming out of the center. If these reactors are ever to get to the market, the NRC must be able to understand the ins and outs of the science and work behind their development. The NRC needs the data in order to make data-driven licensing requirements.

No. 4, the Senate version of the NEICA requires the NRC to report on its ability to license advanced reactors within 4 years of receiving an application. The NRC must explain any institutional or organizational barriers it faces in moving forward with the prompt licensing of advanced reactors.

As I said earlier, this bill is an important step forward in maintaining the United States' leadership in nuclear energy. It is my hope this bill will enable the private sector and our national labs to work together to create new mind-blowing achievements in nuclear science. This bill encourages the smartest, most innovative and creative minds in nuclear science to partner together to move the industry forward.

The NEICA is an exciting piece of legislation. I look forward to working with my congressional colleagues to help the American nuclear energy industry thrive today and prepare for the future.

Thank you, Mr. President, and I yield the floor.

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 senior assistant legislative clerk read the nomination of John Michael

Vazquez, of New Jersey, to be United States District Judge for the District of New Jersey.

The PRESIDING OFFICER. Under the previous order, there will be 15 minutes of debate equally divided in the usual form.

The Senator from Montana.

ENERGY POLICY MODERNIZATION BILL

Mr. DAINES. Mr. President, the Energy Policy Modernization Act of 2015 is a crucial step forward in modernizing our country's energy policy and public lands management for the first time in nearly a decade, and we are doing it in a strong, bipartisan fashion. Moreover, we are taking the necessary steps to secure our Nation's energy future, in turn increasing economic opportunity and protecting our Nation's security needs.

Here are a few important components of this bill that I would like to highlight.

No. 1, it permanently reauthorizes the Land and Water Conservation Fund. This is an important tool for increasing public access to public lands and one of the country's best conservation programs.

No. 2, this bill also streamlines the permitting for the export of liquefied natural gas, allowing more American energy to power the world.

Montana is the fifth largest producer of hydropower in the Nation, and we have 23 hydroelectric dams. This bill strengthens our Nation's hydropower development by streamlining the permitting process of new projects and finally defining hydropower as a renewable resource. Only Washington, DC, would not define hydropower as a renewable resource. This cleans that up by statute, allowing FERC to provide more time to construct new hydroelectric facilities on existing dams. It also extends construction licenses for Gibson Dam and Clark Canyon Dam, two projects critical to tax revenue and jobs for communities in Montana.

This energy bill establishes a pilot project to streamline drilling permits if less than 25 percent of the minerals within the spacing unit are federal minerals. The provision, sponsored by my good friend the senior Senator from North Dakota, Mr. HOEVEN, is of particular importance to Montana, given the patchwork of land and mineral ownership in the Bakken.

It also improves the Federal permitting of critical and strategic mineral production, which supports thousands of good-paying Montana jobs and hundreds of millions of dollars in tax revenues for our State to support our infrastructure, our schools, and our teachers. Metal and nonmetal mining has created more than 8,500 good-paying Montana jobs. In fact, mining helps support more than 19,000 jobs in total across Montana. Metal mining in Montana has contributed \$403 million in taxes, and nonmetal mining produces \$128 million every year. This includes \$288 million of State and local taxes.

Finally, the Energy Policy Modernization Act of 2015 modernizes and