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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of life, as Senators deal with today's challenges, purge their hearts of anything that does not honor You. Remove that which divides them, uniting them in the common task of doing what is best for our Nation and world. When they are tempted to doubt, steady their faith. When they feel despair, infuse them with hope. When they don't know what to do, open their minds to a wisdom that can change and shape our times according to Your plan. Lord, empower them to trust You more fully, live for You more completely, and serve You more willingly.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 24, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks there will be 1 hour of morning business, with the first half controlled by the Republicans and the second half controlled by the majority.

Following morning business the Senate will resume consideration of the Transportation appropriations bill. Senators MURRAY and COLLINS have done good work. We hope to wrap up this bill in the next 24 hours. We hope to vote in relation to the Portman amendment sometime this morning. We also expect to consider the student loan legislation today. Under the orders that have been entered, we have the ability to vote on the student loan bill, which is so important. There are several hours of debate—4 hours plus other time on various amendments—so I think Members should consider that at about 4 p.m. this afternoon or thereabouts, we could have a series of votes. We also have other nominations that are subject to vote. So we should have a number of votes today. I hope that, in fact, is the case.

I admire and appreciate the work, as I have already mentioned, on the appropriations bill. Hopefully we can wrap it up soon.

OFFICER CHESTNUT AND DETECTIVE GIBSON

Mr. REID. Mr. President, it is hard to believe that 15 years ago, as the Presiding Officer knows, Police Officer Jacob Chestnut and Detective John Gibson were killed trying to prevent a crazy man from entering the Capitol. We will have at 3:40 p.m. a moment of silence in memory of these two good men. And, of course, every year their families are there.

I really appreciate the work of the Capitol Police to make this building safe for us, staff, and all the visitors, and there is no time more directed toward that than events like this. But because of the sacrifice those two men made, the Capitol is a safer place as a result of the Visitor Center, which now allows people to come into the Capitol in an orderly fashion. They can have their bags checked and everything so very quickly. In addition, there are restrooms and meeting halls. So the sacrifices made by these two men have made this place safer. It is just tragic that it took both their lives to do that.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Senator from Illinois.

MEASURE PLACED ON THE CALENDAR—H.R. 2668

Mr. DURBIN. Mr. President, I understand that H.R. 2668 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The assistant legislative clerk read as follows:

A bill (H.R. 2668) to delay the application of the individual health insurance mandate, to delay the application of the employer health insurance mandate, and for other purposes.

Mr. DURBIN. Mr. President, I now object to any further proceedings on the bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar subject to the provisions of rule XIV.

Mr. DURBIN. Mr. President, my understanding is that the minority has the first half of morning business.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

REMEMBERING OFFICER CHESTNUT AND DETECTIVE GIBSON

Mr. MCCONNELL. Mr. President, this morning I would like to start by remembering the sacrifice of two 18-year veterans of the Capitol Police, Detective John Gibson and Officer Jacob Chestnut. On this date in 1998, Gibson and Chestnut paid the ultimate price while standing in defense of the U.S. Capitol. We know these men fell defending more than just the structure, though. We know they fell defending more than just the Members sent here or even the staffs who help each of us better serve constituents and our country. No, these men died while protecting everything this building represents—our democratic way of life, the freedom granted to each of us by a creator we often thank but never see.

We honor these men for their lives, and we honor them for the final act of heroism that ended those lives. That is why a plaque inside the Capitol commemorates their sacrifice. That is why the Capitol Police headquarters bears both of their names. That, I know, is of little solace to the wives, children, and friends left behind, but it is a small way of saying ''we remember'' when the scale of the debt owed can never truly be repaid in full.

So today the Senate honors John Gibson and J.J. Chestnut for their sacrifice, and the Senate sends its condolences and its gratitude to those who loved them most.

WORKING TOGETHER

Mr. MCCONNELL. Mr. President, I am glad to see that Senate Democrats have finally ended their obstruction of the bipartisan student loan bill. It has been weeks since the Democrats blew past the July 1 deadline they kept warning about, and it has been even longer since the House passed a bill similar to the one they are actually now agreeing to. But at least Democrats have finally stopped obstructing and arguing. At least now they are ready to put their partisan political fix aside and join President Obama and congressional Republicans in enacting real permanent reform for all students—the only real reform on the table that is designed to help every middle-class family.

I would like to thank the sponsors of this bill for their hard work: Senators MANCHIN, KING, ALEXANDER, BURR, and COBURN. They may come from different political parties, but they all really care about students, and this bill certainly proves it.

There is something else this bill proves too: that Democrats can work with Republicans when they actually want to—when they check their partisan take-it-or-leave-it approaches at the door and actually talk with rather than at us.

That is why it is really disheartening to hear about the partisan speech President Obama plans to give today, the one the White House can't stop talking about. With all the buildup, you would think the President was unveiling the next Bond film or something, but in all likelihood it will be more like a midday rerun of some 1970s B movie because we have heard it all before. It is really quite old.

These speeches are just so formulaic, and they are usually more notable for what they leave out than what they contain. Here is what I mean. We all know the President will bemoan the state of the economy in his speech, but he won't take responsibility for it. He will criticize Republicans for not rubberstamping his policies but will leave out the fact that for 2 years Democrats did just that, and yet the economic recovery is still stagnant.

He won't talk about the fact that since he lost control of the House and his ability to have things exactly the way he wanted, he has refused to engage with seemingly anyone in Congress on ways to get the economy moving. A perfect illustration of that is the fact that instead of working with us on solutions, he is out giving speeches. And here is the kicker: Instead of taking responsibility for his failure to lead, he will probably try to cast this as some titanic struggle between those who believe in ''investing'' in the country and those who supposedly want to eliminate paved roads or stop signs or whatever ridiculous straw man he invents this time.

Give me a break. There is a real philosophical debate going on in our country, but it is not anything like how he imagines it. I would say it is more of a debate between those who believe in a government that is smarter and more efficient and some who seem to believe in government against all the evidence; between those who draw the obvious lessons from human tragedies in places such as Greece and Detroit, and some who cannot face up to the logical endpoints of their own ideology, who cannot accept the terrible pain their own ideas inevitably inflict on the weakest in our society.

It is between those who understand the necessity of empowering of private enterprise if we are ever going to drive a sustained recovery for middle-class families and some who can't seem to let go of ivory tower economic theories, even after 4½ years of an economy literally treading water.

Speaking of ivory tower theories, here is another difference. Some of us believe it is actually possible to act as good stewards of the environment without declaring war on vulnerable groups of Americans. I know a lot of people here in Washington who think of Appalachia as fly-over country, but many in my State have another word for it. They call it home. When these struggling families hear one of the White House climate advisers say a war on coal is exactly what is needed, can you imagine how that makes them feel? It makes them feel as though they are expendable, as though Washington does not understand them or, frankly, simply doesn't care. ''[It is] like going to some of these big cities and shutting Wall Street down,'' is how a coal worker from eastern Kentucky recently put it.''See how it affects everything,'' he said. ''Coal is our Wall Street.''

This is just one of the many reasons Republicans have long called for an ''all of the above'' strategy. We understand that traditional sources can be developed in tandem with new alternative energies and technologies and that there is no other sane strategy anyway, since it is basically physically impossible, even putting the catastrophic economic consequences aside here for a moment, to even come close to meeting our energy needs with renewables today. We cannot even come close.

What are we going to do in the meantime, power our country with foreign energy or American energy? This should be a no-brainer, but then again we are talking about Washington here. That is why it is so frustrating when the administration drags its feet on projects such as the Keystone Pipeline. The North American oil that Keystone would bring is basically going to come out of the ground whether we take it or not. So will the administration take it and the jobs that would come along with it or surrender it to places such as China? The White House will not say. The President's spokesman was asked for a decision again yesterday. You know what his answer was? Don't look to us.

Look, this pipeline has been under review for years and years. It is basically

being held up for one reason and one reason only: because the President is afraid to stand up to some of the most radical elements of his base, the kind of people you will find at one of those meetings of the Flat Earth Society he likes to talk about.

It is time for him to choose between his political friends and the middle-class families who stand to benefit from the jobs, growth, and energy that Keystone would bring. Keystone is just one example of a project the President could work with both parties to implement right now, that would help our economy. There is a lot more we can get done if he would actually pick up a telephone and try to work with us every once in a while. I know Democrats would love to hear from him every now and then as well, because every time he goes out and gives one of these speeches, it generates little more than a collective bipartisan eye roll.

It is such a colossal waste of time and energy, resources that would actually be better spent working with both parties in Congress to grow the economy and to create jobs. I know that is what my constituents in Kentucky expect and, frankly, they should expect that.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip is recognized.

Mr. CORNYN. Mr. President, I come to the floor to follow the remarks of our Republican leader on the President's pivot to the economy. Over the last 4 years, the Obama administration has given us one of the biggest economic experiments in American history. The numbers tell the story. Under this President, the Federal Government has increased the Federal debt by $6.1 trillion, raised taxes by $1.7 trillion, and imposed $518 billion worth of new regulations. The President, when he came to office, when he had a Democratic Senate and a Democratic House—in other words, his party controlled all branches of the legislative and executive branch—got virtually everything he wanted.

He got a $1 trillion stimulus package. He wanted a government takeover of America's health care system and that is what he got. He wanted extensive new regulations for the financial industry and he got that too. He wanted to impose, through the Environmental Protection Agency, radical environmental regulations and that is what he got as well.

From 2009 through 2010, until the voters spoke in November 2010, our friends on the other side of the aisle controlled the White House, the House of Representatives under Speaker PELOSI, and the Senate. They got virtually everything they wanted. That was their great experiment, to see whether a growing and intrusive and expanding Federal Government was the answer to our economic challenges and high unemployment.

We now know what the results have been. America's unemployment rate hit 10 percent for the first time since the early 1980s and it stayed above 8 percent for 43 straight months. Meanwhile, many Americans have simply given up looking for work. How do we know that? The Bureau of Labor Statistics publishes something they call the labor participation rate. We know the percentage of people in the workforce is the lowest it has been for more than 30 years. That is a tragedy. Add it all up and we have been experiencing the weakest economic recovery and the longest period of high unemployment since the Great Depression in the 1930s.

Even by the President's own measuring stick, by his own standards, his economic record has been a huge disappointment. Hence, his repetitive pivots to the economy, time and time again, particularly at a time when his administration is having to answer a lot of hard questions about various scandals. But I am with Speaker BOEHNER. I say: Welcome, Mr. President. Let's talk about the economy. Let's talk about what works and what does not work.

I think we know now what does not work, which is another government program that raises taxes, increases regulations, and creates uncertainty on the job creators upon whom we are depending to put America back to work.

As a Washington Post correspondent noted this past week:

> The President promised 1 million new manufacturing jobs by the end of 2016. But factory employment has fallen for the last 4 months, and on net is only 13,000 jobs toward that goal.

There is some good news. I was on the floor yesterday, admittedly bragging a little bit about the economic growth in my State, in Texas, and one of the reasons is because we are taking advantage of the innovation and the technology boom in the energy production business and we are actually seeing a huge movement back onshore, to the United States, of a lot of manufacturing because of the low price of natural gas. But, unfortunately, the President does not seem to recognize the benefits of producing our own domestic natural energy and what that would mean in terms of bringing jobs back onshore and creating more manufacturing jobs.

The President has promised to increase net take-home pay and expand the middle class. You may recall particularly on the health care bill he said it would reduce health care premiums by $2,500 for a family of four. Unfortunately, he proved to be wrong because the cost has actually gone up $2,400 for a family of four, not down. We know from Labor Department statistics that median earnings for American families have fallen by 4 percent since the recession ended.

I think even its most ardent advocates now are coming to the realization that ObamaCare is not working out the way they had hoped. Indeed, I was on the floor a few days ago with a letter from three union leaders who said that basically it is turning out to be a disaster. It is hurting their own members. Again, these are people who were for ObamaCare, saying it is not turning out the way we had hoped.

The administration itself has implicitly acknowledged this by saying the employer mandate; that is, the requirement for people who employ 50 people or more, is stifling job creation and prompting many companies to take full-time jobs and turn them into part-time jobs. Between March and June, the number of Americans working part time jumped from 7.6 million to 8.2 million. I think the administration saw that number and it scared them a little bit, as it should. Hence, they delayed the employer mandate for another year, unilaterally.

A new survey finds that in response to ObamaCare, 74 percent of small businesses are going to reduce hiring, reduce worker hours, or replace full-time employees with part-time employees.

I am not suggesting those of us who did not vote for ObamaCare should be rejoicing in this development. Indeed, I think it is a sad moment. But even its most ardent advocates are finding out that their hopes and their dreams and their wishes for this government takeover are not turning out the way they should. Again, this is not a time for anyone to spike the ball or to rejoice in the failure of this program. This is a time for us to work together to say: OK, there are people who opposed ObamaCare. They ended up being right in their predictions. There were those who supported ObamaCare and unfortunately for the country it did not work out the way they had hoped. Now is the perfect time for us to come together and say: What do we do next to prevent the failure of this health care takeover by the Federal Government hurting the very people it was supposed to help? This is an opportunity for us to work together to do that.

We need to do something different. Someone said a long time ago that the definition of insanity is doing the same thing over and over and expecting different results. It is not going to happen so we need to do something different. We need to do something different in terms of delivering access to quality health care and making it affordable. Instead of more tax increases and more temporary tax gimmicks, we need fundamental tax reform. This is something that Republicans and Democrats I think all agree on. The President himself said he believes we need to do revenue-neutral corporate tax reform that lowers the rates, broadens the base, and gives us a revenue system that is more conducive to strong economic growth.

Instead of having people in politics pick winners and losers in the economy or pick which parts of the law to enforce and which parts to waive, we need to dismantle what is left of ObamaCare and replace it with sensible, patient-centered alternatives that will lower costs, improve access to quality, and

not interfere with that important doctor-patient relationship—something the Senator from Wyoming has eloquently spoken about many times.

Instead of letting the Environmental Protection Agency regulate our entire economy, we need to expand domestic energy production by eliminating misguided Federal regulations. Instead of adopting energy policies that hamper job creation, we need to adopt policies that help promote jobs such as approving the Keystone Pipeline from Canada and not trying to overregulate something that is already subject to State regulation, such as fracking.

Here in Washington, people act as though this horizontal drilling and this fracking process is something new. We have been doing it in Texas for 60 years and it has been regulated by the oil and gas regulator in our State. They protected the water supply and benefited job creation and economic growth for a long time.

I understand it is hard for those of us who were wrong about their predictions for many of these policies to say: You know what. It did not work out the way we planned. None of us are relishing the failure of some of these policies, but we need to work together and get outside of our ideological comfort zone and address the problem of chronic high unemployment, the fact that our young people are graduating from college and they cannot find jobs. They know they are going to be burdened by the debt we continue to rack up, and that our economy is bouncing along the bottom. I am afraid if we continue with the policies of the last 4 years we will create a lost generation of young Americans who cannot find good, full-time jobs. None of us—Republicans and Democrats alike—wants that to happen, but it is time we did something about it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, later today President Obama is scheduled to give the first in a series of speeches about the economy. He is pivoting one more time to turn his attention to the millions of Americans who are still struggling 4 years after the recession ended. The reason I say ''one more time'' is because this morning one of the reporters said this is about the tenth time the President has pivoted to the economy.

A White House adviser said on Sunday that the President is going to speak about ''what it means to be middle class in America.'' Well, I hope President Obama will talk about how his own policies have harmed and continue to harm the middle class in America. I hope he will talk about the harm that his health care law has done to hard-working families. I hope the President will finally start talking about these things because the American people have been talking about them for a long time now.

I hear it every time I go home to Wyoming—almost every weekend. It doesn't matter whether I am in Fremont County, Park County, Laramie County, or Natrona County—wherever I am in Wyoming, I continue to hear about this law. Now we are even hearing about it from the very union leaders who were among the law's biggest supporters. The heads of three major labor unions put out a letter recently that warned of the damage the health care law is doing to the middle class. They wrote:

> The unintended consequences of the ACA are severe. Perverse incentives are already creating nightmare scenarios.

Perverse incentives are already creating nightmare scenarios. That is what the law's supporters are saying.

They wrote that the health care law ''will shatter not only our hard-earned health benefits but destroy the foundation of the 40-hour workweek that is the backbone of the American middle class.''

If the President wants to talk about what it means to be middle class in America, he needs to explain why his policies are destroying the backbone of the middle class. That is what the union leaders are saying. They are seeing, just like the rest of us, that the job numbers are not good for America.

In June, the number of people working part time who want to work full time soared by 322,000. There are more than 8.2 million Americans working part-time jobs because their hours were either cut back or because they can't find the full-time work they seek.

The White House conceded that the law was a problem for employers when it said they needed relief from the logistical mess the law has created. That is why the Obama administration decided to delay the so-called employer mandate. That was one of the signature parts of the President's health care law. Under the law, every employer with 50 people who were working 30 hours a week or more was going to have to offer expensive government-mandated health insurance. Now we have a 1-year delay on this extremely unpopular and damaging Washington mandate.

If the law is so bad for businesses that they can't handle it in 2014, it is still going to be bad for them in 2015, and that was just one regulation. The President's health care law has already created more than 20,000 pages of new regulations. Well, those regulations concern middle-class families I hear from in Wyoming, and it is not just Wyoming. The front page of the Washington Post has a headline that reads ''Health law's unintended impact on part-timers.''

> For Kevin Pace, the president's health-care law could have meant better health insurance. Instead, it produced a pay cut.
>
> Like many of his colleagues, the adjunct music professor at Northern Virginia Community College managed to assemble a hefty course load despite his official status as a part-time employee. But his employer, the state—

The State of Virginia is his employer. This is not some company, it is the State of Virginia—

> slashed his hours this spring to avoid a Jan. 1 requirement that all full-time workers—

As a requirement in the health care law.

> for large employers be offered health insurance. The law defines ''full time'' as 30 hours a week or more.

This isn't a business worried about a bottom line, this is the State of Virginia.

> Virginia's situation provides a good lens on why. The state has more than 37,000 part-time hourly wage employees, with as many as 10,000 working more than 30 hours a week.

Remember, 30 hours is the key number.

> Offering coverage to those workers, who include nurses—

An important part of our economy and important as far as the needs of our country—

> park rangers and adjunct professors, would have been prohibitively expensive, state officials said, costing as much as $110 million annually.
>
> ''It was all about the money,'' said Sarah Redding Wilson, director of Virginia's Department of Human Resource Management.

The health laws have an unintended impact on part-timers, and as a result it is hurting the middle class.

Middle-class Americans are also worried about their health insurance premiums—and they have a right to worry. The McClatchy News Service ran this headline last week: ''Obama boasts of health care saves, but costs likely to rise for many.''

The article went on to say:

> Experts predict that premiums on individual plans will increase in most states because of the new consumer protections this sweeping legislation requires.

''Consumer protections'' is just the White House's way of saying more red-tape. That includes all of the new, required services people have to have in their Washington-mandated, Washington-approved health insurance. It is all of the health care services people have to pay for in advance whether they need them, whether they want them, or whether they will ever use them. Those requirements are a big part of the reason—and another reason—that health insurance costs are still going up even though Washington Democrats promised the health care law would have the opposite effect.

It is happening all across the country. Indiana was the latest State to announce that premiums are going to go up next year—not down. Last Friday the State insurance department—this is not just somebody looking around—said the average rates for people buying individual plans will go up 72 percent. That announcement follows big increases in Ohio, Maryland, Idaho, Missouri, and Kentucky.

In one State after another, rates for next year are being announced, and they are much higher than they were before the President's health care law went into effect. When President Obama gives his speech today and over the next few weeks he should tell his audience the truth about what is happening to the rates and why. He should

also talk to middle-class Americans about what might happen as far as their access to their family doctor under his health care law.

Remember when the President said: If you like your doctor, you can keep your doctor? That was something the unions wrote about in their letter. It is a promise they think the President now isn't going to keep. Well, I think they are right.

Now the Health and Human Services Department admits that individuals may not be able to keep their doctors. This comes from the Web site the Department set up to try to answer questions people have been asking about the health care law. The Department's Web site now says if you get your coverage through the government's new insurance marketplace ''you may be able to keep your current doctor.''

That is a long way from when the President of the United States stood up and promised—actually he used the word ''guarantee''—you will be able to keep your doctor. It is that kind of backpedaling and broken promises that has union leaders worried. It has them worried, it has job creators hesitant, and it has middle-class Americans all across this country concerned.

Of course, the health care law is just one of the areas where overregulation is hurting the economy. Another example is President Obama's announcement last month of tighter regulations on powerplants. That is on top of the excessive redtape the administration has already put in place that makes it harder and much more expensive for America to produce American energy.

Last week I introduced a bill to block President Obama from going around Congress to implement his national energy tax through regulations. The American people have repeatedly told Washington to focus on jobs, not to roll out more redtape that increases energy bills and decreases economic opportunities.

The President promised that he cared about hard-working, middle-class families, but his policies, one after another, are hurting those families and are making their lives much more difficult.

President Obama needs to stop the Washington spin and tell the truth about his health care law and the truth about his other failed policies. Then he needs to come back to Washington, put aside his tired, old rhetoric and work with the Republicans to do the right thing for the American people. That means coming up with a replacement health care plan to finally give people what they were asking for all along: The care they need from a doctor they choose at a lower cost.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, are we in morning business at this point?

The ACTING PRESIDENT pro tempore. Yes, we still are.

STUDENT LOAN DEBT

Mr. DURBIN. Mr. President, later today we will consider a student loan bill that will affect 11 million students across America.

On July 1 the interest rate paid by students for their student loans doubled; it went from 3.4 percent to 6.8 percent. We know students are graduating with more and more debt. We also know the cost of that debt—the interest rate—makes a big difference in their lives. Sometimes they postpone important life decisions because of student loan debt.

My daughter has a business in New York with two employees who are paying off student loans. She said the biggest worry they have from month to month is making that payment. I understand that too. After taking a look at the increase in debt, we find that student loan debt has now surpassed credit card debt in America. It is more than $1 trillion, and it is growing faster than any other form of debt. It is an indication of an indebtedness we need to take seriously. We will have a chance to do that this afternoon.

There are many different points of view on what to do with student loans. Some people say that the government should be involved but it really should be a market-based system. Others say, no, the government should be involved and it should be a subsidy. We should help students go to school. We should find ways to keep the cost of education affordable, and lowering interest rates is one way to do it.

We will have two amendments this afternoon. Senator JACK REED and Senator ELIZABETH WARREN are offering an amendment that will cap the interest rate on student loan debts at 6.8 percent for most debts affecting undergraduate students and 7.9 percent for other loans. To put a cap on that interest rate means we have to subsidize. In other words, as we project out what the cost of student loans will be based on market interest rates, a subsidy is necessary to honor that cap.

The second proposal will be from Senator SANDERS of Vermont, and his approach is a little different. He basically says we ought to sunset any changes we make to student interest rates today after 2 years and then revert back to the current 6.8 percent rate. That ends up costing about $20 billion. Senator SANDERS may or may not offer a means to pay for that. I believe, from some statements he has made publicly, he believes that should be a debt of the government, but I will leave it to him to make his explanation.

At the end of the day, after those two amendments are considered, we will come down to one basic decision we have to make as a body, Democrats and Republicans. It can be simply stated, and here is what it is: Should the student loan interest rate—currently at 6.8 percent for most students—stay at 6.8 percent or be reduced to 3.8 percent? That is the question.

If we pass the Bipartisan Student Loan Certainty Act, which I have worked with Republicans and Democrats to craft, the interest rate for undergraduate students—that is almost two-thirds of all students—goes down 3 percent, from 6.8 percent to 3.8 percent. I won't mislead my colleagues. It is based on a 10-year Treasury rate and will be projected over a period of time. As general interest rates go up, so will the student loan interest rate from 3.8 percent, but we put a cap on it and say that rate can go no higher than 8.25 percent in a 10-year period of time, protecting students even if interest rates go up dramatically. So there it is.

The final vote will be whether to reduce the student loan interest rate from 6.8 to 3.8 and to cap it for two-thirds of the students at 8.25 percent—no higher than that—for the next 10 years. Students who are receiving subsidized loans won't have to pay the interest while they are in school, and they will have some other benefits at the end of the day. What we are setting out to do is to make student loans affordable for students and to make sure families are not burdened with loans they can't pay back.

I hope my colleagues, no matter what their philosophy on student loans—whether they believe they should be market-based or government-subsidized—realize that at the end of the day we have a very clear choice to make: Stick with the 6.8 percent interest rate or lower it to 3.8 percent.

What does that mean for students, the 3-percent difference? We calculated it. We looked at the average undergraduate student in America, and here is what it means: If we don't lower it to 3.8 percent, if we keep it at 6.8 percent, it means that student, over the course of 4 years of undergraduate education, will pay an additional $2,000 in interest. Why would we want to do that? Why at the end of the day would we want to keep interest rates at 6.8 percent and penalize students with $2,000 in interest over the next 4 years? That is the wrong thing to do.

I urge my colleagues, when the bipartisan alternative comes up, to vote for it. Even if my colleagues believe it should be a government subsidy, which we have not been able to enact, or if they believe it should be market-based—either way, this is a better outcome.

Personally, I hope this isn't the end of the story. Senator TOM HARKIN of Iowa chairs the HELP Committee—the education committee—and he is going to come to the floor soon to start working on the reauthorization of higher education. We understand it is more than the interest rate that is

causing a problem for students; it is the cost—the cost—of higher education.

I went to Georgetown Law School. I couldn't get in there today with the standards they have. Currently, I am told it costs over $50,000 a year to go to this law school—$50,000 a year for 3 years, in addition to undergraduate debt. Well, a person better get a darn good job at a Wall Street firm afterward because they will face a mountain of debt. They are not alone. All across the United States we are seeing tuition rates go up—even at public universities—to record levels.

We have to find a better way to prepare the next generation of leaders in America. The old model of 4 years of undergraduate and then graduate school and professional school has gone beyond the reach of most students and families.

Keep in mind, too, that student loans are different from most other debt. Student loans are not dischargeable in bankruptcy. The debt a 19-year-old student and his family sign up for is a debt that can trail them to the grave. We have cases where people are signing up to basically guarantee the loans of granddaughters to make sure their granddaughter can go to college, and then the granddaughter either drops out or can't find a job and defaults on the student loan, and they proceed to collect it from grandma. I am not making this up. They are garnishing the grandmother's Social Security benefits to pay for student loans she guaranteed for her granddaughter. That is how ruthless this industry is and how tough this debt is.

We have a chance today to make this debt more affordable for students now, to reduce the interest rate from 6.8 percent to 3.8 percent and cap it over the next 10 years at 8.25 percent. I won't mislead my colleagues. In some debt categories of borrowing—graduate students and parent PLUS loans—in the second 4 years the interest rates go up more, and many of those who borrow in those categories are going to find 5 years from now that they are facing a much tougher debt situation. I won't mislead my colleagues on that at all.

I think we can't leave the conversation today and say we are finished and we don't need to talk about it anymore. Let's give the students and families the help they need today, but let's not stop on this issue. On the higher education reauthorization bill, we will have a chance to address overall student indebtedness and affordability for families.

Let me close by saying that the worst offenders—the worst offenders—when it comes to college loans are the for-profit schools. People may not know much about them unless a person is 18 or 19 years old and they can't escape them when they go on the Internet. They are trying to sign up students to for-profit schools, many of which are worthless—worthless.

The numbers to remember are three, and they are going to be on the final, so listen carefully. Twelve percent of all students coming out of high school go to for-profit schools. Twenty-five percent of all Federal aid to education goes to for-profit schools. Forty-seven percent of all student loan defaults are students at for-profit schools. So what is the message there? They are raking in Federal dollars at twice the rate they should, and their students are failing at a rate greater than any other category of schools. Their students are failing to get a job, failing to graduate, failing to pay back their loans.

For-profit schools are a national scandal. We need to deal with them in the higher education reauthorization. I know Senator HARKIN has held hearings on these schools, and he understands this. We need to take an honest look at the schools that are misleading our students and their families. These schools aren't worth the accreditation, they certainly aren't worth the time, and they aren't worth the debt they are pushing on students.

Let me make a marketing pitch, if I may. I say it in Illinois, and I will say it anywhere. If you are graduating from high school and not sure where to go, what you want to do, what you want to major in, your safest bet is your community college. It is nearby. It is affordable. It offers many options. In most States the hours are transferable to other colleges. It is a good way to start your college education. Also, for vocational training, community college is a smart investment. When it comes to these for-profit schools, exactly the opposite is true.

So when we reauthorize higher education, let's come up with a good student loan approach that builds on what we can vote for today, but let's also start looking at the overall cost of higher education, sensitive to the needs of families today to make sure their kids have a fighting chance for the best jobs in America.

I travel all around my State, and I go to businesses. I asked my staff: Find me businesses that have done well in the recession and are hiring today. I find a lot of good businesses, including Kraft Foods in Champaign, IL. Each year they need over 100 industrial maintenance engineers—people to keep the assembly lines running—who understand how to repair things, understand computers, and are good employees. The starting wage for those employees, by and large, is $50,000 a year. That is the average wage in my State. Think about it—a starting wage.

Well, what is holding them back? Why didn't they fill the jobs? The students coming out of high school are not ready. They do not have the math skills or the computer skills. But if they go to Parkland Community College in Champaign, they can acquire it affordably.

That makes sense. That is a way to bring a student out of high school with a year or two of good training at a community college and have a good job and opportunity for a lifetime. It is a great place to start. Those jobs are all over my State and all over America.

So let's focus on affordability in higher education, on training for vocational skills that give people a chance to become skilled apprentices and beyond, and let's make sure today that we do not miss this opportunity to reduce interest rates.

A ''no'' vote on the bipartisan plan will keep interest rates for students at 6.8 percent. A ''yes'' vote will lower the interest rates for two-thirds of students to 3.8 percent and save those students $2,000 over the next 4 years. It caps that interest rate at 8.25 percent. That is a guarantee that no matter what happens to interest rates, these students will be protected.

This is a pretty basic choice. We need a strong bipartisan vote. Regardless of your philosophy on what student loans should look like, keep these families and students in mind. If you are frustrated with the legislative process, frustrated that Congress is not doing it exactly the way you want to have it done, do not take it out on the students and their families. Give them a break today with a ''yes'' vote for the bipartisan bill.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Washington.

Mrs. MURRAY. Madam President, what is the pending business?

The PRESIDING OFFICER. The Senate is currently in morning business.

Mrs. MURRAY. Madam President, I yield back the remaining time in morning business.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1243, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1243) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, for the information of all Senators, we are now back on the transportation and housing appropriations bill. My colleague and I, Senator COLLINS from Maine, will be here all day working our way through any amendments that our Members have to offer. We encourage Members to come to the floor and let us know what those are so we can get this done in a timely fashion.

Madam President, I believe, under the previous order, Senator PORTMAN is here to offer his amendment, and I yield to him at this time.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 1749, AS MODIFIED

Mr. PORTMAN. Madam President, I call up amendment No. 1749 and send a modification of my amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Ohio, [Mr. PORTMAN] for himself, Mr. BROWN, and Mr. MCCONNELL, proposes an amendment numbered 1749, as modified.

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

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

The amendment is as follows:

(Purpose: To prioritize certain projects under the bridges in critical corridors program)

On page 26, line 12, after ''benefits'' insert '', and projects shall be carried out on bridges that the Federal Highway Administration has classified as structurally deficient or functionally obsolete''.

Mr. PORTMAN. Madam President, thank you for allowing me to offer this amendment today, and I thank my colleagues from Maine and Washington State for agreeing to work with us on this important amendment. I also thank them for the way they are conducting this appropriations bill by allowing amendments to come forward and having debate.

This amendment is one that I think will be relatively noncontroversial. This is an amendment to the underlying Transportation and Housing and Urban Development appropriations bill. It simply says that our nation's bridges that need repairs the most ought to be prioritized.

There are bridges that are classified by the Federal Highway Administration as ''functionally obsolete'' or ''structurally deficient,'' and we want to be sure they receive priority consideration under the section of the bill that provides for Bridges in Critical Corridors. This is a fund that is established under the appropriations bill. In this way, we are helping to ensure that fund in question actually accomplishes its objective.

We all know the Federal Government's highway trust fund dollars are stretched very thin and, frankly, there are not enough dollars that are making their way to the core infrastructure needs we have in this country. In fact, in 2008, the fund got in trouble, and since that time it has been bailed out four times from the Treasury's general fund, and a fifth bailout is now scheduled for fiscal year 2014. Clearly, the funds are very limited, and we have to be very careful and resourceful in how we spend those funds.

This appropriations bill does include, as I said earlier, a separate funding mechanism—$500 million—for Bridges in Critical Corridors across the country. I know there are some in this Chamber who wonder whether that is necessary in the legislation, and I understand their argument. But if we are going to include this special fund, let's be sure the money is used in the most efficient way possible, and that is what this amendment is all about. Let's be sure we target the limited resources we have in a way that addresses our Nation's bridges that are outdated and often at risk.

This amendment narrows the number of bridges that receive priority consideration by 75 percent, and does so by focusing these resources on functionally obsolete and structurally deficient bridges throughout the country that need the funding. These are the bridges with problems that if left unaddressed could be in tomorrow's headlines.

We do not have to just deal with hypotheticals, it is happening. We have all seen recent accounts of this functionally obsolete Skagit River Bridge on Interstate 5 in Washington State that collapsed in May. I know Senator MURRAY was very involved in responding to this. It was struck by a truck that exceeded the bridge's height limit. The good news is there were no direct fatalities, unbelievably—at least in this instance there were not. The bad news is there are a lot of bridges that are functionally obsolete or structurally deficient around the country. There are thousands of them, and we need to be sure that, again, they are prioritized in this legislation.

One of those bridges happens to be the Brent Spence Bridge in my hometown of Cincinnati, OH. The bridge is located at the critical intersection of I–75 and I–71—an important artery—and it is a bridge between southwest Ohio and northern Kentucky.

This Brent Spence Bridge was built nearly 50 years ago, and it was designed to carry 80,000 vehicles every day. As of this year, it is carrying more than double that number every day. It is expected to exceed 200,000 vehicles per day by 2025.

To facilitate the increased traffic and congestion on the bridge, the engineers actually removed the bridge's emergency shoulders, so there are no emergency shoulders on the bridge anymore. They also had to narrow the lanes to 11 feet rather than the 12 feet recommended by the Federal Highway Administration. So this makes it hazardous for drivers. It also has not alleviated the congestion much because it continues to result in an average of 3.6 million hours of delay for passenger vehicles every year.

So Brent Spence is one example of an endangered bridge this amendment could help. We need to ensure that bridges such as Brent Spence receive the priority access to the funds in the Bridges in the Critical Corridors section of this legislation.

So for this reason, I would urge my colleagues to support this commonsense amendment.

Again, I want to thank Senator COLLINS and Senator MURRAY for allowing this amendment to be part of the process.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I support this amendment. What it does is it clarifies that when the Department of Transportation awards funding under Bridges in Critical Corridors, priority should be given to structurally deficient and functionally obsolete bridges.

The Federal Highway Administration uses those terms to talk about the status of the bridges across the country. So when a bridge is ''structurally deficient,'' its condition has deteriorated over time. And when a bridge is ''functionally obsolete,'' its design does not meet today's standards. Both situations, obviously, can be a serious concern.

In the underlying bill itself, I took the initiative to include an additional $500 million for these bridge investments so that we can address these serious concerns across our country and make sure our transportation network is safe and reliable.

So I support this amendment. I urge our colleagues to vote for it.

I would ask the Senator from Ohio if he wants a voice vote and would allow us to move forward on it now or if he requires a rollcall vote.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I would defer to the chairwoman. I would like a voice vote, if that is what the chairwoman would prefer. But it might be a good amendment to have a recorded vote on.

What is the chairwoman's preference?

Mrs. MURRAY. Madam President, it is completely up to the Senator from Ohio. As I said, if the Senator offers us a voice vote right now, I can guarantee its adoption quickly. How long does the Senator want to wait to vote?

Mr. PORTMAN. Madam President, I think I will take the Senator up on her offer.

Mrs. MURRAY. A wise choice and a good example for those Senators who follow the Senator in offering an amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I just want to commend the Senator for his amendment. The fact is that 25 percent of our Nation's bridges are either structurally deficient or functionally obsolete, as described by the Senator from Ohio.

In my home State of Maine, nearly a third of our 2,408 bridges are deficient. Senator PORTMAN's amendment targets these funds to ensure that they are awarded to structurally deficient or functionally obsolete projects in an effort to respond to our Nation's crumbling infrastructure.

Like Senator MURRAY, I support this amendment, and I too am prepared to accept it on a voice vote.

The PRESIDING OFFICER. Without objection, the question is on agreeing to the amendment offered by the Senator from Ohio.

The amendment (No. 1749), as modified, was agreed to.

Mrs. MURRAY. Madam President, I move to reconsider the vote.

Ms. COLLINS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. Madam President, I thank the Senator from Ohio for bringing his amendment before us and setting a good example for all Members, as we now move forward, to bring their amendments to the floor. We will work our way through them. We hope everybody can contact myself and Senator COLLINS as quickly as possible so we can get these amendments up.

AMENDMENT NO. 1760

With that, Madam President, I call up Senator CARDIN's amendment No. 1760.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for Mr. CARDIN, proposes an amendment numbered 1760.

Mrs. MURRAY. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Secretary of Transportation to submit to Congress a report relating to the condition of lane miles and highway bridge deck)

On page 38, between lines 17 and 18, insert the following:

SEC. 127. The Secretary shall submit to Congress a report describing the percentages of lane miles and highway bridge deck in each State that are in good condition, fair condition, and poor condition, and the percentage of Federal amounts each State expends on the repair and maintenance of highway infrastructure and on new capacity construction.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MIKULSKI. Madam President, as the chair of the full Committee on Appropriations, I rise today to comment on this bill, but also to thank and acknowledge the really important role that Senators Murray and Collins have played. Really, it has been the way the Senate should operate. They have held extensive hearings in the subcommittee on America's needs in transportation—an ever-piling up backlog that we need to address.

It would accomplish several good, agreed-upon public policy goals. No. 1, safety. Because when we are talking about roads, bridges, and the other infrastructure areas in this bill, safety is our No. 1 priority.

No. 2, when you are building or repairing a bridge in Maryland, Maine, Washington State, or North Dakota, those people are working in the United States of America, and, hopefully, the supply chain involved—whether it is asphalt to steel—is made in the good old USA. So what we would do is improve the safety rates and lower the unemployment rate and at the end of the day have something to show for it.

So many of the American people are frustrated with us when it comes to spending because they think if they give us $1, we will spend $2 and not have spit to show for it. But yet in this bill, at this time, we have a legislative framework, and a restrained fiscal framework, to be able to move on important transportation infrastructure needs and on housing.

The appropriate role for the Federal Government to be involved in is housing: those things that are involved in, No. 1, promoting economic development in blighted areas, regardless of whether you are in an urban State or a rural State. The needs of North Dakota are different than the needs of Maryland. Even in my very dear State of Maryland, we have different needs in different parts of the State. The robust Baltimore corridor, which is more urban, requires one framework for the community development block grant money.

If you go to Garrett County, in the western part of my State, that was hit by a blizzard during Hurricane Sandy or you go down to the Eastern Shore, Somerset County, that was hit by a hurricane, literally flooding to dangerous proportions—those two counties have as high a poverty rate as Baltimore City.

So when we talk about the great things in this bill, what I like about it is it is local—it is money that will come for local needs. The needs of Garrett County and Somerset County are different than the needs of Baltimore City. But what we do know is that we need jobs and we need to be able to address the needs of the people who want to be middle class and are looking for an opportunity to get there and also for the compelling needs particularly of the elderly and disabled.

Again, we in the Senate know because we are urban and rural and suburban. You meet different needs according to the locale. In Baltimore City, it is a high concentration of elderly in certain areas. We can meet those needs through a combined effort of housing, Meals On Wheels, helping people be able to receive coordinated services to keep them independent and healthy. When you get to the rural parts, that is even harder.

So what I like about this bill is it is, first of all, focused on rebuilding America. I so salute our troops. We have been in a 10-year war. The consequences of that war will be felt by the men and women who served and the taxpayers who have to pay it for many years to come.

But as we look at this, what they fought for is for America. Now we have to think about rebuilding America. I am glad we gave it a try in Iraq. OK. We gave it a try in Afghanistan. But come home, America. As the troops come home, and hopefully the money comes back home, we begin to show results there. If we rebuild our infrastructure, focus on compelling human needs, I think we will not only serve the Nation well but people will begin to have trust in us that through smart approaches, restrained spending, we can get there.

I am proud of what this bill does in Maryland. It does create jobs. It helps with infrastructure. This bill is absolutely crucial to Maryland. First, the THUD bill provides $40 billion for highways and nearly $9 billion for mass transit. We need that. This means Maryland will receive in fiscal year 2014 $700 million.

We are not waiting only for the Federal Government. The Maryland General Assembly recently increased the gas tax—very controversial—because of our compelling needs. Governor O'Malley and our general assembly wanted to rise to the occasion, but they want us to rise to the occasion as well.

As we look at some of these projects, they affect not only the State of Maryland but they affect the region and the Nation. The Presiding Officer was not here when we had a horrific accident in 2009 on the Metro. The Metro suffered a terrible crash: brakes failed, safety systems failed, a lot failed—nine people lost their lives.

We said we were going to create a safety culture and turn to our National Transportation Safety Board to be able to do it. I made two promises to families: that I would do everything I could to see what were appropriate Federal safety standards and to put money in the Federal checkbook to improve that safety. I demanded reforms at Metro management to a culture of safety.

So where are we now? Guess what. We have put money in the Federal checkbook, $150 million to continue to buy the important crash-resistant cars that will be able to help them. The money will be used for signal improvement, rail car maintenance to make sure we are improving this.

Safety is the No. 1 obsession with me. In addition to working on Metro, I know this bill deals with FAA's contract tower program, a subject of much debate during last year's continuing funding resolution. I remember real debate with Senator MORAN on how we could keep those airports open.

They are the first to be hit by the sequester. I have five of them. They are in communities called Easton—by the way, Secretary Rumsfeld is down there. Cheney would come by as well—the Frederick Municipal Airport that the President uses periodically for

coming to Camp David, Hagerstown, Martin, Salisbury, and Ocean City.

Those towers are important for two reasons: national security and economic security. So we are looking at how we can make sure we keep these towers open so airplanes can come and land safely and take off safely and aid the commerce to our communities.

You have heard me also speak about housing and community development. When I got started in Congress, we had something called revenue sharing that was started by President Nixon so the local communities would get formula-based funding to help them rebuild their communities or strengthen them in the area of economic development.

That changed. That ended. That ended during the Gingrich era. But we came up with community development block grant money. Again, that money comes locally to meet local needs. The criteria are: eliminate blight, improve employment opportunities, and be able to create a sustainable infrastructure that will not need government subsidies so the community can be able to sustain itself and build on that to create jobs.

We are very impressed with this. Again, this legislation meets needs for seniors and housing. I could go on about it. But this bill is a very important accomplishment for the State of Maryland. When I talk about safety, I note the Portman amendment. I note Senator CARDIN has an amendment on a report on the highway deck.

I wish to say something else. We had some tough things happen in my State over the last couple of days on the Bay Bridge. Many of the people in this Senate travel the Bay Bridge, some to go to their State. We are a next-door neighbor with our pals from Delaware, Senators CARPER and COONS, who represent the Delmarva Peninsula, a wonderful place. We hope the Presiding Officer comes over sometime and actually sees real water, oceans and rivers and crabs and so on, the Senator from North Dakota.

But this bridge, we now have two of them because of the volume, and then, second, the way people travel on it, the velocity has increased. Last Friday, we had a terrible situation where a truck tailgated a passenger vehicle and pushed it off the bridge—off the bridge. The car fell 40 feet.

Thank God the passenger survived, a young lady who—the impact was so hard, the windshield broke, so she was able to get out. She is a fitness instructor. So she had the robust and physical vigor to be able to swim to safety. We thank God for her survival. But we are now scared on the Bay Bridge.

Yesterday, we had another head-on collision on the bridge. The AAA, the American Automobile Association, has called upon the National Transportation Safety Board to review the conditions on our bridge. Are the barriers high enough? Should we be using two-way traffic now to alleviate the traffic jams because transportation is changing? In other words, these are very important questions related to safety.

Do we need another bridge? An analysis needs to happen. If we build another bridge, should it be there or further south? Controversy. But again we need analysis.

I cite that example because as I review the facts of this case and consult with the State, I too am considering joining with the American Automobile Association to ask for the NTSB to review the accidents on the bridge and give us recommendations in terms of what we need so it does not happen again.

You cannot fall 40 feet. It could have been someone elderly. There could have been babies in that car. It does not matter. You cannot fall 40 feet off the bridge being rear-ended by a trick and think it is OK. You cannot have a head-on collision and think it is OK. I do not think it is OK what is happening on the Bay Bridge.

I now want to work with my Governor and consider what are the best steps forward. But as of today, I am very strongly recommending a review by the National Transportation Safety Board to look at it. It is not only what is happening in Maryland. It is what is happening all over America.

I see on the floor the Senator from Oklahoma. I am going to yield the floor so others can speak. But before I do, I wish to compliment Senators MURRAY and COLLINS and the way they have been moving this bill. I think it is important.

I suggest the absence of a quorum.

Mr. COBURN. I wanted to speak for a moment about——

Ms. MIKULSKI. Wait a moment, I suggested the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded just to talk about the THUD bill.

Ms. MIKULSKI. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue the call of the roll.

The legislative clerk continued the call of the roll.

Ms. MIKULSKI. I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MIKULSKI. Madam President, my colleague from Oklahoma was waiting to offer amendments, but filling in for Senator MURRAY, I was trying to get a sense what that meant. The reason I wanted the quorum to go on was so I could have a chance to talk to the Senator from Oklahoma. Wherever he is, I want him to know that if he thinks I was trying to stifle him or not allow him to have his rights on the Senate floor, I apologize. What I was trying to do was create an orderly process so we could keep this excellent momentum going. I invite Senator COBURN to please return to the floor. If in any way he felt I was being negative toward him, I do not mean that. In fact, what I meant was let's get it clear so he could go forward.

The Senator from Oklahoma and I have an excellent relationship. We have agreed on many things, and we have duked it out on others. We did promise an open amendment process, and we intend to keep it.

Again, I apologize. I invite him to come back to the floor. Let's have a discussion and let's keep it going.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MIKULSKI. Madam President, I wish to add some further comments on the bill while we are waiting for Senators to return to the floor to offer amendments. I note the gentlelady from Maine is returning.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. BALDWIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. BALDWIN. I ask unanimous consent to speak as in morning business.

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

STUDENT LOANS

Ms. BALDWIN. Making college affordable is one of the most important steps we can take toward completing our economic recovery and ensuring a path to the middle class for all Americans. As a Nation, we are still working to recover from the largest economic downturn since the Great Depression. Access to student loans at affordable interest rates represents an incredibly important piece of this vital recovery.

I often use a quote of President Obama that he included in his State of the Union Address a couple of years ago. It says to win the future, we must outeducate, outinnovate, and outbuild the rest of the world. I believe we do this best by supporting our students and investing in their future.

Unfortunately, the Student Loan Certainty Act on the floor today is a step in the wrong direction. A college education should be a path to prosperity, a path to the middle class, not a path to indebtedness.

As many of my colleagues have described, the bill before us today offers students and families lower student loan interest rates in the near term, but we can fully expect higher student loan interest rates in the years to come.

For families with multiple children who are college bound, their children's education becomes more expensive in each ensuing year. This means that under this plan, a current freshman in college may get a decent student loan interest rate for a few years, but a current freshman in high school will end up with rates much higher than the cap contained in current U.S. law.

Not only does this legislation raise long-term interest rate loans for students, it fails to close tax loopholes. It does not ask the wealthy to pay their fair share, and it burdens students who can least afford it with deficit reduction.

The bill before us lacks a true vision for outeducating the rest of the world. It doesn't ask our country to invest in the future, nor does it offer a comprehensive solution to college affordability. Rather, it offers a poor permanent fix and slaps students and their families with the bill.

I remind my colleagues that there were multiple alternative solutions proposed before Congress slumped over the July 1 deadline that doubled the interest rates on student loans. I supported two measures offered by my colleague from Rhode Island, Senator REED, that would have paid for lower interest rates for students by closing tax loopholes for the very wealthy in our country. The Senate twice voted on Senator REED's proposals and they received a majority vote each time.

We are also making a good-faith effort to address the shortcomings of the bill before us to work toward a deal that would be a true win for students and their families. The Reed-Warren amendment, which I proudly cosponsor, would impose a lower cap to protect student borrowers. Why on Earth would we wish to expose our students to higher rates?

Senator SANDERS' amendment would sunset the current deal in 2 years and allow for a return to regular order so Congress can rightly deal with interest rates and a host of other issues that affect college costs. These amendments are sound improvements to the underlying bill that would allow us to invest in students and families, rather than obfuscate the student loan and debt problem. I am disappointed that we have reached the point where debates about the future of college affordability are less about the lives of students and their families and more about protecting loopholes for corporations and the wealthy.

It wasn't always this way. In 1944, starting with the compact to returning soldiers from World War II made through the GI bill, our Nation made a commitment to future progress by investing in education. Between 1944 and 1951, 8 million veterans received education benefits, including many former distinguished Members of this body.

In 1958, President Dwight Eisenhower, a Republican, signed the National Defense Education Act, providing loans for college students and funds to encourage young people to enter teaching careers, the precursor to our current program for student loans.

President Lyndon Johnson built upon this legacy. A cornerstone of the Great Society was a path to the middle class through a college education. The Higher Education Act of 1965 gave us the Federal student loan program, known today as the Stafford Loan Program, and the Educational Opportunity Grant Program, known today as the Pell Grant Program. This generation of American lawmakers lived in trying times—winning a war, fulfilling the dream of the civil rights movement—yet they still had the foresight to make the hard choices, the choices necessary to invest in the future—our future.

Legislation I supported as a Member of the House of Representatives built on this investment and lowered the subsidized Stafford loan rate to 3.4 percent, which was the rate at which students borrowed until July 1. We recognized that investing in students is important, and lowering rates is a part of that investment.

The fact that State investment in higher education has declined significantly over the past decades has exacerbated the problem. Particularly as States struggle to balance their budgets in these tough economic times, their investments in students have decreased, meaning higher tuition, fewer grants, and fewer scholarships.

I hear regularly from Wisconsin students that the cost of higher education in my State puts college out of reach for some. Thirty years ago undergraduate tuition at the University of Wisconsin-Madison was about $1,000. Today it is well over $8,000. And it is not just my home State of Wisconsin. Across the country tuition at public 4-year colleges has tripled. This means more students are borrowing through Federal student loan programs to cover the higher cost of higher education. For students at the University of Wisconsin System, unmet needs after grants and scholarships is over $9,000—nearly doubling in the last decade. Yet the Federal Government limits on subsidized loans have remained relatively stagnant over the past 30 years. In many cases the limits on what a student can borrow through the Stafford Loan Program means their loans will not even cover the cost of their tuition.

This is what it all comes down to—a series of choices. Are we going to sacrifice the progress of our next generation because we are unwilling to do the hard work and make those tough choices now? Are we going to gradually chip away at the ladders of opportunity put in place by the generations before to lift Americans into the middle class and out of poverty; do we ask the wealthy to pay a little bit more; do we ask corporations to pay their fair share. Or do we say to students: You are on your own; sink or swim.

I say to students across Wisconsin and this great country: We should all be in this together. We must continue this compact from one generation to the next. The veteran who was educated on the GI bill wants to see his neighbor's children able to afford college. The teacher who earned her education through the Pell Grant Program wants the same opportunity for her students. The mother who attended college through the Stafford Loan Program does not want to see her savings for retirement depleted or her children sapped with debt.

I reject sacrificing the progress of the next generation because we are unwilling to do the hard work and make the hard choices now. I reject short-changing the next generation of young Americans by making college more expensive and then using the profits from their high interest rates to pay down the deficit, particularly when we ask the wealthiest to contribute nothing.

If we are to win the future, we must make the hard important choices now. For this reason and for the hard-working people of Wisconsin, I oppose this bill, and I urge my colleagues to do the same.

I yield the floor.

Ms. MIKULSKI. Well said.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, we have had a good discussion about how to proceed with this bill. The chairman of the full committee has been extremely constructive in exercising her leadership. She very much wants a new approach, and I commend her for bringing bills individually to the Senate floor.

What we are going to propose—and through the Chair I would like to engage in a colloquy with the chairman of the full committee—is that, as usual, we would go back and forth, one side then the other, in considering amendments but that we would allow Senator COBURN to file a series of amendments at this point. They are already filed, but he will call them up and make them pending, with the understanding that we would set aside individual amendments so we could keep going back and forth and so that other colleagues on the Republican side who have amendments would not be shut out but, rather, would be accommodated as well.

Is that the understanding of the chairman of the Appropriations Committee?

Ms. MIKULSKI. I thank the Senator, and I wish to respond to the ranking member of THUD to say this: No. 1, yes, that is our understanding. As we move ahead on this bill, remember that this is the first appropriations bill on the floor in 2 years and the first time THUD has been on the floor in 4 years. The Senator from Maine and Senator MURRAY are to be commended. The old-school way—old school, with respect—was an open amendment process with alternating amendments back and forth. Old school was never to bring up 12 or 15 amendments at one time; it was usually 1 amendment.

So the understanding is that it is to go back and consider one amendment at a time, alternating sides, with the understanding that the Senator from Oklahoma wishes to speak on a variety of amendments and offer them.

Again, I think we have cleared the air, and I am so happy about that. So I do concur with the Senator from Maine.

We also understand, in addition to his amendments, alternating among the ranking member, the chair, and the chairman of the subcommittee, there might also be other intervening amendments; is that correct?

Ms. COLLINS. I would say through the Presiding Officer that is my understanding as well. And I think this was a very good example of everyone operating in good faith.

I, for one, am prepared for the Senator from Oklahoma to proceed, but I would note that the Cardin amendment is the pending amendment.

Ms. MIKULSKI. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, first of all, I thank the chairman of the full committee and the chairman and the ranking member of the subcommittee. I first want to give them some praise. Although I don't agree with the total numbers in this bill, I do recognize the significant changes they have made to the bill with ideas we had 2 years ago, and I am very appreciative of the fact that the slumlord problem is being taken care of, the count on vehicles for the Federal Government is being taken care of, and the conferences are being taken care of. Almost all of my concerns have been addressed very faithfully in looking at those issues we raised and actually including them in the underlying language, and I am very appreciative of that.

In terms of getting amendments up, my desire is just to get them up and pending and to be flexible with the chairman and the ranking member on which ones they will accept, which ones they do not want to take a vote on, and then talk about that and not to ramrod the process. It is only a matter of efficiency for me. If their pleasure is for me to do one or two or three and then come back later and do it again, as long as we have an open amendment process, I don't have any problem with it.

I do think we have some ideas to improve this bill, and I think the amendments ought to be considered. So I thank them for their consideration and allowing me to make some amendments pending, and I will talk with both the chairman and the ranking member about when and what we will do with the disposition of those amendments.

AMENDMENT NO. 1750

Madam President, I call up amendment No. 1750, and I ask unanimous consent that the pending amendment be set aside for the purposes of calling up this amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 1750.

Mr. COBURN. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit funds from being directed to federal employees with unpaid Federal tax liability)

On page 185, lines 9 and 10, strike ''or provide a loan or loan guarantee to, any corporation'' and insert ''provide a loan or loan guarantee to, provide an annual salary to, or provide any other federal funding to, any Federal employee, any individual, or any corporation''.

AMENDMENT NO. 1751

Mr. COBURN. I ask unanimous consent that the pending amendment be set aside and that I be allowed to bring up amendment No. 1751.

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

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 1751.

Mr. COBURN. I ask unanimous consent that amendment be considered as read.

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

The amendment is as follows:

(Purpose: To prohibit Federal funding of union activities by Federal employees)

At the appropriate place, insert the following:

SEC. _____.

None of the funds made available under this Act may be used to pay an employee (as that term is defined in section 7103 of title 5, United States Code) for any period of official time (as that term is used in section 7131 of title 5, United States Code).

AMENDMENT NO. 1754

Mr. COBURN. I ask unanimous consent that the pending amendment be set aside and that we bring up amendment No. 1754.

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

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 1754.

Mr. COBURN. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit Federal funds from being used to meet the matching requirements of other Federal Programs)

On page 104, line 12, strike ''*Provided further*'' and all that follows through ''use of any such funds'' on line 18, and insert ''*Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may not use as a source of match funds other funds administered by the Secretary and other Federal agencies''.

Mr. COBURN. Madam President, I would like to spend a moment talking about amendment No. 1750.

This bill has a prohibition in it that I think is long overdue and very good. What it does is it prohibits the transfer of funds for Federal assistance in the bill to corporations with delinquent taxes. I believe that is a great step in the right direction.

Companies that are contracting with, doing business with the Federal Government have an obligation to pay their taxes, but I also believe our Federal employees ought to be paying their taxes as well. We have $5 billion due to the Federal Treasury from Federal employees where the cases have been adjudicated. They are not under question any longer. There is no question about whether the money is owed. They have run through all their appeals. All this amendment would do is to strike the same balance for both independent contractors, which is not a part of the Senate bill as presently on floor, and individual Federal employees who have a tax obligation.

When the average Federal compensation fully absorbed is calculated, it is in excess of $134,000 a year. That includes all the benefits and everything else. That is twice the per capita median family income in America. So the fact that we have this large of an outstanding amount—it is about $1 billion—with current active Federal employees, I believe there ought to be some consequence for Federal employees who have a tax obligation but aren't paying it and whom we continue to keep in our employ and continue to pay them with no payment back to the Federal Treasury.

In one division of the Federal Government—the Internal Revenue Service—if, in fact, an individual is found in a situation such as this, they lose their job. It is grounds for termination. So this is a simple improvement that would say what is good for American taxpayers is also good for Federal employees and what is good for businesses that do business with the Federal Government is good for Federal employees. And what is good for the businesses ought to also be good for independent contractors who owe the Federal Government money.

So I would be happy to have any modifications the committee might recommend to this as well, but in terms of fairness and running a $17 trillion debt and running $600 billion in deficits, we ought to be aggressive about collecting the taxes owed to us that there aren't any questions about. The principle the committee used in terms of businesses that deal with the Federal Government ought to be applied to individual contractors and individuals as well.

With that, I thank the chairman and the ranking member of the subcommittee, as well as the chairman, for the opportunity to offer this amendment and will await their disposition and their plan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, President Barack Obama today is in the Midwest talking to folks about how important it is that Congress return its focus to our Nation's economic recovery. I couldn't agree more. Flustered by filibusters and paralyzed by politics, Washington has gotten off track, and it is time that changes.

The Senate this week has an opportunity to pass an appropriations bill. I am grateful for the leadership of Senator MURRAY of Washington and ranking member Senator COLLINS of Maine in bringing this appropriations bill to the floor. I am still fairly new here, relatively speaking, but I am told it wasn't an unusual or shocking occurrence back in the day for the two parties to come together to negotiate and pass a bipartisan spending bill.

The bill in front of us would fund the Departments of Transportation and Housing and Urban Development. While I think to most people these agencies aren't especially related to their daily lives, both are actually fundamentally about investing in our Nation and its critical infrastructure—the roads we drive on, the homes we live in, the trains and planes we ride on, the ports our goods are shipped through. This bill is about infrastructure. We know that when we invest in America's infrastructure, we are actually investing in America's communities and in America's future.

This bill is about building the infrastructure for the long-term strength and stability of our communities and our country, and it is about putting Americans back to work. This bill will put Americans back to work on a wide range of major transportation projects in communities across our country. The programs in this bill have meant an enormous amount to my home State of Delaware, as I know they have to the Presiding Officer's. They can continue to have an important, positive impact on communities across our country, but only if we can come together to fund them.

The so-called TIGER grants program helps States and local governments pay for new highways and bridges, public transit projects, railways and port infrastructure. It is a competitive, highly sought-after program. For the current fiscal year, the Department of Transportation received nearly 600 applications from across all 50 States, the District of Columbia, Puerto Rico, Guam, and American Samoa—$9 billion in requests for just $470 million in available funds. That competition helped focus these resources where they were best leveraged and where they would have the best impact. In my view, our communities need these funds, and they need this bill to make possible this program.

TIGER grants in Delaware made possible the building of the Newark Regional Transportation Center, which will support 350 high-skilled, high-wage construction jobs a year while it is being built. This new center will give folks in New Castle County new options for public transportation, cutting down on the number of cars on I–95 and our local roads, and strengthening the community.

TIGER grants are a core part of our Nation's infrastructure strategy, and they will be at risk if we don't move this bill forward.

The new Bridges in the Critical Corridors Program is another significant part of our infrastructure strategy, and I commend Senator MURRAY for her efforts to ensure that our Nation's bridges are safe. At home in Delaware, one out of five bridges is deemed structurally deficient or functionally obsolete. Let me repeat that. One out of five bridges in my little home State of Delaware is structurally deficient or functionally obsolete. They may have major defects and need major repairs or may have been built so long ago that they are not up to current code. Either way, I think we would agree that this Nation, our constituents, our communities need our bridges to work, and work safely.

We also need and rely on our highways. The Federal-Aid Highway Program uses the highway trust fund to help States and local governments to help plan, build, and repair our Nation's needed roadways. It is a true Federal-State-local partnership and has helped ensure consistent quality and safety standards on highways across our country for nearly a century.

I shouldn't have to explain to this body why having functional roads is important to businesses, to families, or even to the public's safety, but I will say this: There are more vehicles on the roads year over year than ever before. Part of our responsibility is to make sure those roads work—and work safely. Another part is to offer our citizens other options to reduce the traffic burden on those roads.

This bill also contains two new programs to do just that, that I think are worth highlighting. The New Starts Transit Program supports projects to provide new or expanded public transportation services. The passenger rail grants, of particular interest to me, are focused more narrowly on intercity passenger rail services designed to reduce traffic congestion.

How are we going to move this country forward if we can't move around within this country? As a Congress, we have to do more to strengthen our Nation's infrastructure, and that is a big part of what this bill does.

I recently joined the Appropriations Committee after the passing of a great senior Senator—Senator Frank Lautenberg of New Jersey—who was for many years a great and tireless champion of Amtrak. He fought harder than anybody to build Amtrak into what it is today because he saw that with our population steadily growing we needed to be prepared to provide reliable, safe, affordable transportation, in particular here in the eastern region.

At his funeral, Vice President BIDEN said that, ''If it wasn't for Frank, Amtrak wouldn't be what it is today.'' He is right. And, of course, our Vice President famously rode Amtrak down to Washington every morning and home to Delaware every night that he served as a Senator, as I do now. I took the 6:25 down, and I hope, God willing, to be on the 7:00 home. We will see.

Amtrak, in this region in particular, isn't a luxury, it is a fundamental and critical part of the economy, not just in my home State of Delaware and at least a dozen States on the Atlantic seaboard but across the country for communities that rely on passenger rail to connect with the Nation's major economic centers.

Senator Lautenberg once said,

> If we shut down the Northeast Corridor rail service, you'd have to build seven new lanes on Interstate 95 just to carry all the travelers that use these trains every day.

In the last fiscal year, Amtrak achieved a new milestone of 31.2 million riders. In fact, they had record ridership 9 out of the last 10 years, and Amtrak continues to make steady progress in reliability, capacity, and on-time performance. How could we possibly afford to replace this vital service with, as Senator Lautenberg suggested, seven new lanes of interstate running up the entire length of the east coast?

Now is not the time, in my view, given all these standards of progress that they have met, to gut Amtrak, as our counterparts in the House seem determined to do. Now is the time to help Amtrak build on its steady gains and progress and continue to grow. Amtrak is a vital part of dozens, even hundreds, of communities across this country. So in my view, to invest in Amtrak is to invest in those communities and their future.

The other major portion of this bill that we consider today is housing, the transportation and housing appropriations bill. As our economy continues to recover, people in communities all across our country are looking to us to help them grow. Housing infrastructure is just as important a part of the foundation of our country and our communities as is transportation. In low-income neighborhoods, restoring community infrastructure is the foundation for future economic growth. That is why this bill's strong investment in the Community Development Block Grant Program, one of HUD's longest running and in many ways most successful programs, is so critical.

As the Presiding Officer knows, I served as a county executive before joining the Senate. In that role, our

local government made efficient, focused, targeted use of CDB grants to provide for housing assistance for low-income seniors, for the disabled, for communities across our country in New Castle County, DE.

CDB grants are high-yield investments that work all over this country, that are controlled in many ways at the local level, and that enable communities to rehabilitate buildings, streets, and sewer systems that literally lay the groundwork for new business growth and vibrant revitalized communities. As the hardest hit Americans work tirelessly to get back to work and back on their feet, housing programs, also included in this vital bill, ensure they can keep a roof over their heads or that they have the possibility of safe, clean, sanitary, affordable housing in their future.

In Delaware, nearly 4,000 people were homeless in our small State at least once last year, and more than 200 of them were veterans. All over this country, I know many of our colleagues are concerned about the number of our veterans who fought for us overseas and now face and endure homelessness here at home. For those who felt the despair and loss and loneliness of homelessness, those who lived with this fear that they will one day experience it as well, the housing programs funded in this bill are a lifeline. I want to particularly thank Senator MURRAY for her leadership on ensuring that we end the scourge of veteran homelessness in our country.

Homeless assistance grants, another key provision in this bill, help Delaware organizations, and organizations all over this country, to offer permanent and transitional housing to once-homeless persons, while providing services including job training, health care, mental health counseling, substance abuse treatment, and childcare.

And last, the HOME Investment Partnerships Program helps to expand the supply and affordability of housing to low-income families and individuals, many of whom are elderly or disabled. In my home State of Delaware, a recent grant from the Project Rental Assistance Demonstration Program will create and sustain 170 units of affordable housing over 5 years for persons with disabilities.

For millions of Americans and for thousands of Delaware families, the key to a better home lies in good counseling, in home ownership, and in these sorts of investments in a stable, affordable housing market.

Elisa, one of my constituents from Middletown, did not believe she would ever be able to purchase a home for herself and two children, but a federally funded class called Preparing for Home Ownership helped her navigate the housing market and find a home that she could afford. She is now spending less on her three-bedroom home than she had on her two-bedroom rental, and her children have a backyard of their own for the first time.

If we want families to succeed, if we want children to focus in school, if we want to create communities with safety and stability, moving toward sustainable home ownership is a vital investment by this country in creating and sustaining quality communities.

Dedicated organizations, such as NCALL and Interfaith Community Housing of Delaware, have leveraged Federal funding such as this to help with mortgages, loan modifications, and private capital to help put more than 1,000 families each year in Delaware into better housing. Their services include workshops, foreclosure prevention services, and counseling.

Another constituent who contacted me, Eva from Rehoboth, was in danger of losing her home when she met with a foreclosure prevention counselor to discuss her personal situation. A counselor helped her to develop a plan to stabilize her finances and to modify her mortgage into a more affordable interest rate. Because of a counseling program funded by this bill, Eva avoided foreclosure and was able to save her home.

The National Foreclosure Mitigation Counseling Program, administered through NeighborWorks, has helped hundreds of households in Delaware to avoid the pain, loss, and dislocation of foreclosure. Last year, counselors from NCALL, First State, and YWCA conducted more than 5,000 home ownership counseling and education activities, including one-on-one counseling appointments, workshops, and homebuyer fairs. Funding from this program will allow them to reach even more Delawareans in need in the year ahead.

We may have made some progress as a Chamber last week in getting through the executive branch nominations that had been the subject of a number of filibusters and quite a bit of contention, and I was pleased that this bill earned six Republican votes in the Appropriations Committee when taken up and considered. Surely it can earn enough votes in this full Senate to move forward to debate, to consideration, and, I hope, to final passage. It is the challenge of this Chamber to listen to each other, to work together, and to provide the vital investments in infrastructure and in housing that ensure a steady recovery and a brighter future.

Senator Lautenberg once said that his career in business taught him that if you want to be successful tomorrow, you have to lay the foundation today. That is exactly what this bill does. That is what we are voting on—the foundation of tomorrow's success for America's families and communities.

I earnestly hope we will come together to pass this bill, to create jobs, and to invest in our country's future.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

SMARTER SOLUTIONS FOR STUDENTS ACT

Mr. HARKIN. Madam President, I ask unanimous consent the Senate proceed to the consideration of H.R. 1911, as provided under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, the clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. HARKIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. HARKIN. Madam President, we are now on the student loan bill, so to speak. There is going to be a few hours of debate on the bill itself—actually 3 hours. As I understand it, there will be three amendments in order under the rule on this bill. So we will probably be on this bill for some time this afternoon. But we do want to finish it. I know the leader wants to finish it. Both the majority leader and Republican leader want to get this finished today, so we will be working on this bill for probably the better part of this afternoon.

I would like to set the stage for it by talking about the situation with student loans and why we are where we are right now. First of all, I would like to say the bill before us basically is the House bill. There will be a Manchin-Burr amendment that will be offered as a substitute. I will be supporting that. That is the compromise bill. That is the compromise we reached through several weeks of negotiations between the Republicans on the Senate side and the Democrats on the Senate side and the White House. It was a three-party negotiation that went on, and this is the compromise that was reached. So the bill before us represents a number of compromises that were made on both sides to produce legislation that would give certainty to students who borrow money from the Federal Government to attend college this fall.

As we all know, we have debated several different measures related to student loan interest rates for several weeks. This is the closest we have gotten to an agreement that represents at least two core Democratic principles, our side's principles, related to student loan interest rates.

I think it is only right to point out that we have had a couple of votes on keeping the interest rates at 3.4 percent for subsidized student loans for next year. That did not receive the 60 votes needed to move. As a consequence, on July 1, the interest rates on subsidized loans snapped back from 3.4 to 6.8 percent. We have been working hard to try to keep students from paying that 6.8 percent interest and on how we could reach some agreement, and that is what this bill does that is before us.

The two core principles we fought for were that the front-end caps—they have front-end caps to ensure that undergraduate students taking out Stafford loans will not pay above 8.25 percent interest even if there are extreme fluctuations in the market. I point out that 8.25 percent is exactly the caps we had on student loans in the 1990s. This is not something new or out of line with what we have done before. We had 8.25 percent in the nineties, and I might add five times in the nineties we bumped up against that cap, so that cap protected students five times in the nineties from going above 8.25 percent.

Graduate students taking out these Stafford loans will have a cap of 9.5 percent in interest. Parents and graduate students taking out PLUS loans, these are the parent loans, will never pay above 10.5 percent. That is the first principle, to have these upfront caps.

Second, the principle we had is to get as close to budget neutral as possible. The composition of this bill places us about as close to budget neutrality as possible, meaning that billions of dollars will not be generated off the backs of students to reduce our budget deficit, something that was included in the version of this legislation that passed the House and which was a key feature on an earlier Republican bill that received a vote in the Senate—not a passing vote, it received a vote.

Again, these are the compromises made on the Republican side. They had several billions of dollars to raise on the student loans in the future. We did not. So we compromised down. Basically, it is $715 million over 10 years. Since there is going to be over $1 trillion over 10 years, $715 billion is not much compared to the $1 trillion in student loans that will be taken out over the next 10 years. That comes down to about $71 million a year. That is just about as close as we can get it to budget neutrality.

What does this mean for students? It means this fall all undergraduate students, subsidized or unsubsidized, will only have to pay 3.86 percent interest. That is down from 6.8, down to 3.86 percent. That means they will have that interest rate for the life of the loan. That is locked in. It will not vary.

Graduate students will see a 1.4-percent rate decrease from what it would be and parents will see a 1.5-percent rate decrease, so in all cases a decrease. That means real savings for borrowers. That means an average of $1,500 savings for undergraduates, $2,913 for graduate students, and $2,066 for parents, again over the life of the loan.

This bill also includes a provision that requires the GAO to submit a report to Congress within 4 months, detailing what the actual cost to the Federal Government of administering the Federal student loan program is and what the appropriate interest rate should be to avoid generating any unnecessary revenue. Again, I am sure people referred to it. There was an editorial in the New York Times this morning talking about the fact that the government should not be generating revenue off the backs of students. We all agree with that. That is why we tried to get this as close to budget neutrality as possible. As some will point out, under the system the way it is set up over the next 10 years, the CBO estimates the Federal Government will make more than $180 billion on Federal student loans.

I might just say, deriving savings was not the intended purpose of the Federal student loan program when it began in the 1960s, and it should not be a purpose of it now. The purpose should be to keep interest rates as low as possible for students and their families. So in 4 months, when the GAO submits its report to Congress, I plan to use that information to inform us on the reauthorization of the Higher Education Act—I will have more to say about that in a second—to get a loan system that does not generate money for the government. This debate on student loan interest rates will continue, and I hope my colleagues will join us in that discussion as we move to the Higher Education Act reauthorization next year. As I said, I will have more to say about that in a second.

I have cosponsored this bill that is before us. I will vote for its passage. I will oppose other amendments because we have an agreement to move ahead. I believe this was the best deal we could get for students at this time.

The bill before us is supported by a number of groups, including the United States Student Association, the American Council on Education, Rock the Vote, Center for American Progress and Generation Progress, Generational Alliance, the National Association of Student Financial Aid Administrators, and the Committee for a Responsible Federal Budget. Also, this morning we received a letter from the Leadership Conference on Civil and Human Rights that supports this with a ''yes'' vote on the bill before us.

I wish to make it clear that I plan to revisit the issue of student loan interest rates, along with other facets of the higher education system, in order to address the whole issue of college affordability. This fall the Senate HELP Committee, which I chair, will start consideration on the reauthorization of the Higher Education Act that expires this year.

The interest rates—what we are talking about here today—we attach to Federal student loans is an important issue. I don't deny that. It is one that deserves our attention, but I want to point out that it is just one piece among many that go into college affordability. We will be tackling the many pieces that go into the reauthorization of the Higher Education Act so we can address the whole issue of college affordability.

When I am in Iowa, I hear from students and parents about the financial squeeze they are facing from the spiraling costs of college and their anxiety about student loan debt.

I have charts here. The first chart shows the increase in the cost of a public 4-year education over time. It has tripled since the 1980s. If we look at that chart, we can see that from 1980 to today the cost of a college education has tripled. That is the red line. The blue line is the Consumer Price Index. As we can see, our current system is out of step with the marketplace.

The cost of that degree has skyrocketed for students across the country. The costs have risen far higher and faster than the rate of inflation. Why is this happening? Why has it gone up so rapidly? If we look at 1990 to 1991, it just shot up. From about 2000 to now, it has really skyrocketed. I think it is legitimate for us to ask this question: Why is that happening? It is not just student loan interest rates causing that. We have had low student loan interest rates, so that cannot be the sole cause. Something else is going on. Again, that is why we need to examine that in the Higher Education Act—so we can find out why that has happened.

The second chart I have shows what is happening to our students. The average loan debt for a bachelor's degree has doubled since the 1990s. In the 1990s the cumulative debt a student would have after going to college would be $9,350. Today it is $26,660. That is over a 20-year period. Why has that gone up so much? That is why we have to get into the whole panoply of issues that affect college affordability.

In light of this crisis, I have chaired a series of hearings in our committee focused on what is being done to curb the cost and how we can have strategies to help keep the dream of higher education alive for students without giving them a ton of debt when they graduate. To date, we have examined promising strategies employed by innovative colleges and universities to curb costs while improving student outcomes. We have looked at State policies for improving affordability and State barriers to innovation, efficiency, and effectiveness. There is much room for progress and improvement when it comes to our system of higher education. I believe a consensus is emerging on the need to break away from business as usual. We cannot keep going on the way we have been doing over the last 20 years in funding for higher education.

Among the many ideas we have heard in these hearings, three major themes

have emerged. First, States are cutting funding to public universities, shifting the costs to students, their families, and Federal financial aid programs. In all of our hearings—and we have looked at all that goes into these charts, such as the increase in costs to students and the cost of college—the single largest correlative factor has been the decrease in State support for higher education.

What has become clear—at least to this Senator—is that State legislators have figured it out. They can cut their budgets and cut their support for public universities, shift the burden back on students and their families, the students come to the Federal Government and borrow more money, we increase Pell grants, and the burden on the student grows because their debt grows. Yet the colleges themselves are not stepping in to do anything. There are some colleges doing innovative things, but they are not doing enough to control the costs. Something has to be done about the States backing off of their support.

The second theme that emerged was that many of our more than 7,000 degree-granting institutions are not making college affordability a priority. It is just not a priority. They are focused on chasing rankings, investing in efforts unrelated to academic success, and they are failing to respond to a rapidly changing higher education landscape.

The third theme that emerged was that students and families are not empowered with accurate, clear, and accessible information about the comparative costs, quality, and value when shopping for a college education. While college affordability is a complex issue with no easy answers, there is much that all stakeholders—the Federal Government, State governments, institutions, families, and students—can do to increase college access and success and keep the costs down regardless of a student or family background.

Again, we are going to have to look at this in the higher education bill. Interest rates are just one piece of it, and that is what we are addressing today, but there is a lot more going on than just interest rates. We have to look at our system of accreditation. We have to look at our campus-based aid programs, the financing of Pell grants, and the regulation of the for-profit colleges that my friend from Illinois is always consistently pointing out here. We need to look at the structure that supports our Federal loan system, from the loan origination process to the servicing done by private and nonprofit contractors after students have completed their course of study, and debt collection should they default. The system we have is complex. I will repeat that the interest rate on student loans is only one piece of this jigsaw puzzle. It is an important piece to be sure and one we are addressing today.

Throughout the discussions about the interest rates, both President Obama and my ranking member and good friend Senator ALEXANDER have personally committed to working with us as we take up the reauthorization of the Higher Education Act in the coming year so we can address all the issues affecting our entire higher education system and hopefully enact much needed reforms.

We all understand how serious and important the issue of affordability is for a higher education. I look forward to working with Senator ALEXANDER, members of our committee on both sides, and the White House in the months ahead to come up with a Higher Education Act reauthorization bill that is comprehensive and really gets to the bottom of college affordability so we can start to break away from the way we have been doing things in the past. As I said, we cannot continue on the way we have been doing this.

There are many who have been involved in negotiating the legislation before us today. Compromises are tough sometimes. I have said before—and I know my friend from Illinois said this at our press conference last week—if I were to write this bill and if I could have it my way, this would not be what I would write. I understand that. It wouldn't be what my friends on the other side would write either. And that is the art of compromise—to bring both sides together and get the best agreement we can. This is a good agreement. It is good for undergraduate students, it is good for graduate students, and it is good for their families.

I thank President Obama for his leadership in negotiating this bill. I would also like to thank my friends and colleagues. I thank Senator DURBIN, who was a great leader in bringing this about. I thank Senator MANCHIN, Senator KING, Senator CARPER, as well as Senator ALEXANDER, Senator COBURN, Senator BURR, and their staffs for all the hard work and diligence in putting this proposal together.

As I said, this might not have been the bill I would have written, and I think everybody who has been involved in this would say the same. But it is the best we could do. Quite frankly, it is going to lower interest rates this year. For undergraduate students, for the next 4 years it will be lower than 6.8 percent. In the fifth year it goes up just a little bit. As I said, as we look at the Higher Education Act and as we get this back from GAO in 4 months, we are all going to work together to see what exactly is the best path forward.

We can keep the interest rates low for students this year and into the future, and I support this bipartisan Student Loan Certainty Act. I encourage all of my colleagues to vote in favor of its passage.

I am glad to yield for my friend Senator DURBIN.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Madam President, through the Chair I would like to direct a question to the Senator from Iowa. I respect the leadership he has shown on this issue and so many issues, whether it is health, education, or disabilities. He has been the voice of leadership in the Senate for a long time. I know this is his last term as a Senator, but I also know he still has one big job ahead of him, and he has talked about it—the reauthorization of the Higher Education Act. We are going to hold the Senator to that because we need his voice and leadership in that room or it won't happen.

I saw his leadership on this particular issue. Senator HARKIN came to this negotiation with conservative Democrats and Republicans and sat down and said: There are some basics we are going to have to include in this before I will sign off.

I remember this—No. 1, keep the interest rates as low as possible for students so that students and their families don't have an increased burden.

As he said, in the next 2 years—whatever category of a student loan we are talking about—this bill is a break. For undergraduate students, it saves $2,000 in interest over the next 4 years that they otherwise would pay if this bill fails to pass.

The second thing he said: We want a cap on interest rates so that if something unforeseen happens, if all the economic predictors are wrong and the base interest rate on 10-year Treasurys goes up faster than we thought, there will be a cap to protect the students. He insisted on it, and we put it in there. For undergraduate students, it is 8.25 percent. That is a guarantee that it will not go to the high heavens. And 8.25 percent has been a traditional ceiling cap.

The third thing—and I want to make a point of this because it is likely to come up in debate. This is an interesting compromise. We would dream up scenarios. Well, what if we put the cap at this number? What would happen to the interest rates? When it is all over, if we calculate it over 10 years, do we break even? We don't want to make a penny off of students and their families on student loans. We don't. We tried to avoid it.

I think the best effort of the Senator from Iowa netted some $600 million to the Treasury over 10 years. This bill is in the range of $715 million.

Mr. SANDERS. Madam President, will my friend from Illinois yield?

Mr. DURBIN. I am asking a question of Senator HARKIN and then I will be happy to yield.

What I would like to put in perspective is $715 million to the Treasury over 10 years. Over a 10-year period of time, CBO estimates the government will make $1.4 trillion worth of student loans. This $715 million, when compared against that, comes out to .005 percent. So we cut it as close as we could.

What does it mean to the students? It means to the students, according to the way they factored it out, that for

each loan a student takes out—$2,000, $3,500, whatever it happens to be—there will be on average a surcharge of $2.76. That is what comes to $715 million. So the net result of it is—we would like to bring it to zero; that was our goal. The way this place works, that was hard to achieve. I thank the Senator from Iowa for dedicating himself to those things.

I wish to address him in the form of a question, to be complicit with the rules of the Senate: If we fail to pass the bipartisan approach we are bringing to the floor, what will be the immediate impact on students and families in the United States?

Mr. HARKIN. Again, I thank my friend from Illinois for his great leadership. Before I get right to the answer, I would point out the art of compromise, which we did. The Republican proposal we had before us a few weeks ago raised $15.6 billion over 10 years. So they have compromised a long way too. We have gotten it down to $715 million, over 10 years, from $15.6 billion. The Senator is absolutely right. We are looking at close to $1.5 trillion over the next 10 years, and that kind of puts that $715 million in perspective.

If we don't pass this today, there is one sure effect: Student loans will be almost twice what they would be under this bill—this year, almost twice—for them and their families.

Mr. DURBIN. Interest rates.

Mr. HARKIN. And that would be true for this year and next year and the year after, almost—not quite—this is 3.86, it would be 6.8. So they would be paying 6.8 percent on every loan they take out this year rather than 3.86 percent, which I might point out also covers both subsidized and unsubsidized loans. That is a good deal.

Again, I say to the Senator that by keeping the rates like that—and this is another good point to make and I think people should understand. A student borrowing this year at 3.86 percent locks that in for the lifetime of the loan—locks that in. It doesn't go to 8.25 percent. That 8.25 is a cap in case interest rates start going up.

I would point out to my friend from Illinois that 8.25 is what we had in the 1990s, and five times in the 1990s we hit that cap, so we protected students five times in the 1990s at that 8.25 percent.

I say to my friend we have to pass this bill to keep students from paying 6.8 percent on their loans this year.

AMENDMENT NO. 1773

On behalf of Senator MANCHIN, I call up his amendment which is at the desk.

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will report.

The bill clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for Mr. MANCHIN, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN, proposes an amendment numbered 1773.

Mr. HARKIN. 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 establish student loan interest rates, and for other purposes)

Strike all after the first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the ''Bipartisan Student Loan Certainty Act of 2013''.

SEC. 2. INTEREST RATES.

(a) INTEREST RATES.—Section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) is amended—

(1) in paragraph (7)—

(A) in the paragraph heading, by inserting ''AND BEFORE JULY 1, 2013'' after ''ON OR AFTER JULY 1, 2006'';

(B) in subparagraph (A), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,'';

(C) in subparagraph (B), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,''; and

(D) in subparagraph (C), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,'';

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(3) by inserting after paragraph (7) the following:

''(8) INTEREST RATE PROVISIONS FOR NEW LOANS ON OR AFTER JULY 1, 2013.—

''(A) RATES FOR UNDERGRADUATE FDSL AND FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans issued to undergraduate students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 2.05 percent; or

''(ii) 8.25 percent.

''(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

''(ii) 9.5 percent.

''(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

''(ii) 10.5 percent.

''(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

''(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

''(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 3. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay- As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 4. STUDY ON THE ACTUAL COST OF ADMINISTERING THE FEDERAL STUDENT LOAN PROGRAMS.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study that determines the actual cost to the Federal Government of carrying out the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), which shall—

(A) provide estimates relying on accurate information based on past, current, and projected data as to the appropriate index and mark-up rate for the Federal Government's cost of borrowing that would allow the Federal Government to effectively administer and cover the cost of the Federal student programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) under the scoring rules outlined in the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.);

(B) provide the information described in this section in a way that separates out administrative costs, interest rate, and other loan terms and conditions; and

(C) set forth clear recommendations to the relevant authorizing committees of Congress as to how future legislation can incorporate the results of the study described in this section to allow for the administration of the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) without generating any additional revenue to the Federal Government except revenue that is needed to carry out such programs; and

(2) prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives setting forth the conclusions of the study described in this section in such a manner that the recommendations included in the report can inform future reauthorizations of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

Mr. HARKIN. Madam President, I yield the floor.

AMENDMENT NO. 1774

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I call up my amendment which is at the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Mr. BLUMENTHAL, and Mr. WYDEN, proposes an amendment numbered 1774.

Mr. SANDERS. 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 a sunset date)

At the end of the amendment, add the following:

SEC. 5. SUNSET.

(a) IN GENERAL.—The amendments made by this Act shall be effective for a 2-year period beginning on July 1, 2013.

(b) REPEAL.—The amendments made by this Act shall be repealed on July 1, 2015, and section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) shall be applied as if this Act the amendments made by this Act had never been enacted.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I have a lot of affection for my friend from Iowa Senator HARKIN and Senator DURBIN from Illinois, but I must respectfully disagree with them and rise in opposition to the bill.

I ask for support for an amendment I am offering which is being cosponsored by a number of Senators. I wish to thank Senator LEAHY, Senator WYDEN, Senator WHITEHOUSE, Senator GILLIBRAND, Senator BLUMENTHAL, Senator SCHATZ, Senator MURPHY, and Senator HIRONO for their support for this amendment. I also wish to thank the largest educational organization in America, the National Educational Association, for their support of this amendment, and I thank the American Federation of Teachers for their support of this amendment.

The truth is that if the bill on the floor is passed without amendment, it would be a disaster for the young people of our country who are looking forward to going to college and for the parents who are helping them pay their bills. The job of the Congress, it seems to me, is to improve upon the dismal situation we face today in terms of student indebtedness and college affordability. These are major crises in this country. Millions of kids leaving school are deeply in debt and parents are borrowing at high interest rates to send their kids to college. We have a crisis. This bill makes a bad situation worse, not better.

I ask my colleagues to support the amendment I have offered which would provide a 2-year sunset to this bill—an approach which would prevent student interest rates from soaring and allow us the time, through the reauthorization of the Higher Education Act, to deal with the issue of student indebtedness in a constructive long-term manner. This issue is too important not to go through a hearing process, not to go through a committee process. I hope we will pass my amendment, supported by eight other Senators, which will sunset this bill in 2 years and allow us to take advantage of the relatively low interest rates now and prevent student interest rates from soaring into the future.

The very sad truth of the matter is that in a number of ways, our government—Congress, the White House—is failing young Americans today, at all ages. We have the highest rate of childhood poverty of any major country on Earth. Almost 22 percent of our kids live in poverty.

I think every working American understands that our childcare system is a disaster. If a person is a working-class mom or dad in Vermont, or I suspect any other place in this country, it is hard to get the quality childcare they need, so that many kids today, because of inadequate childcare from zero to 3 and 4, enter kindergarten or first grade already years behind where they should be intellectually and emotionally. We are failing our young children.

We are failing our teenage young people as well. Today, the unemployment rate for high school graduates is close to 20 percent. That is the official rate. For real unemployment, counting those who have given up looking for work and those who are working part time when they want to work full time, it is even higher than that. What does that mean for millions of kids who graduate high school, can't get a job their first year out of school, their second year out of school, and their third year out of school? What does this mean for their entire lives? We are not dealing with that issue.

I had passed an amendment as part of the immigration bill to provide 400,000 jobs over a 2-year period for young people. That is a start. We have to go a lot further than that. By and large, we are failing working-class, middle-class young people today who are desperately searching for jobs.

For minority youth—for African-American youth—if my colleagues can believe this, the official unemployment rate for ages 16 to 19 is over 43 percent—over 43 percent, African-American young people, unable to find jobs. That is unacceptable.

Our goal must be to make sure the youth of this country, if they graduate high school and they want to go out into the workforce, are able to get decent jobs or if they choose to go to college, to be able to afford to go to college, and to make sure our young people do not end up on street corners doing drugs—not in jail, not in self-destructive activity. That is our job, to make sure those who have the ability and capability are able to go to college and others are able to get meaningful work. Frankly, we are failing in both of those areas. When we do that, we fail not only the young people of this country but the future of this country because the future by definition is with our young people.

All of us know we live in a highly competitive global economy. If this country is going to succeed economically, we need the best educated workforce in the world. Unfortunately, compared to much of the industrialized world, we are doing very little to make that happen.

In June, the OECD—the Organization for Economic Cooperation and Development—released its annual snapshot on the state of education in developed nations. The report showed the United States is losing ground to other nations that have made sustained commitments to funding higher education opportunities. We are losing ground, and the legislation on the floor today, which will result over a period of years in a strong likelihood that interest rates for student loans will go up, making it harder for moderate and low-income kids to go to college, will only accelerate those losses.

The United States once led the world in college graduates. Thirty, forty years ago, we led the world in the percentage of our people who were college graduates. In fact, as a result, today those people between age 55 and 64 in the United States still lead their peers in other nations in the percentage with college degrees—about 41 percent. So if a person is between 55 and 64, compared to the rest of the world, that age group has the highest percentage of people who are college graduates.

Tragically, over the years, we have lost substantial ground. In 2008—and this is a very sad story indeed, something that should concern every Member of Congress and every American—the same percentage of Americans aged 25 to 34—the same percentage of that younger group—has a degree compared to the older group of 55 to 64. What does that mean? What it means is that for the last 30 years, every President, every Governor, every Member of Congress, virtually every parent in America has said to our young people: The world is changing. Technology is exploding. A high school degree no longer will do it if you are going to make it into the middle class.

That is what everybody has said for the last 30 years. But 30 years later, nothing has changed. The percentage of Americans who have a college degree today is no higher than it was 30 years ago. The result is that other countries have significantly surpassed us in terms of the percentage of their younger people who now have college degrees.

In terms of the percentage of college graduates, we lag behind Australia, Belgium, Canada, Denmark, France, Ireland, Israel, Japan, South Korea, Luxembourg, New Zealand, Norway, Sweden, and the United Kingdom. In other words, where we were once first in the world in terms of percentage of college graduates, we are now 15th in the world.

How do we compete in a global economy if we have descended from first to fifteenth in the world in terms of people with college degrees? That is why

on the immigration bill we have people coming to the floor and saying: Americans are not educated. They cannot do these high-tech jobs. We need people from all over the world to come in to do that work.

Well, I do not agree with that, but that is the argument out there: Our people do not have the education. Does anyone believe in any serious way the bill on the floor today is beginning—beginning—to address the issue of making it easier for kids in this country to go to college? The answer is nobody does because, according to CBO projections, interest rates are going to go up, and, in fact, it is going to be harder for families to send their kids to college. I will get into that in a moment.

The other very important point to be made—and I think a lot of people do not understand this—according to the Congressional Budget Office, the U.S. Government is making huge profits—huge profits—from college loans. In fact, according to the CBO, the estimate is that the U.S. Government will make about $184 billion in profits over the next 10 years.

So what do we have? We have a middle class which is disappearing. We have poverty at a level as high as it has been in the last 60 years. We have millions and millions of families struggling to be able to send their kids to college. My parents did not go to college. My brother and I were the first in our family to go to college. Millions of families are in the same boat.

What is the U.S. Government doing now? We are helping to balance the budget not by asking multinational corporations—that make billions of dollars a year in profit and pay nothing in Federal income taxes—to pay their fair share of taxes; no, that is not what we are doing. We are saying to working-class and middle-class families: Oh, you want to send your kids to college? You want to borrow money from the government? Well, over the next 10 years we are going to make $184 billion in profits off of you.

Let me go on record as saying I think that is a very counterproductive idea. It is a dumb idea. We have to get out of the business of making profits off of struggling families who want nothing more than to be able to send their kids to college.

Let's be very clear about what the legislation on the Senate floor would do. According to CBO—and I fully agree; I do not know what interest rates are going to be tomorrow, next year. You do not. Nobody does. And the CBO is by no means infallible. But the CBO and most economists believe we are leaving this period where interest rates have been historically low. Are they absolutely right? I do not know. Could they be wrong? Quite possibly. But that is what the CBO is estimating. This is what the CBO says.

The CBO says the 10-year Treasury note on which this entire legislation is based is now at 1.8 percent. In 2014 it will be at 2.57 percent; in 2015 it will be at 3.35 percent; in 2016 it will be at 4.24 percent; in 2017 it will be at 4.95 percent; in 2018 it will be at 5.2 percent.

Everybody has to understand that what this legislation is about is basing student loans on a variable interest rate. Interest rates go up; student loans go up.

So let's look at what will happen with student loans under this legislation. The good news is that because interest rates are low now, for the next few years the interest rate for the subsidized Stafford loans will be, in 2013, 3.8 percent; in 2014, 4.6 percent; in 2015, 5.4 percent; in 2016, 6.2 percent; in 2017, 7 percent, in 2018, 7.2 percent. That is for undergraduates.

For the graduate Stafford loans, under this proposal on the floor today, in 2015, 6.9 percent; in 2016, 7.8 percent; in 2017, 8.5 percent; in 2018, 8.8 percent.

For the PLUS loans—those are for parents who are helping their kids—in 2015, 7.9 percent; in 2016, 8.8 percent; in 2017, 9.5 percent; in 2018, 9.8 percent.

Now, does anybody really believe that at a time when families and young people are having an enormously difficult time paying for college that these interest rates make any sense whatsoever? They do not. They are going to put an increased burden on working families and young people.

Today, the average student graduating from a 4-year college leaves school $27,000 in debt. If you are paying interest rates of 7 percent or 8.5 percent for graduate school, there is no doubt in my mind that indebtedness will rise.

Furthermore, not only is it a question of families and young people struggling with enormous debt—on my Web site I asked Vermonters and people all over the country to tell me what the impact would be on their lives of student indebtedness. We heard just enormously painful stories from people who said: You know what. My husband and I wanted to have a baby. We cannot have a baby right now because we do not have the funds. We are paying off our student debt.

We heard from people who are going into professions they really did not want to go into because they just have to make a whole lot of money to pay off their debt rather than doing what was the love of their life, what they studied to do. So what we have is a bad situation which, if the CBO is correct, will only make that situation worse.

My amendment is not my preferred option. My preferred option would be to do what a majority of the Members in the Senate voted to do, which is to freeze interest rates for another year at 3.4 percent while we come up with a long-term solution. My Republican colleagues, as they do on virtually every piece of major legislation, chose to filibuster that bill, and we needed 60 votes. I think we only got 51. A majority spoke for the American people, for the young people, for working families, but we could not get the 60 votes. That was my preferred option.

But this approach, at least, and what my amendment would do is to say, OK, between 2013 and 2014 we will keep interest rates fairly low—not as low as I would want it—4.6 percent for undergraduate Stafford loans, 6.1 percent for graduate Stafford loans, and 7.1 percent for the PLUS program. It is not ideal by any means, but it is a lot better than what will likely take place in years to come. So we take the best of this bill and sunset it at the end of 2 years.

So if people say there is no option to going forward as opposed to 6.8 percent, I say: Sorry, you are wrong. There is an option. That is what we have done. We have a 2-year sunset on this bill that would be at least a reasonable compromise to give us the opportunity to take a hard look at the higher education bill and figure out two issues: how we create low-interest loans over a long period of time and, second of all, how we, in fact, make college more affordable than it currently is.

Let me be a little bit political, as I finish my remarks, and say this: I respect everybody's point of view, and there are different points of view here. But I think what a lot of Americans are asking themselves—they say: Well, let's see. We just had elections in November, and we were told elections matter. We had a candidate for President of the United States, Barack Obama, who won a very decisive victory, who ran on the platform of saying: Hey, I am going to stand up for the middle class. I am going to stand up for working families.

We had an election in which Democrats, Independents, retained control of the Senate. Now there are 54 votes in the Democratic caucus, and almost without exception Democratic candidates—I ran—Independents stand for working families, stand for the middle class.

So what I do not understand is, when we have a Democratic President, a Democratically-controlled Senate, why we are producing a bill which is basically a Republican bill—very close to what the House Republicans passed.

As most people know, the House Republicans are perhaps the most conservative majority in the House that we have seen maybe ever—the most conservative body. They say: This is a pretty good bill. We will accept it.

Well, if the most rightwing Congress in American history thinks this is a pretty good bill, I would hope that many Democrats would say maybe there is something wrong with this bill; maybe we can do something better than that.

The other point I would make, as I did a moment ago—and people have to understand this—a majority of the Members of the Senate voted to keep interest rates at 3.4 percent for another year. Fifty-one Members voted for that. Most people assume that 51 out of 100 is a majority. But we were unable to pass that legislation because of a Republican filibuster.

What we have seen on virtually every single important piece of legislation is that the majority does not rule in the Senate. We need to have a supermajority of 60 votes. The result is legislation like this, which could well end up raising interest rates for students and their families to an absolutely unacceptable level.

So let me conclude by saying we have a huge crisis in this country. The crisis is that today hundreds of thousands of bright young people who have graduated from high school are now saying—now saying—I would love to go to college. I can do it. I would like to be a professional. I would like to be a doctor. I would like to be a nurse. I would like to do one of many professions. I would love to do it. I am smart enough to do it. I have the drive to do it. I just come from a family that does not have the money to send me to college.

So for those hundreds of thousands of young people whose dream it was to go to college, this legislation only makes that situation worse because it will make college even more unaffordable. Let's be clear: This is a loss not only to those families and to those young people; it is a loss to our country.

A couple months ago I had the Ambassador from Denmark come to the State of Vermont to do some town meetings with me.

The Presiding Officer may or may not know the cost of college education in Denmark in terms of out-of-pocket costs. It is zero. It is zero. It is not just Denmark, there are a number of countries around the world that have the intelligence to understand that the most important thing they can do is invest in their young people. So they say to their young people: You do well in school, regardless of your income, and you are going to be able to go to the best colleges we have. Not only the best colleges but graduate school, medical school, law school, and your cost will be zero.

You know what. I think that is pretty smart. I think investing in our young people is investing in the future of our country. That is what some countries do. They make college education free in terms of out-of-pocket cost. Other countries do not go that far.

I live an hour away from the Canadian border. They heavily subsidize college. So we are seeing many American kids now going off to fine colleges and universities in Canada, where even for people from the United States college costs are less than they are in the United States.

In terms of what we are demanding of young people and parents in out-of-pocket expenses, there is no country in the industrialized world that asks more than we do. The result is that we have seen virtually no gain in the last 30 years in terms of the percentage of our people graduating from college.

We have a crisis. It is a crisis which impacts millions of young people: those who have given up on the dream of college and those who are graduating from college deeply in debt.

It impacts our entire Nation. It is insane to me that we are conceding to other countries around the world and saying: OK, you are graduating large numbers of people. You are allowing them to go to college. But we in this great country, we cannot do that. It makes no sense to me at all. It is bad for the future of this country, bad for our economy, bad for millions of families.

The legislation on the floor today only makes a bad situation worse. It is based on variable interest rates. It is, according to the CBO, likely that those interest rates will rise. In 2018, we are talking about subsidized Stafford loans at 7.25; graduate rates, 8.8; PLUS loans, 9.8. Can anybody really come to the floor and tell me this is where we want to go as a country? So we have a bad situation which we have to address, not make it worse.

Once again, I wish to thank all of the Senators who have cosponsored this legislation: Senators LEAHY, WYDEN, WHITEHOUSE, GILLIBRAND, BLUMENTHAL, SCHATZ, MURPHY, and HIRONO. I want to thank the NEA, the largest educational organization in the country, for their support, and the American Federation of Teachers for their support.

Let's stand tall today for the working families of this country who believe in the American dream, and that dream is significantly about the desire of our young people to do better than we have done. That was the dream my parents had. It is the dream that millions of families have had. An important part of that dream is to work hard as a parent to enable my kid to get a college degree.

We are failing millions of families right now. This legislation will make a bad situation worse. We can do better. We can do better. Let's stand with the working families of our country today. Let's reject the underlying amendment, and let's pass the Sanders amendment.

With that, I ask unanimous consent the time during quorum calls be charged equally.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. SHAHEEN. Madam President, we all know that on July 1 interest rates for subsidized Stafford loans doubled from 3.4 percent to 6.8 percent. I have twice voted to extend the 3.4-percent rates to protect our Nation's students. Unfortunately, both times we had those votes the extensions were defeated. Without congressional action, the 6.8-percent interest rates will stand as current law.

I think today we are going to vote for a bipartisan compromise to keep student loan interest rates low this year. I plan to vote for that compromise, but I have some concerns about it. I do want to thank my colleagues who have spent many hours coming to an agreement that can pass this body. This is a bipartisan compromise, and I think it is very important we work together to address this issue. While the compromise isn't perfect, our undergrads and our graduate students will be able to go to college this fall with peace of mind knowing the interest rates are well below those they would otherwise face.

In fact, this compromise will save $30 billion in interest debt for students over the next 4 years. Undergraduates borrowing this year will save about $2,000 over the course of their studies, and graduates could save between $4,000 and $9,000.

Today, assuming it is offered, I also plan to vote for the Reed-Warren amendment to lower the cap on interest rates. I would have supported Senator MURRAY's effort to allocate any resulting savings to shore up Pell grants, which would help fund those students who need it the most, but I understand we are not going to be able to vote on that amendment.

While today's vote is important to keep student rates low for this year's students, I wish to be very clear I do not consider this compromise to be a permanent fix for our students. Included in the bill is a requirement for a study to be conducted by the nonpartisan and independent Government Accountability Office which will analyze the cost of running the student loan program. Once we have the results of the study, we should use the information to determine what course of action is best for our students.

One thing is very clear: Any solution should not come at the expense of our students. Affordable higher education is one of the best investments we can make in our country. It is essential to growing this Nation's economy, to creating jobs, and to protecting the middle class. Our businesses need educated workers to compete in the new global knowledge-based economy.

In an immigration bill the Senate recently passed, which I voted for, we increased the number of highly skilled workers businesses could bring in because there is currently a shortage in this country of those highly skilled workers. I supported that, but that is a crutch, a short-term fix. We should be educating American students for these high-skilled jobs.

In my home State of New Hampshire, the student loan debate is a very important one. Last year a survey found our State had the highest average student debt in the Nation, at $31,408 per student. Nearly three-quarters of New Hampshire students have some amount of student loan debt—the second highest percentage of students with debt in

the country. We must protect our students. We should not be trying to solve the fiscal challenges facing this country on the backs of our students. We can't afford to price middle-class families out of a college education.

Studies show adults with degrees from 2- and 4-year colleges have far higher family incomes than adults who have high school degrees. In fact, according to a recent study from Georgetown University, people with bachelor's degrees earn about $1 million more over their lifetimes than those who don't have a college degree. We need to get rid of any barrier that stops students who want to pursue degrees.

Recently, I met a woman named Anne, from Manchester, who had been a recipient of student loans. She was able to go to school and get a degree because of Pell grants. Anne will quickly tell you that without aid she would never have even thought about pursuing a college degree. She is now working in a professional capacity and she is contributing to her community in so many ways. Unfortunately, Anne is now worried about her daughter, a single mother who works part-time and who has limited options to pursue her own dream job because of the high cost of education. Anne told me:

> These kids are our future. We cannot limit them in this way; student loans should not be an obstacle that is insurmountable.

She is right. We need to make it easier and more affordable for Americans to go to college, not harder and more expensive.

I also heard from a woman named Patricia. She is 45, a single mother with three children under 18 years of age. She is currently a student at Granite State College who is relying on loans to get her degree. For the past 10 years, she and her family have been in and out of homeless shelters. She grew up as the youngest of nine children in a family where the option of college was never even considered or discussed. Patricia has an incredibly tight family budget. Student loans are critical to her getting a degree and ultimately being able to provide for her family. Sadly, any increase in student loan interest rates could limit Patricia's ability to continue her education.

The bottom line is clear. We all know it. We have to make college more affordable. It is essential for our students, it is essential for their futures, and it is essential for the future of this country. If we expect to compete in this global economy, we have to make sure we have the high-skilled workforce we need, and that means making sure those young people who want to go to college can afford to get that degree. It is just too important for our country's future to fail at this.

I thank the Chair, and I would just note that I will be voting for the bill, but as I said, I certainly hope we are all committed to making greater progress and making college education more affordable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 1778 TO AMENDMENT NO. 1773

Mr. REED. Madam President, I ask unanimous consent at this time that my amendment, which is at the desk, be called up.

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

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for himself and Ms. WARREN, Mrs. MURRAY, Mr. LEAHY, Mrs. GILLIBRAND, Mrs. BOXER, Ms. STABENOW, Mr. WHITEHOUSE, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. SCHATZ, Mr. MERKLEY, Ms. HIRONO, Ms. BALDWIN, Mrs. SHAHEEN, Mr. BROWN, Ms. KLOBUCHAR, Mr. WYDEN, and Mr. MURPHY, proposes an amendment numbered 1778 to amendment No. 1773.

Mr. REED. 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 interest rate caps for certain Federal student loans)

Beginning on page 3, strike line 9 and all that follows through line 13 on page 5 and insert the following:

''(ii) 6.8 percent.

''(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

''(ii) 6.8 percent.

''(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

''(ii) 7.9 percent.

''(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

''(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

''(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 2A. SURTAX ON MILLIONAIRES.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VIII—SURTAX ON MILLIONAIRES

''Sec. 59B. Surtax on millionaires.

''SEC. 59B. SURTAX ON MILLIONAIRES.

''(a) GENERAL RULE.—In the case of a taxpayer other than a corporation for any taxable year beginning after 2013, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to 0.55 percent of so much of the modified adjusted gross income of the taxpayer for such taxable year as exceeds $1,000,000 ($500,000, in the case of a married individual filing a separate return).

''(b) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2014, each dollar amount under subsection (a) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2012' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of $10,000, such amount shall be rounded to the next highest multiple of $10,000.

''(c) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this section, the term 'modified adjusted gross income' means adjusted gross income reduced by any deduction (not taken into account in determining adjusted gross income) allowed for investment interest (as defined in section 163(d)). In the case of an estate or trust, adjusted gross income shall be determined as provided in section 67(e).

''(d) SPECIAL RULES.—

''(1) NONRESIDENT ALIEN.—In the case of a nonresident alien individual, only amounts taken into account in connection with the tax imposed under section 871(b) shall be taken into account under this section.

''(2) CITIZENS AND RESIDENTS LIVING ABROAD.—The dollar amount in effect under subsection (a) shall be decreased by the excess of—

''(A) the amounts excluded from the taxpayer's gross income under section 911, over

''(B) the amounts of any deductions or exclusions disallowed under section 911(d)(6) with respect to the amounts described in subparagraph (A).

''(3) CHARITABLE TRUSTS.—Subsection (a) shall not apply to a trust all the unexpired interests in which are devoted to one or more of the purposes described in section 170(c)(2)(B).

''(4) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.''.

Mr. REED. Madam President, I am pleased to offer this amendment, along with Senator WARREN and 18 of our colleagues. Our amendment would provide the kind of certainty students deserve and that they will not receive under the proposed bipartisan Student Loan Certainty Act as it is currently drafted.

Simply put, our amendment will ensure that students and parents will not be any worse off than they would be under the current fixed rates of 6.8 percent or 7.9 percent. To illustrate this, let me present a chart.

Under the underlying legislation, Stafford loans for students are essentially subject to the same interest rates, and they are depicted here. These are the undergraduate loans in yellow and the graduate loans in white. We can see in the first year for the undergraduate loans it is just under 4 percent, and that is less than the 6.8-percent current statutory limit. For the graduate loans, they are up roughly about 5½ percent, which, again, is below that. But very quickly, by 2015, the graduate loans exceed this 6.8-percent threshold. That is the current law. Then it keeps going up and up and up.

Actually, this chart does not represent the entire impact because the last bar represents the estimates not just for 1 year but for 5 years. So we can see these increments—the white increments for the graduate loans—keep going up and up and up indefinitely. This is permanent legislation. This is not a 5-year fix or a 10-year fix. It is permanent legislation. A similar process is that the undergraduate Stafford loans go up and up and up and up.

Our legislation will simply say if you want to provide an incentive and a benefit for students who are today going to school, that is commendable, but at some point we are going to have a much worse deal for students than we have just with the current law. So we are proposing, very simply, to cap at 6.8 percent the Stafford loans and then at 7.9 percent for the parent PLUS loans.

This is a projection of the percentage interest rates for parent loans. Again, 2013, it is below the present 7.9-percent statutory limit, but quickly, by 2015, it is above, and then it is indefinite. From 2018 to 2023 and beyond, it goes up and up and up and up. Our amendment simply says if we want to give everybody a benefit in the next several years of lower rates, do it, but let us give real certainty that rates will not exceed the current statutory rates.

As I have indicated previously in my remarks, I wish to commend the authors at least for putting in caps on rates.

Some of the original proposals coming from the Senate Republicans and other places had no real caps in place. At least now we have caps.

I want to particularly thank Chairman HARKIN, because he committed himself to ensuring that all these loan programs have a cap. Our point, though, is the caps are so large that effectively students and parents in a very short period of time will be paying much more than they are today. These caps are too high. They could go as high as 8.25 percent for undergraduate Stafford loans, 9.5 percent for graduate Stafford loans, and 10.5 percent for PLUS loans. Those are significantly higher than our threshold. We can do better. We want to protect students from these high interest rates.

In Rhode Island, roughly 49,000 students will borrow for this coming academic year. They would benefit from this approach, but their brothers and sisters, who may be freshmen in high school, will be taking out loans when the interest rates will be exceeding the current rates.

Adopting the Reed-Warren amendment means students can benefit from these low rates initially, but then we will have the existing statutory cap in place for future generations. As it exists now, if you are a senior in high school and you are going to college next year, you are going to get the benefit of the rate, but your younger brother or sister, who may be a freshman or junior in high school, and your parents are paying for it in the future, and will be paying indefinitely.

As my colleague Senator WARREN has pointed out, they are doing it in a situation in which the government is making billions of dollars a year on these loans. This is not a question of putting subsidies in. Contrary to the history and purpose of the student loan programs, we are actually reversing the subsidy. We are saying, No, the students pay.

Education is so important to the future of America, yet we are no longer going to invest in it as a Nation. We are going to let students pay. That is the way this whole approach has been structured. They picked as their benchmark the 10-year Treasury bill. Typically, we use the 91-day Treasury bill. Just in the baseline, there is a higher interest rate. Then they picked a premium to put on top to compensate the government for potential risk of loss. As some of my colleagues suggested, we are not quite sure what the premium should be, and we feel very strongly that premium is much too high for the actual risks and costs of the program. So this proposal has baked in higher interest rates for some students after the first 2 years, and for all students and parents in the long run.

I believe what we are doing in the Reed-Warren amendment makes a great deal of sense. Many people are struggling in many different ways, and particularly students are struggling with student debt. We should ensure that the new rate structure does not leave students worse off—and not just for the first 2 years, but let's be realistic and serious. Let's look down the road. This road is taking us to higher and higher interest rates for students. I think we can do better. I think we must do better.

I would point out that we have paid for this amendment by putting a very small surcharge of 0.55 percent on incomes over $1 million, so this is fully paid for, and it will give students the real certainty that they will not see interest rates go beyond the present statutory limits.

I think what we should be doing as a Nation is not shifting the burden to students but investing through students in our future. We know if students are able to go on to college and to postgraduate education, they are going to make more money, they are going to contribute more to the economy, we are going to be more globally competitive, and we will be in a much better position.

Frankly, that was the wise judgment our parents and grandparents made when, in the 1950s, 1960s, and the 1970s, they decided to invest in the future of America by investing in higher education.

I daresay there are very few people in this Chamber who in one way or another did not directly benefit from that investment. But now we are saying today, No, it is on the students, they are going to pay market rate premiums, and, according to CBO numbers, we will be generating about $184 billion—the difference between our borrowing costs and what the students and families are paying. That is not the way to grow a strong, prosperous America.

Because there have been elaborate studies, we also understand that we have a jobs gap already between highly educated individuals and the jobs. By 2020, there will be about a 5-million-jobs gap between those jobs requiring higher education and the projected graduates in the next several years going forward.

So we have to do much more, and I think we also have to look at the issue in a comprehensive way. We have to build in incentives for lower costs at colleges and universities. That is not being done in this legislation, and I think once we pass it, the likelihood of getting on to that issue is diminished.

We also have to try to come up with ways in which students can refinance loans. A trillion dollars of student debt has surpassed credit card and automobile debt as the second biggest household debt in the country, and that is going to grow. It will particularly grow under the underlying proposal. We have to figure out a creative way to do that. And, by the way, that is going to cost money. So if one of the principles and premises of this whole legislation is we will spend no additional money for higher education support, how are we going to fix that issue of students and families who are deeply in debt—not just those who are carrying the debt today but those who are going to accumulate the debt going forward?

I urge my colleagues to vote yes on the Reed-Warren amendment. This will be the certainty that is proclaimed in the title of the underlying legislation.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Madam President, I want to start by saying to Senator REED how much I appreciate his leadership in putting forth this amendment

that takes a bad bill and turns it into something that will be helpful for our students and for our families struggling with student loan debt.

I also want to say how much I appreciate the leadership of Senator HARKIN, Senator DURBIN, Senator MANCHIN, Senator KING, Leader REID, all of whom have worked very hard and made best efforts under very difficult circumstances. We had a better bill that passed the Senate, but it was filibustered by Republicans and, as a result, we are where we are now.

Today the Senate will vote on a plan that would fundamentally change the way government sets interest rates on student loans. My colleagues who support this proposal say it will lower interest rates on loans for this year, and that is all that matters. That is the same thing credit card companies said when they sold zero-interest credit cards, and it is the same thing subprime mortgage lenders said when they sold teaser-rate mortgages. In all these cases, the bill comes due. Nobody disputes the fact that within a few years, according to our best estimates, all students will end up paying far higher interest rates on their loans than they do right now.

I want lower interest rates for students. With more than $1 trillion in existing student loans, our students are drowning in debt. We must find a way to address this crisis by lowering the interest rates, refinancing existing student loan debt, and bringing down the cost of college. But I cannot support a plan that asks tomorrow's students to pay more in order to finance lower rates today. And I cannot support a plan that raises interest rates on students in the long term while the government continues to make a profit off of them.

According to official government estimates, the Federal Government will make $184 billion in profits off student loans over the next 10 years under current law. This is obscene. Students should not be used to generate profits for the government. We should be doing everything we can to invest in students and to offer them the best deal we can on student loans, not find more ways to make money off them.

I am a realist about this. I know that eliminating those $184 billion in profits is going to be hard. The government and our Republican friends liked having that money to spend. I know that it will take time to wring the profits out of the system, and I know it will take compromise. But the plan before the Senate today is not a compromise, and it doesn't remove a single dime of profits from the student loan program. That is not an accident. It was designed that way, on purpose, with the high interest rates in the future, to preserve every penny of that $184 billion in profits. I want a compromise that actually saves some money for our students.

In fact, the plan we will vote on makes even more money off the backs of our students—an additional $715 million over the next 10 years. That is right; the total profits of the plan we will vote on are nearly $185 billion.

Some have sought to minimize these profits. They say this money is only a fraction of what students will borrow in the next decade. But I have spent months talking to families in Massachusetts, and it doesn't look small to them—families who are already squeezed by the economy and who are fighting to put kids through college, young graduates who are struggling to buy a home, buy a car, or to put away a little bit of savings in the future. That money should stay in their pockets, not go to the government. These students don't think that $184 billion in profits is small change. These students don't think adding another $715 million on top of these already huge profits can be ignored as rounding errors. These numbers are not abstractions, they are real dollars coming out of the pockets of hard-working Americans. Middle-class families work hard and pay their taxes, and now they have to pay an extra tax—an extra $184 billion tax to put their kids through college.

Meanwhile, this plan asks for nothing from our biggest corporations which take advantage of loopholes in the Tax Code to avoid paying their fair share. It asks for nothing from millionaires and billionaires who get away with paying less taxes than their secretaries. It asks for nothing from the enormously profitable companies that get billions of dollars in subsidies from the government every year. It is our kids—our kids who are trying to get an education—who will pay more.

Senator JACK REED has introduced an amendment that would change this. His amendment would substantially improve the plan before us today. His idea is a simple one: It would cap interest rates on all Federal loans at their current levels. These caps would allow students to get a good deal right now while the interest rates are low. But the caps would also ensure that when interest rates go up in a few years, as we all expect them to, our students will still be protected.

The Reed amendment is the only way to ensure that no students will be worse off under the new plan than if Congress did nothing at all. It makes sure we don't pit our students against each other, making tomorrow's students pay more so today's students can get a break.

Senator REED's amendment creates these protections for students by taking a chunk of profit out of the student loan system and replacing it with 55/100th of 1 percent—about one-half of 1 percent—surtax on people whose annual income is more than $1 million.

This amendment would turn this bill into a true compromise. It does not come close to taking all the profits out of the student loan system, as I would like to see, but it is a very good first step in that direction.

Like most of the things we do around here, this is a choice. Anyone who says we can't afford this amendment is in effect saying it is more important to keep making profits off the backs of our kids than to ask millionaires to pay a tiny bit more. These dollars have to come from somewhere—college kids or millionaires.

A vote against this amendment is a vote in favor of higher interest rates for our students. A vote against this amendment is a vote in favor of making profits off the backs of our students. I don't believe that is how we build a future. I believe we build it together.

I support Senator REED's amendment, and I urge my colleagues to do the same.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from West Virginia.

Mr. MANCHIN. Madam President, as we know, Congress has trouble with deadlines. That is why we always seem to be missing them. When we have trouble finding a permanent solution, we seem to kick the can down the road, hoping to find a solution later.

We are here today trying to fix the problem we have with the government student loan programs because we kicked the can down the road last year, and if we do not stop and start fixing things, we will continue to do it. That breeds a lot of uncertainty into the minds of the families and the children who are trying to go on and better themselves. The result was that on July 1 rates on government-subsidized undergraduate Stafford loans doubled to 6.8 percent. That is a fact. That is what we know we are dealing with, and we are trying to reverse that.

Not surprisingly, it set off alarms. My goodness, we all got excited about this. What are we going to do? We had a year to do it, but we didn't do anything; we just extended it—3.4 percent and only for the Stafford subsidized loans and nothing for other loans people were taking. When you consider that 11 million students who are trying to better themselves are borrowing money every year, we were only talking about 1 million. That was all we were trying to help. We forgot about everything else.

It is time to fix it today with a ''yes'' vote on the bipartisan compromise we worked out. It is really tripartisan—Democrat, Republican and Independent. That is pretty special around here, if you can get everybody agreeing and moving in the right direction.

Let me explain what the bill does and what this bipartisan compromise will do. We can lower the rate for all undergraduates—all of them—from 6.8 percent, which is where it is right now, to 3.8 percent. So we understand, that

means a savings of $2,000 in interest for the average freshman student who starts college this year. Remember, doing nothing and voting against the long-term fix means that the 11 million students who will be borrowing money for this school year will pay a higher rate than they have to.

Let's look at the amount of people we are talking about, and the money. This is what we are actually talking about.

The legislation, the bipartisan plan, has been scored and we know this first year saves $8.1 billion that students will not have to pay in interest. That we know. For the first 4 years of this plan, 2013 through 2016, it is $31.8 billion. By doing nothing, that is what we are leaving. We are making the students pay that much more by doing nothing. Anything else we do other than the bipartisan, this is the type of money they will be paying in higher interest rates and more obligations on the families.

All of us understand the importance of education. It is what has made America the land of opportunity. All of us want to help students go as far as they can with their talent, as far as their talent is going to take them. That is what brought so many of us together to come up with the tripartisan fix, if you will, for the student loan program.

We all understand that the student loan rates are only one piece to the issue of making college more accessible and more affordable for all Americans who want to further their education. We will get to the other pieces when we debate the reauthorization of the Higher Education Act, on which Senator HARKIN has been working so hard. I truly look forward to having those discussions, but today we have to know what we are dealing with. We are dealing today with something that has an immediate impact on the pocketbook of student borrowers and their families—people who need to borrow money to go to school. That is what is in front of us. We talked all over and around it. We are talking about accounting principles. We are talking about everything that needs to be looked at. But it is not going to change what we are dealing with today because this bipartisan agreement truly has savings that families need.

As I said, it is probably more accurate to call our proposal tripartisan, and I am proud to do that with all of us working together. If you think bipartisanship is hard work and hard to get around here, tripartisanship is like hitting the trifecta; that is the megabucks. We are doing something really right when we can get all three sides going in the same direction.

This legislation is a long-term fix that is fair, it is equitable, and it is fiscally responsible. We all agreed on a set of priorities when we began our negotiations—that is everybody: Democrats, Republicans, my colleagues on my side of the aisle, the Democratic side, who have other proposals. What we all agreed on is that the interest rate should be as low as humanly possible. We also agreed that there should be strong front-end caps on interest rates to protect student borrowers in high interest rate environments so that it does not just run wild with them. It has a cap of 8.25 percent, which has been historic for some time. We kept that cap.

We ensured that the government did not profit or lose money on the loans. I think that was a big thing, that we all came to agreement. Some of the bills we had, had anywhere up to $16 billion of profit built into them. That money was going to go to debt reduction. We said basically that every penny we can reduce in the interest, that money should go right back toward education for the student, and we have done that.

I admit there is no legislation that is perfect. I have been around this process for many years, and I have never voted on a perfect piece of legislation. But I tried to get the best we possibly could that made a difference and made sure we can get it passed, and we have that today. It is a good piece of legislation. Anything else that we think needs to be fixed that we have talked about, we can do that when we do the reauthorization of the Higher Education Act under Chairman HARKIN, which will be looking at everything.

Here is how good this bipartisan—tripartisan—compromise is. The undergraduate Stafford loans, both subsidized and unsubsidized, are based around the 10-year T-bill plus 2.05 percent, which would yield a 3.86-percent rate for this year. The current rate is 6.8 percent; now we are at 3.8 percent.

Let me show another chart. Nearly 8 out of 10 undergraduate borrowers will have both sub and un-sub loans, while only 1 out of 10 will have subsidized loans. That is how many students will have just the subsidized loans. That is what we thought we were fixing when we froze it at 3.4—that is all the people we helped. I don't think a lot of us understood. Some people thought it helped everybody, and it did not. Only subsidized is this, the Stafford subsidized. Those who borrow only unsubsidized is this. But if you look at those who needed both, this is what we are talking about—6.5 million more students we are helping and serving through this bipartisan—tripartisan—piece of legislation, the compromise.

This is what we worked to do. How could we help? You want to help the middle class? This is where the middle class is. This is where the people are who need to have the assistance, this is where they come in, and I think we have done a very good job at doing that.

We still have the PLUS loans. We have the graduate unsubsidized loans. Right now the graduate unsubsidized Stafford loans are paying 6.8 percent. Under our legislation they will be paying 5.4 percent. If you look at the PLUS loans today, the PLUS loan current rate is 7.9 percent. Under our bill it is 6.4.

One hundred percent—every student—11 million of them who are borrowing money—will be benefited by the bipartisan agreement. Everybody benefits. That is what we tried to do.

Our plan keeps in place the IBR, which is the income-based repayment plan.

Let's say you graduate after years and you borrowed a lot of money. You have a lot of debt. You get a job that pays $40,000, and you have two kids now. We put in a protection that basically says they can only charge you—you only have to pay 10 percent of your disposable income. With a $40,000 income, with two children, that can be as low as $142 a month. Now, $142 a month—let's say that with the economy, the job you have that is where your heart and desires are—after 20 years it is completely forgiven. After 20 years, you made a good effort and maybe 50 percent of your loan is still owed. The taxpayers are picking up that. When people are saying that we are not helping, that we should be subsidizing higher education, we are doing that and I think with tremendous help.

The Congressional Budget Office said our bipartisan proposal will save the government $715 billion over 10 years with $1.4 trillion of money that will be borrowed, and $700 million—that is over 10 years, and that is $70 million a year. That is about as close as they are able to come. What that really amounts to—let me give it to you this way. It might be better. Over the 10 years, $715 million means that the Federal Government—if someone says: Oh, but they are making a profit, over 10 years the Federal Government will make $2.76 on each loan. If we can get it to zero, we will take it to zero. We don't make a penny. That is about as close as we can get working with the numbers we have.

We should not deny students starting college this fall $2,000 in savings for the sake of a principle. You say we are making $2.76 over 10 years, so they should not have the $2,000 in savings? It doesn't make sense to me.

Chart No. 3. This indicates that the average freshman in 2013 who graduates in 4 years will save over $2,000 on our plan—$22,000 versus current law, $24,000. In the years ahead, the interest rates on newly issued Federal student loans will be tied to the U.S. Treasury 10-year borrowing rates plus add-ons to offset costs associated with defaults, collections, deferments, forgiveness, and delinquencies.

What we are talking about is—what they are saying is that rates are going to go up. CBO projects this. They projected it before. If everything that you are hearing—and they say that rates will go up; that is where the difference of about $500 comes in. That is the difference. That is in the worst-case scenario that the $500 would come in. Setting the rates to the market borrowing

costs is fair, and it is equitable and sustainable as long as we have strong borrower protections, and it is fiscally responsible.

This way, Washington doesn't wind up profiting from students or losing money on them. Depending on the methods of accounting that you use—you heard how much money we are making on this and that. Let me explain a little bit about the accounting procedure. The student loan program either generates $184 billion, if you used the Federal Credit Reform Act—and I will say the Federal Credit Reform Act has been the way the CBO has scored for the last 23 years. For 23 years that is the way it has been done. If you use fair value accounting, which some have basically supported and want us to change to—even CBO has pointed toward that—there would be a $95 billion loss. There is a $280 billion swing between what some people say we are making in excess profit; others say we will be losing money, it is not paying for itself, and we are still subsidizing at the $95 billion rate.

That is a tremendous swing. We are not going to fix that. Senator HARKIN will look at all of this, and we will be able to address all of this in the comprehensive bill. We should all agree it is simply not fair to make a profit on the backs of students, and we agree on that, and that is why no matter what happens in the market in the long-term, the Senate compromise—and we fought hard for this—on the front end, the Senate compromise includes an interest rate cap of 8.25 percent. Much of this is important because there will be approximately $140 billion in new loans issued every year, which means $1.4 trillion in loans will be issued over the next 10 years.

In just a few short weeks students will be returning to school, and they will have plenty to worry about: what books to buy, where their classes are, how to haul all their stuff to all the rooms, and much more.

There has been so much discussion and argument. We will be voting on amendments that are based on what will happen after 4 years.

This chart shows what the CBO said the interest rates would be. In 2003, we start at around 4 percent. They felt they would go up to 5.8, to 5.9 percent, and level off for the past decade, which is from 2003 to 2013. This is actually what happened. If we locked into some of the amendments some of my colleagues, whom I respect, are telling us to lock into, no one would ever be able to take advantage of these historic lows. We are able to adjust that based on the market rate rather than just a fixed rate.

These are the things we don't know, but we know we are going to score $31 billion in savings in the first 4 years. We do know that. This is how far they have been off before, so there is no science in this. If anyone thinks this is the gospel, it is not.

With a ''yes'' vote on our legislation today, there is one less thing students and their families will have to worry about: what the interest rate will be this year and how it will be calculated for years to come. We all came here to help our constituents do what we believe is right. We all agree that ensuring college remains affordable and accessible for this generation and future generations of Americans is the right thing to do. There simply is no better investment we can make than the education of our children and grandchildren.

We will count on today's students to be the driving force of American creativity and innovation in the years ahead. Some bedrock values define America, and one of them is pretty fundamental: We believe in opportunity. We believe everyone who wants to work hard and play by the rules should have a shot to succeed. To make good on that American promise—the promise of the American dream—we must do all we can to ensure that students can have an affordable education.

With a vote today on this bipartisan—more appropriately a tripartisan—agreement to lower the interest rates on all student loans, we will take a large step in the right direction. That is why I urge all of my colleagues to support this bipartisan, tripartisan, agreed-upon legislation that helps students in the future.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Missouri.

Mr. BLUNT. Mr. President, I rise in support of the effort that my friend Senator MANCHIN has done to reach a conclusion. I hope we reach that conclusion today.

I was a university president for 4 years before coming to the Congress. There are 11 million families—between now and the start of the school year—who will be making decisions on how these programs work, so they are very impacted by what we do. Working together to make this happen is important, and I will be supporting that.

I am glad to be a cosponsor of this bill that deals with scholarships, but I wish to talk quickly about one other topic and then I have another topic I came to the floor to talk about.

REMEMBERING OFFICERS CHESTNUT AND GIBSON

Mr. BLUNT. Fifteen years ago this week, we had two of our Capitol Police officers killed in this building. Officer Jacob Chestnut and Detective John Gibson were killed. An intruder came into the building, and these two people, trying to protect and defend others, were killed. Later today there will be a moment of silence in honor of them and at the same time remembering all of those who do this every day for us.

I happened to be working in this building on 9/11. I was one of the last people to leave the building that morning, and I remember the people who were still here when I left were the Capitol Police. I remember one of the policewomen I saw as I was going out the door—Isabelle said: You need to get out of the building as quick as you can. But she was still here.

Officer Gibson actually died in the doorway of an office that was my office for a couple of years in this building. I moved into that office shortly after he and his family both made the sacrifice that all of those who work here to protect us are willing to make.

The other thing I would like to say is that in light of all of that, this building was kept open for people who were not only from the United States but from all over the world to come and see. One of the things Congress appropriately never talked about after that tragedy was: What do we do to keep people out of this building? The discussion was: What do we do to let people continue to be in this building, and we will be remembering that day.

THE ECONOMY

Mr. BLUNT. Mr. President, I rise principally to talk about the fact that today President Obama is pivoting back to jobs and the economy in a series of speeches in Illinois, Florida, and in my State of Missouri.

He will be speaking at the University of Central Missouri at Warrensburg today, and I am glad he is. I was there recently. This campus always hosts Girls State and Boys State. It is one of our great schools. Warrensburg is a great community. I am glad he is there, and I am glad the President is going to get to see that.

These speeches the President is giving sound an awful lot like the 2012 campaign speeches. I think we need to move beyond that. We need to not just pivot to the economy, but we need to stick with the economy. Missourians and all Americans are concerned about the economy and for good reason.

In June, a Gallup poll found Americans continuing to say the economy is the biggest problem facing the country. Certainly, if we look at what we ought to be focused on in our domestic agenda of what we are going to do for America, private sector jobs have to be at the top.

The President has pivoted—and I think usually the press and maybe even the administration were pivoting to jobs and the economy—to the economy and has done that a lot over the last several years. It is sort of like he goes to this issue and then he goes away from it. I believe that when he is there, he is talking about the right thing, but he has to talk about the right thing all the time if he wants the right thing to happen.

There is an old saying that even a stopped clock is right twice a day. The President and the administration's focus seems to be like that. Occasionally, we come around to the right topic, but then we quickly get to other topics.

In May of this year, the President pivoted to jobs during his middle-class jobs and opportunity tour. In February, he pivoted to jobs during a State of the Union Message. In June of last year, he pivoted to jobs during a campaign speech in Cleveland, OH. Aides said he was framing the speech but didn't have

any new proposals. That was the way that speech was described that day.

In September of 2011, President Obama pivoted to jobs during a speech before a joint session of Congress that was held to bring attention to jobs, where he said he wanted to vote on a $447 billion jobs package.

In August of 2011, the President pivoted to jobs during a speech at the White House following a Senate debt ceiling vote, and then he had a Midwest bus tour.

In January of 2010, he pivoted to jobs amid news that unemployment reached 10 percent in the wake of what I think was clearly a failed stimulus plan. It was a stimulus plan that didn't work. During the speech, he announced there would be more tax credits for clean energy jobs.

The December before that, he pivoted to jobs during a White House forum for business leaders. I think I read somewhere this morning that we could count as many as 18 pivots to jobs. We need to pivot to jobs and stay with it.

When the President is talking about private sector jobs, he is talking about the right thing, but what he says after pivoting to jobs is what matters. Hopefully, tomorrow the President will still be talking about jobs. Hopefully, the President will talk about jobs every day in the next week and longer until we get this done. We need to stay on the economy until we get it done.

Action speaks louder than words, and unfortunately the record is not as good as we would like it to be. We have lagging job creation and devastating manufacturing loss. The economy is now adding jobs again but barely enough to keep up with the numbers of people going into the workforce. Manufacturing has been particularly hard hit, despite the President's goal of adding 1 million new manufacturing jobs by the end of the second term. I would like to see that happen. If the President stays focused on that as the premier domestic topic every day for the next 3½ years, it might, but it will not if he doesn't.

We have too much debt, and that doesn't help in adding jobs. We have added $6 trillion in debt and saw a stimulus plan that added a lot of that debt and didn't appear to create the jobs it was supposed to create.

As far as the health care law, the nonpartisan Congressional Budget Office estimates 7 million people will lose their coverage because of the health care law. The Chamber of Commerce said that more than 70 percent of small businesses say the health care law makes it harder and less likely for them to hire new employees. The Congressional Budget Office says the health care law will not reduce the number of uninsured below 30 million Americans, but it is going to cost a lot of money in holding back full-time jobs.

I read articles every day in different papers that people are looking at part-time jobs rather than full-time jobs because of the health care law. Surely that is not what we should be doing.

There are energy policies that don't make sense: the continued blockage of the Keystone Pipeline that would have added tens of thousands of jobs just to build it. After it is built, more American energy equals more American jobs. The President and administration need to embrace that concept of more American energy.

Republicans in the Senate and House are united in calling for progrowth policies such as replacing the President's health care plan with something that will work. Encouraging more American energy of all kinds—from renewables to solar to wind—is important. We need to also understand that traditional sources of energy will be the main source of energy for the foreseeable future and that will grow our economy—approving things such as the Keystone XL Pipeline, stop overregulating in ways that hold our national energy policy back.

Obviously, we need to rein in wasteful government spending, give Americans more economic certainty, and simplify. There is much we can do. We need to simplify the Tax Code. There is a lot we can do.

I say to the President, it is time to keep talking about jobs. I hope today is the first of lots of days in a row when we are talking about jobs but also doing the things that help create private sector jobs, doing the things that help create an environment where people want to take the chance to create an opportunity because our society needs to be about that.

By the way, it is the private sector jobs that do that. The public sector jobs are fine, and I am glad to have one right here, but public sector jobs don't pay the bill. They are the bill. Private sector jobs are where we need to go, and I encourage the President to stick with the pivot this time.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. 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. KING. Mr. President, I rise to speak on the student loan issue, and my time should be allocated to the time of Senator ALEXANDER.

The PRESIDING OFFICER. The Senator is recognized.

Mr. KING. Mr. President, we have been hearing really two debates around here the last few days—in fact, over the last few days and months—about student loans. Both are important, but they are separate, and I think they need to be separate and thought of as two separate debates as we consider the issue before us this afternoon.

The first and larger issue is the cost of college. It is too high. Everyone agrees to that. In fact, the cost of college—of higher education—has exploded in the last 30 years.

In a former life, I used to interview people for a living on television. In the 1980s I interviewed the financial aid officer at one of our Maine colleges. He made a very interesting point.

He said: Angus, if you look back over the last 40 or 50 years, the cost of a private college education in the United States has almost exactly tracked the cost of a new Ford automobile. In the 1950s, $1,500 bought a car and a college education. In the 1960s, about $3,000 bought a car and a college education. That relationship continued into the 1990s. Then something happened because today a new Ford is about $18,000 and a private college is approaching $60,000, something like $58,000.

That is a real problem for all of us. It is a problem for parents. It is a problem for students. It is a problem for the government that supplies the loans. It is a problem for Pell grants. It is a problem for all of us. It is one we need to discuss. But that is not the issue before us today.

There has been some discussion in this bigger debate about college costs and what the Federal role should be. Should it be to support and help students go to college? Indeed, we have had this discussion for the last 25 or 30 years, going back to the time of Pell grants, which were designed to help students—particularly low-income students—go to school. We have had various iterations of the student loan program. At first it was lodged in the banks, and it was a guaranteed student loan. Then some years ago it was made exclusively a Federal loan.

I can make the arguments—and we have heard some of them on the floor, including from the Senator from Vermont, who very eloquently made the argument that we need to make college accessible. We should do that, but not in the context of the discussion we are having today about student loans. It is a larger issue. I am sure Senator HARKIN and his committee are going to take that up in the reauthorization of the Higher Education Act later this year.

I can be very passionate and persuasive about the importance of the affordability of college. In fact, I would argue that the GI bill, back in the early 1950s and late 1940s, is one of the most important economic development investments this country ever made because it sent a whole generation of young Americans to college, and it was the mainspring of our great economic growth in the 1950s and 1960s.

The problem now, though, if we are talking about massive new Federal support for higher education—it runs into three problems, it seems to me, that we are going to have to examine and think about as we move forward in this debate. One is financial, another is political, and the final one is economic.

The financial problem is we are broke. Every dollar we spend—in addition to what is being spent now; in

fact, including about 30 percent of what we are spending now—is borrowed. So if we are going to significantly increase Federal grants or subsidies to students, they have to come from somewhere else. I heard Senator CARPER speak yesterday about this.

He said: Do we really want to say, OK, we are going to cut Head Start in order to give funds to students? Are we going to cut somewhere else? How are we going to make those kinds of allocations?

Every dollar must be borrowed, and that is just the financial reality we are in today.

The political reality is we are in a situation of divided government. The central reality of our political times is nothing happens in this city without votes from both parties. It is simple arithmetic. We have a President who is a Democrat. We have a House of Representatives that is controlled by Republicans, and we have a Senate with a majority of Democrats but with important powers to the minority party. So the bottom line from all that is nothing happens without bipartisan votes. So as much as we—or any group, whether it is the Democrats, the Republicans, or our two Independents—as much as we might want something, if it doesn't have bipartisan support, it is simply not going to happen. That is the reality.

That is indeed the reality that drove JOE MANCHIN and I to begin these discussions about 6 weeks ago when we were talking about student loans. There was a Democratic proposal which didn't get enough votes, there was a Republican proposal which didn't get enough votes, and everybody walked away. I was haunted by the experience of the sequester, where the same thing happened: Democratic proposal, Republican proposal, everybody hates the sequester, but it is happening.

So we believed we had to open some discussions because we have to find a way to get enough votes to get a proposal through the Congress so students aren't facing way higher interest rates this month than they should be. No action, make no mistake about it, means students will be paying dramatically higher interest rates than they should be, given the current cost of money. Why? Because Congress fixed an interest rate.

I would argue the last thing Congress should ever do is fix an interest rate. It will always be wrong—either wrong for the students as it is now, dramatically, or wrong for the taxpayers at some point in the future. We can't predict what interest rates can or should be, and fixing a rate, which is what we are facing now—6.8 percent—is always—at this point, as I said, is dramatically wrong for students.

In terms of the political realities around here, my dad was a lifelong poker player. One of the things I learned from him—one of the guiding principles of my life—is you have to play the hand that is dealt. The hand that is dealt us right now is that it takes both Republican and Democratic votes to get anything through the Congress. That is the reality, and that defines our ability to get things done. It doesn't mean we can't get things done, it just means we can't always get our way, and compromise has to be part of our lexicon.

The final issue about whether we want to create a massive new support program for college education is economics. I am not saying this is a dispositive argument, but I think it is something we have to think about. The explosion of college costs I talked about that started in the 1990s corresponded, to a large extent, to the availability of additional money for scholarships and loans and grants, and the colleges essentially ate it up. We can go through great effort to find money to increase Pell grants by $1,000, and we will all feel good that we have done something for the students. But if the colleges increase their costs by $1,000, nobody wins. The Federal Government and the taxpayers are out $1,000. The students are in exactly the same position they were in before. They still have to find the difference because the money has just been eaten up by the increases in costs.

I think that is why we have to be thinking about what the implications are of the actions we take. Just saying we want to give more money to students for college—if, indeed, that money immediately turns into higher costs and higher tuition, nobody has gained, least of all the students because they end up with this huge debt burden.

We can and should have this discussion. It is an important one. But it is not the discussion before us today. The discussion before us today is pretty simple: Do we want to continue a program that has fixed rates at 6.8 percent when currently rates are running more in the 3-percent range?

In other words, do we want to balance the Federal budget for the next 4 or 5 years on the backs of our students? I don't think we should do that. I think we have come up with a proposal that doesn't do that—that dramatically benefits students as long as interest rates are where they are, and it protects students on the upside.

I try to always think about problems as if we didn't have all of the history and we simply had a blank sheet of paper and said: How should we go about this? How should we structure a student loan program in the Federal Government if we didn't have all the back-and-forth and the history and the fixed rates and all of those things?

It would seem to me if we sat down in a room with a group of bright people, they would say: Well, No. 1, the government is going to have to borrow this money that it then lends to the students because we are broke. Therefore, in order to be fair to the taxpayers and the students, the students should pay what it costs the government to borrow the money, plus a little bit for the cost of administering the program and the risks of default. That is exactly where we landed in this proposal.

People talk about market rates. Yes, there are market rates, but it is the 10-year Treasury bill, which is one of the lowest rates in the country. This isn't the prime rate. This isn't LIBOR. This is one of the lowest borrowing rates we can ever have. It is the borrowing rate for the U.S. Government, which heretofore anyway has had a pretty good credit rating. Therefore, the students are guaranteed that they will always be below the outside market. If they went to a bank for a loan with no collateral, no cosigning, no job, the rates would be much higher than what we are talking about.

By the way, it is important to understand, because there has been so much discussion about this, that this is not an adjustable rate mortgage. If we can manage to pass this bill and get it through the House and get it to the President in the next week to 10 days, once a student signs up for a loan this fall their rate for that loan will be fixed at 3.86 percent for the term of the loan—for the term of the loan.

It is true that the following year, if they need another loan, that rate will be the T-bill plus 2.05 percent for the term of that loan. In other words, the loan rate doesn't change each year according to the rates. I think that is an important distinction. I think there has been some confusion about that. In addition, there are provisions in current law which this bill doesn't change that allow for forgiveness of student loans under certain circumstances, depending upon how long the loan has been in place and the employment a person has, as well as limits on how much a person has to pay as a percentage of their income.

As I said before, I don't believe Congress should be setting rates.

Let's talk about the effect of this proposal on students. The first effect is that it will cut almost in half the rates students are going to have to pay for their loans this year, from 6.8 percent to 3.86 percent, as this side of the chart shows. So a freshman going to college starting in 2013—this year—this is what they would pay for their total loans under this proposal.

It says ''bipartisan''; it should say ''nonpartisan.'' This is what they will pay under current law. That is a dramatic difference. That is money out of the pockets—billions of dollars out of the pockets of students over the next 2 or 3 years.

Everybody says, well, what if rates go up? Rates might go up. They might stay the same. They might go down. But even if they go up, under the projections of the Congressional Budget Office, here is a student starting college in 2017, and they would pay a little bit more under our proposal—it is the difference between $24,800 and 24,295—about $500. This difference is about

$2,000. This is money in hand. This is maybe, depending upon what happens with interest rates—what is worth more, $1 billion in hand or $1 billion in the bush? I think it is $1 billion in hand because these are the rates kids are going to have to face right now.

I think this is a great deal for students. No. 1, it dramatically lowers the rates in the early years. No. 2, thanks to the hard work of TOM HARKIN, who negotiated like a tiger, there is a cap on the upside. So students aren't subjected, if rates happen to go way up—as they have occasionally but not very often in our recent history—into double digits, there is a cap of 8.25 percent.

So the students enjoy the benefit of the low rates, but their exposure to the upper rates, to too-high rates, is capped. I think that is a sensible and prudent and beneficial proposal for students.

The savings to students next year will be something like $8 billion or $9 billion; otherwise, if we do nothing this week, that is the amount they are going to have to pay.

The future is uncertain, but I think it is important to talk about projections of interest rates because a lot of the discussion is that the students are going to have to pay so much more because the CBO projects interest rates to go up. By the way, even on the CBO's projections for undergraduates, the rates would never hit the cap. They would be in the low 7s—very close to where the present rate is.

But let's just talk about CBO interest rate projections because that is what is driving a lot of the anxiety around here. Here is the CBO. Let's pretend it is 2003—10 years ago—and we go to the CBO and say: What are you projecting for interest rates—just as we did a few weeks ago? Here is what they projected. They said: Well, interest rates are at about 4 percent, but we think they are going to go up around 5, 5.5, 6 percent. That is the projection CBO used in 2003. OK.

The good news is, we know what actually happened. Again, starting in 2003, here is the actual cost of interest rates. Look at the difference. If we were basing our decisions on projected interest rates, look at the huge difference that took place, and all of this represents money in the students' pockets as opposed to fixing the rate.

So, yes, the projections are that they will go up, but we do not know that. I would take money in hand anyday against a possibility that there might be a payment later on. And we do not know that. It could go either way.

If interest rates go way up, as I said, the cap kicks in. The cap of 8.25 percent is very close to the 6.8 percent we have now. It results in about—I do not know—$20 a month difference between the cap and the 6.8 percent, if, indeed, we go all the way to the cap.

I think this is a prudent and responsible proposal. It is the best of all worlds for the students because they get low rates now, and they get a cap if rates go up. I think it makes sense for the taxpayers. I am perfectly willing to have the debate, to have the discussion about, A, what do we do about college costs, and, B, should the Federal Government be playing a greater role in terms of support for students? I think that is a very honest discussion.

But this is called the student loan program. It is about loans. And the implication of a loan is that it is to be paid back with some reasonable rate of interest. Pell grants are grants, and we have tax credit programs that are, in effect, grants. This is one part of the student aid puzzle, and what we have before us today is a prudent, sensible, beneficial program for the students.

I will conclude by saying the choice is very clear because if we do not act on this bipartisan proposal that we believe will have a receptive ear in the House of Representatives—we know the President supports it and is ready to sign it tomorrow—if we do not move this bill, nothing happens, nothing happens during August, students are signing up for loans at almost double the rate they should be. I think that is unfair to students, and I think they sent us here to solve problems. This is one I believe we can tackle. We can and have solved it.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I would like to be recognized on the student loan bill. The time can come out of the Manchin-Burr amendment. I am not sure exactly how we are allocating time.

Let me take this opportunity to thank the cosponsors of the bill: Senator ALEXANDER, Senator COBURN, Senator CARPER, Senator KING, and Senator MANCHIN. Without this bipartisan approach, we would not be here today. It has not been lost on me that four of the six cosponsors are former Governors. They recognize the importance of education. They recognize the importance of students having access to that education. I think all of them are stalwarts as it relates to good education, and I think they recognize, as do Senator COBURN and I, that this is a good bill. It is good policy, the Manchin-Burr-King-Alexander-Coburn-Carper bill.

Let me take a minute to share with my colleagues or remind my colleagues where we are today. Senator KING just did it. Under current law we are at 6.8 percent for all undergraduate students. It is higher for graduate students. It is higher for PLUS loans. A month ago, we had a bifurcated system where some undergraduates paid 6.8 percent and other undergraduates, who were considered subsidized, paid 3.4 percent. I would suggest that is morally wrong. I think collectively what we did was we said: How can we come up with a system that shows the equity we believe in and that provides a financial benefit to all students who participate?

So I say to my colleagues, I want to point out the single most important part of this bipartisan bill or nonpartisan bill is the fact that for two students seated side by side—one whose parents have a different income level than the other one's parents—we treat them both the same.

For the one who has a lower income level, as Senator KING said, they qualify for Pell grants, for education tax credits, for loan forgiveness, for a lot of different things. But from the standpoint of the rate the Federal Government charges them to borrow money to go to school, we treat them the same. I think that is what we are supposed to do.

If we did not treat them the same—let me back up for a second—and we were treating this one at 3.4 percent and this one at 6.8 percent, understand that this one can only borrow $3,500 at a subsidized rate. Well, you are not going to enter any college today for $3,500. It is not going to happen. So you are going to have to borrow a little more. If you borrowed the maximum you can get, it is $5,500 in your freshman year. So you are going to get $3,500 over here, and you are going to get $2,000 over here but you are going to pay 6.8 percent.

What the bipartisan or nonpartisan bill does is it provides every undergraduate with, this year, 3.86 percent. In the case of the subsidized student, they are not, as before, borrowing at a lower rate for some money and a higher rate for other money, actually subsidizing themselves. And for the undergraduate who is not subsidized, they are not paying way more than they should for their college loan.

So what did we do? We used the 10-year bond, with market forces. I am not sure there is a fairer way to do it—fairer for the student, fairer for the institution, fairer for the American taxpayer. We tied it to the 10-year bond, and we got an add-on which is reflective of the cost to run the program and the risk of the loan. We hope every student pays it back, but that does not always happen. What we tried to be is good fiduciaries for the American taxpayer.

Within that, as Senator KING said, they are capped. If you are an undergraduate, it is capped at 8.25 percent. It came out a little higher than that. But the tradeoff for doing that, in comparison to what my colleagues in the House have done, is that when you take out a loan this year at 3.86 percent, that is your interest rate for the life of the loan. We do not readjust it on an annual basis. This is like getting a 15- or 30-year amortized loan for a home mortgage. We are not going to come in and change the rules on you and say: Well, the United States wants more interest in the future. But it does mean, just like in a home mortgage purchase, if you buy one this year, the likelihood is, the one you buy next year might have a different interest rate because the market has changed.

I think the American people can deal with that because it is predictable. It

brings with it some certainty. You can calculate it on your own. As my colleague said, the last to set rates is the Congress of the United States. We should not be in that business. It should be market forces. With this legislation, it will be.

I sat over here trying to think of just the one phrase I would say to my colleagues is the primary reason they should support this bill and provide this benefit for the American people. I wrote down two words: financially sustainable. You see, in 2007, Congress created the current student loan program rate. A year ago—after we had extended the program because it ran out for 2 years—we said: Well, we are going to fix it. We are going to have a long-term solution. Then, all of a sudden, we did a 1-year extension. The Senator from West Virginia was the most vocal person. He said: What happened? We were going to fix it. We did not fix it. Thank goodness that is why, when it came up this year, there was such outcry over the fact that now is the time to fix it if we are going to do it. Let's go ahead and fix it.

Well, what is the test of: Did we fix it? I would suggest to my colleagues, it is financial sustainability. Can this withstand the test of time? Today we need that certainty from the standpoint of Federal spending, from the standpoint of the American taxpayer. But we also need it from the standpoint of America's children.

We are speaking as much to the 10-year-old as we are to the 18-year-old. The 18-year-old may be a freshman next year. The 10-year-old has aspirations, down the road 8 more years, that they are going to have the ability to go to college. We want to provide them with the certainty that there is going to be a student loan program out there that is equitable and fair that they can participate in and not question whether, in fact, it will exist. I think with the option we have on the table, we will be able to say that from one generation to the next.

I know we will consider this afternoon a couple of different options. I want to urge my colleagues. I think there will be two options from the standpoint of plans you can choose. If you believe equitable treatment is right, then the bipartisan bill is the one you need to support. If you believe financial sustainability is important, then the bipartisan bill is the one you need to support.

I think if you tick down all the things you probably ought to look at—what makes it most affordable; what is best for the students—I think what you will find is it is the bipartisan bill.

There has been a lot of work put into making it a long-term solution. I want to urge my colleagues. Congress changes every 2 years. That is the length of ''long term.'' But let's not put into law a sunset on this in 2 years. That is the other amendment. Why would we say we have come up with a great plan, one that sort of passes the test of equitability and sustainability, and then turn around and say: But we are going to sunset it in 2 years? Congress has the ability, with every new Congress, to look at any piece of legislation and change it. Let's make that the function of what we learn from this and not prejudge it and say: Let's cut it off in 2 years.

I am going to conclude because my colleagues are here to speak on the program as well. I thank the cosponsors—the four Governors and Senator COBURN. Without their help we would not be to this point. I thank the leadership on both sides of the institution—the majority leader and the minority leader and those who have brokered the ability for us to be here today. Without them, we would not be considering what I think is the best piece of legislation to address the challenges we have for students in need of loans for college this year and future years.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I come to the floor today to speak again in support of the permanent solution to the student loan program. Like my colleague from the great State of North Carolina, I think that is exactly what we have with the bipartisan Student Loan Certainty Act.

I want to acknowledge all of those who worked so hard to come together and support this legislation. It is actually not bipartisan, it is tripartisan. Former Governor King is an Independent, so you have Republicans, Democrats, and Independents all in support of this legislation. That is what it takes. It takes people coming together across the aisle doing good work. That is what they have done here to put this legislation together. I am pleased to be supporting it.

I come today to call on all of our colleagues to support it as well. The plan provides students with dependable low-cost financing on a long-term basis. That is the key. This is a long-term fix. It is called the Student Loan Certainty Act because it provides just that, it provides certainty for students and for families.

Again, let's take a minute to review how the plan works. The plan would tie all student loan rates to the 10-year Treasury note rate to reflect both current market and employment conditions. For this year that rate index would be 1.81 percent. Then both subsidized and unsubsidized Stafford loans would be 2.05 percent over that rate. Graduate student rates would be 3.6 percent over the 10-year Treasury rate, PLUS loans would be 4.6 percent over the Treasury rate.

It is important to note that the rate on those loans is then fixed, so you have that certainty when you take out the loan. You know what the rate on that loan is going to be for the life of the loan. It is important for our borrowers.

Let's take a minute to compare this program with the existing student loan program. Subsidized Stafford loans right now are charged at 6.8 percent. It was 3.4 percent, but now it is 6.8 percent, because as my colleague identified the program had expired.

We are in this situation where we are going with short-term extensions. So we faced these periods like right now where the program has expired, so the rate for Stafford loans is 6.8 percent. Under this program, that goes to 3.86 percent this year—3.86 percent compared to 6.8 percent.

The same thing for unsubsidized Stafford loans. Now 60 percent of the borrowers, the undergraduate borrowers, borrow unsubsidized Stafford loans. A lot of the lower income students who borrow subsidized loans also borrow unsubsidized loans. They were paying that 6.8 percent even before the program expired. For all of those undergraduate students, the rate goes down to 3.68 percent. That is a big-time savings for undergraduate students. Furthermore, the program is capped at 8.25 percent, so they have the certainty of a cap as well. They save money now. As was pointed out by my colleagues, they save money now and they have the certainty of a cap as well.

There are caps for both the graduate students and for the PLUS loans that parents take out as well. In addition to the caps, there is another safety net in the program. The other safety net in the bill is the income-based repayment level. Under the income-based repayment level provisions, student loan payments are limited to 15 percent of income. Any balance remaining on the loan after 25 years is forgiven. So you have both safety nets. You have the caps and you have the repayment limit provision to protect borrowers.

This program is designed solely for students and their families. Let me repeat that. This program is designed solely for students and their families. Unlike the existing student loan program, it does not subsidize Federal health care or any other program. It is for the students and their families alone, period. Again, as my colleagues noted, a year ago we extended the student loan program. I was actually a member of the conference committee for MAP–21, the Department of Transportation reauthorization legislation. In that legislation we not only reauthorized the DOT budget, we also reauthorized Federal flood insurance as well.

In addition, we extended for 1 year the reauthorization of the student loan program. The reason we extended the student loan program for 1 year was so we could come up with a permanent solution, not so we could come up with another short-term extension but specifically so we could come up with a permanent solution. That is exactly what this is.

The bipartisan Student Loan Certainty Act provides that certainty for students, for families. It is a long-term permanent fix for our students. So I join with my colleagues and I call on

both sides of the aisle, all of us, to come together. Let's fix this for our students. Let's get it in place. Let's get it over to the House. I believe they will pass it as well. Let's have this ready for our students as they are preparing to enter college this fall.

With that, again, I thank everyone who has worked so hard on this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I ask unanimous consent that after I speak for about 10 minutes, the Senator from California be recognized for up to 30 minutes, and following her, the Senator from Oregon be recognized, Mr. MERKLEY.

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

Mr. ALEXANDER. Mr. President, I think the Senator from Maine, the Independent Senator from Maine, probably said it best when he observed on the floor and in private conversation that if you took four or five of us and said forget that you are elected to public office, here is a problem to be solved, we would have come up with something similar to the solution that the President, the House of Representatives, and the bipartisan proposal on the floor today. This is a very good solution on a very big problem that affects millions of families and about 9 million undergraduate students who are headed to college this year.

The bipartisan proposal makes it cheaper, simpler, and fairer for students going to college. It makes their loans more certain, because it locks in a rate for the life of the loan. It ends the political football game which we play every other year, it seems, on student interest rates and solves the problem permanently.

It is based upon an idea recommended by President Obama, passed by the House of Representatives, and endorsed by the bipartisan group that has been working on it. I wish all of the major problems that came before us could be solved in this way. As far as cost goes, it is a big difference. Two-thirds of all federal loans are undergraduate loans. There are about 11 million borrowers who will take out about 18 million loans, because students take out more than one loan.

For all of the undergraduate loans, about two-thirds of the loans, the rate of the loan will be cut about in half, which means if you get a loan this year at a 3.86-percent rate, that is the rate that is locked in for the entire life of the loan. It is simpler and fairer because there is a single rate for all undergraduates. Before, we had one rate for a subsidized loan and another rate for the unsubsidized loan. That is confusing. It was unfair, because 80 percent of the lower income students who had the subsidized loan also had an unsubsidized loan. So now everybody who shows up at the University of Tennessee and borrows money, if they are undergraduates, all of their loans will have the same rate.

It is fair to taxpayers because we asked the Congressional Budget Office to comment on what it costs the government to borrow the money and administer the loan, take into account the cost, and try to come as close to zero as possible to the cost of issuing loans for the taxpayers. They have done that.

It is fair to students because we also asked the Congressional Budget Office to do the same thing for students. They said, we are loaning more than $100 billion a year over $1 trillion over 10 years, so help us find a formula that comes as close to zero as practical so we do not overcharge students and make money on the backs of students. They came within seven-tenths of 1 percent in their estimates, which is only an estimate, and for all practical purposes that is a rounding error. That is a good-faith effort to get to zero in terms of fairness to the taxpayers and students.

But I would want to say to those who suggest it is not fair to students, let's keep in mind a few things. First, thanks to Senator HARKIN and many of the Democratic Members of the Senate, there are caps on the loans. So if rates go up too high, there is a limit on how high they can go.

Second, there is, as has been mentioned, the income repayment plan which means that under the existing law today, if you take out a student loan and then you get a job, you only have to pay back about 10 percent of your disposable income. That is not all of your income, that is after you subtract your living expenses and your taxes, about 10 percent of what is left. If that is not enough, after paying it back over 10 or 20 years, depending on whether you have a public or private sector job, the government forgives it. So there is that cap on there as well.

Then there is the interest subsidy. About 40 percent of the loans are subsidized for lower income students, which means the government, the taxpayer, pays the interest while you are in college. So if you are a low-income student at the University of Tennessee, you take out a loan, the government will pay your interest the whole time you are in college.

Then there is the Pell grant. We spend about $35 billion a year of taxpayer money on Pell grants which go to low-income students. So a student at the University of Tennessee may have a Pell grant of up to about $5,500 or so. They might have a Hope scholarship in the State another $3,000. The tuition at the University of Tennessee is about $8,000 or $9,000. At the community college it is about $3,000 or $4,000. So you can see there is relatively a lot of financial aid out there before students borrow these low-rate student loans that taxpayers are making available to 9 million students at a rate of 3.86 percent for undergraduates.

Then there is one other aspect in which this is favorable to students; that is, the accounting system that we use. I have heard some say the government is making money on the backs of students. Let me try to put that in the simplest form I can. All we are doing with the proposal today is resetting the rates, a very simple bill with a few pages. It is on top of a student loan system with a lot of cash going in and out of it, $100 billion going out this year in new loans, maybe about as much coming back in, being repaid from old loans. There are two ways of accounting for that cash back and forth to determine whether it benefits the taxpayers or whether it benefits the students.

Under the law, we have something called the Federal Credit Reform Act, which says the taxpayers are benefiting to the tune of about $185 billion over 10 years. That is correct. That is exactly what it says. Not from what we are voting on today but for the underlying system that already exists.

But the Congressional Budget Office has said that is not the way they recommend measuring how we count the cost to the government of loaning money. To be specific, the Congressional Budget Office says the Federal Credit Reform Act estimates do not provide a comprehensive measure of what Federal programs actually cost the government, because they do not take into consideration the market risk.

CBO says that adopting a fair value approach would provide a more comprehensive way to measure the cost to the Federal credit programs and would permit more level comparisons between those costs and the costs of other forms of Federal assistance. The Congressional Budget Office says: We already use that fair value approach, which includes taking into account the market risk with such things as the International Monetary Fund, the IMF, the Troubled Asset Relief Program, the bailouts, as we called them in 2008. CBO uses those with Fannie Mae and Freddie Mac.

In other words, the nonpartisan group we rely on to advise us about money says that if we actually use the right accounting tools, the current student loan system benefits students to the tune of about $95 billion over the next 10 years, not taxpayers. So there is another benefit to students. It is not true that under the recommended form of evaluating the cost to the government that taxpayers come out better than students.

One other thing I would like to say—or two other things. One is, I would like to compliment those who have worked on this. My colleague Senator HARKIN, who is chairman of the Education Committee here in the Senate, argued forcefully for caps. I congratulate the President for including this idea in the budget and forcefully supporting it.

I congratulate the House of Representatives. I suppose it is not lost on anyone the Senate is run by Democrats and the House is run by Republicans.

This is a bipartisan proposal. I like the sound of that. I think that shows we can get results done when we keep our eye on the ball.

I especially compliment Senator BURR, Senator COBURN, Senator MANCHIN, Senator KING, and Senator CARPER for working carefully on this, and Senator DURBIN for his leadership in putting this together.

As most speakers have said, it is true that we have a larger question before us. Do we need to make some changes in student loans? It is a lot of money—$100 billion a year. That is a lot of money. We need to make sure that it is available in the right way and that students aren't borrowing too much.

Right now, if you are 20-year-old and you show up at the University of Tennessee in Knoxville and you want $5,500, you get it. The university can't say to you: I am sorry, Lamar, we don't think given your circumstances you are going to be able to pay that back in 10 years. I can say: Give me my money.

This is what the law says. Maybe we need to take a look at that and we need to be careful about our facts.

The Federal Reserve, for example, says that 70 percent of borrowers with student loans today—we are in the year 2012, in the fourth quarter—have a balance of less than $25,000. Seventy percent of all student loans at the end of last year had a balance of less than $25,000. Forty percent had a balance of less than $10,000.

The trend is going in the wrong direction. Some students are borrowing too much money. But the average undergraduate loan debt is about $25,000—that is the average debt—and the undergraduate student can't really borrow more than $31,000, and that is two-thirds of the loans.

So while there may be some problems with the student loan program—and I, for one, think some students borrow more than they should—we have 6,000 institutions out there, from the Nashville Diesel College, to Harvard, to Notre Dame, to the University of Tennessee, and we need to be careful that we understand exactly what the problem is, that we focus in on it, we don't apply a lot of mandates from Washington, and that we work with the colleges and universities. We need to find those universities, such as Tennessee Tech University, where they have a very low level of student loans and others where they may have loan rates that are too high. We need to make sure students don't saddle themselves with too much debt.

But when we have a 20-year-old in Knoxville showing up who is entitled to $5,500 in loans for a community college tuition that only costs $3,000 and he or she can put the other $2,500 in his or her pocket and the community college can't say no, well, that is one of the reasons many community colleges have gotten out of the loan business—because they think that is wrong for the student. If this is the case, then we in the Senate ought to look at that. Senator HARKIN and I are committed to looking at student loans in the reauthorization of the Higher Education Act.

For today, if the Senate does what I hope it does, this will be a victory for students. It makes loans cheaper, simpler, fairer, and more certain. It stops this annual business of political football with the student interest rates. It gives students a low interest rate that they can lock in over time and a cap at the top so that if rates spiral through the roof, student loans won't spiral through the roof. It is done in the context of a larger system that includes Pell grants and interest subsidies for low-income students. If it were based upon an accounting system that is recommended by the Congressional Budget Office, it would tilt the whole program to the advantage of students to the tune of an additional $95 billion over the next 10 years.

I congratulate all those who have worked on it, from the bipartisan sponsors, to the Republican leadership in the House, to the Democratic President of the United States.

I hope that we adopt it by a big vote and that the 9 million students going to college this fall will have the advantage of planning their long-term futures with the lowest possible interest rate on 18 million student loans.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I rise in opposition to the so-called bipartisan deal. I have very strong reasons for opposing it and supporting the alternative, which is the Reed-Warren alternative.

The Senator from Tennessee said he likes the sound of bipartisan deals. So do I. It feels good to get things done around here in a bipartisan way. But that doesn't mean, because it is called bipartisan, it is the right thing to do. Sometimes Democrats will have the right idea, sometimes Republicans will have the right idea, and we debate it.

I think it was interesting to hear Senator ALEXANDER's comments. It was a very interesting speech because it was part of—you know, saying that it is wonderful and we are going to help students on the one hand; on the other hand, he talks about changing the way we are doing our accounting to crack down on students; and then he says that in his State a student can get a $5,500 loan even though it only costs $3,000. What about the books they have to buy? What about transportation? What about all the other out-of-pocket expenses?

So I listened to my friend from Tennessee, and I know he is a leader on education, but I think he had kind of a dual message: On the one hand, it is wonderful to help our students. Well, maybe it is just too much of a risk.

I have to say that according to the information I have from my experts, it is pretty tough when you take out a student loan. The Federal Government, if you don't pay it back, can garnish your wages and it can do lots of other things.

I am opposed to this bipartisan deal and strongly support the Reed-Warren measure.

I am pleased that a lot of people are listening to this debate because it is very important. I am going to read some of the criticisms of this bipartisan deal that come from outside groups.

The first is the National Association of Graduate-Professional Students. This is what they said:

> This bill falls short in preventing higher student loan interest rates, especially for graduate and professional students. A cap of 9.5 percent for graduate and professional students offers no guarantees that our rates won't significantly increase in the future. We should be encouraging students to enter higher education to help keep our economy growing, not deterring them with higher interest rates.

The Young Invincibles also oppose this bill, writing:

> Even as the Federal Government makes $184 billion off the Federal loan program, students and families will be forced to pay more under this bill than current law.

If you let the current law exist, at the end of the day, because of the difference in caps, students will be better off in the outyears and into the future. For anyone who says this is temporary, make no mistake about it—Republicans have said this is permanent. We may revisit other things, and I hope we do because there is a lot we should look at, such as the ability of students to refinance their loans. There are many other things I hope we can work on. But this particular deal, if you look at the Republicans' own words, is a permanent deal.

U.S. Public Interest Group says:

> We oppose S. 1334, the Bipartisan Student Loan Certainty Act, because it is worse than current student loan policy. Current law includes an unjustifiable 10-year revenue stream of $184 billion flowing directly from student borrowers to the Federal Government. [This bill] does not address this problem. Instead, it exacerbates it, generating an additional $715 million in new revenue off the backs of student loan borrowers to pay down the deficit.

They close their comments by saying, ''Enough is enough.''

I am sure people listening to this debate could be a bit confused about exactly what we are talking about. I am going to try to go through some of the facts surrounding this debate. I think it is important that we understand what students are feeling out there. I am going to read a few.

In California, Amy and Christian Diede owe over $82,000 in student loans. Amy, who has a master's degree in psychology, and Christian, a cardiovascular nurse, say:

> It's like carrying a big backpack filled with bricks all over the place, and I can't ever let it go. It's always there. I may get rid of a few bricks, but there's always going to be more. I don't see the student loans going away.

I have met people who are still paying off their student loans and they are on Social Security.

Last year, Tammy Brown of Redding, CA, said the government has been taking $179 out of her Social Security disability check each month for the past 5 years. Brown, 52, became disabled in 1986 after being involved in a car accident. Unable to work, she fell behind on her student loan payments. She said the Social Security check is too small to cover her food and medical bills, so she quit taking prescription pain pills. She said, ''It's kind of hard to live on this amount of money.'' This is a woman on Social Security disability, and what are we doing in the bipartisan deal? We are laying on top of what we already make from student loans an additional $715 million.

Joseph Luka of Portland, ME, started college as a pre-med student, but he switched to mechanical engineering because the thought of graduating with more than $100,000 in student loans after medical school was too daunting.

I will return to some of the comments at the close of my time.

We have to ask a few questions. Why are we piling another $715 million of debt on the backs of our students—so we could stand here and say we did a bipartisan deal? And I know how hard it was. Yes, there are great improvements from where it started. I appreciate that, but we have a better deal. It is called Reed-Warren. It matches those low rates you see in the bipartisan deal for the first 3 years. It matches them, and then it keeps the rates down. I am going to show just how much money we save students in the Reed-Warren legislation because it keeps the rates down.

Did students put two wars on a credit card? Is that why they have to be punished? Were students running the banks that placed huge bets on Wall Street, leading up to the crash? Did students create a drug benefit in the Medicare Program without paying for it? Did students create and sell toxic mortgages, swaps, and securities? Oh, no, they didn't do any of that, but apparently we are forcing students to pay for that by tacking another $715 million on their backs.

I have to say, when it comes to the banks, oh, hundreds of billions of dollars, no problem; too big to fail. It is very hard to explain to people and to students. We say we love our children and we want them to succeed. And yes, we do, but we don't follow our words with actions because if we followed our words with actions, we would embrace the Reed-Warren solution. But the handwriting is clearly on the wall, and we are not going to have the votes to do that, so we are going to ask our students to continue to pay more and more.

We ought to look at what past Presidents have said about the importance of education.

I feel I must point out that Americans have always said that our values include valuing our students. So let's go back.

George H.W. Bush:

> Think about every problem, every challenge, we face. The solution to each starts with education.

How right he was when he said that.

Bill Clinton:

> When we make college more affordable, we make the American Dream more achievable.

How right he was to say that.

George W. Bush:

> Our country must focus our education system on helping workers learn the new skills of the 21st century so we can increase the job base of this country.

And Barack Obama:

> The jobs of the future are increasingly going to be those with more than a high school degree. We all want Americans getting those jobs in the future. So we are going to have to make sure that they're getting the education they need.

OK. So how about charging our students $715 million more? That really helps us do what these Presidents have called us to do, which is to value our children, to value education. Two Democrats, two Republicans. A clear message. And, believe me, that is hard to find on a lot of issues. Education is key. Our students are important. They need the education to get the jobs.

I am going to show exactly what this bipartisan bill is going to cost. I already said it is $715 million over the course of time to the government. Let's look at how much more each family will have to pay under this so-called ''deal'' compared with the Reed-Warren substitute.

First, let's take a look at the 10-year loan. Now, what we do on all these charts is we go out to the cap because we know the caps will all be reached. All one has to do is look to the experts. They have told us the caps will be reached. Take the 30-year average rate of the 10-year note, add on the surcharge, and, bingo, the caps will be reached in a few years.

Let's look at the Reed amendment versus the deal. If you have a $15,000 loan for 10 years, under the deal you pay $1,363 more than you would under the Reed amendment. If you have a $25,000 loan, over 10 years you pay $2,271 more under the bipartisan deal. If you have a $50,000 loan—and you can get those, by the way—for 10 years, you pay $4,500 more.

So let's say you decided you wanted to take 25 years to pay back that undergraduate loan. Let's say you have decided you want to take 25 years. You will pay, for a $30,000 loan amount, $8,400 more under this so-called bipartisan deal than you would under the Reed-Warren amendment. You will pay $14,000 more over the course of a 25-year loan if you have a $50,000 loan amount.

So I am saying to the American people who might be watching this, the bad deal is the bipartisan deal and the good deal is the Reed deal. Look at how much more money an individual has to pay for a $50,000 loan over 25 years—$14,000 more. Some people don't even make $14,000 in half a year.

Let's look at what happens to graduate students, and this is why the graduate students are speaking out against this. Look at this: If you pay back your graduate loan in 10 years—and we all know the caps are going to be reached—you pay $2,500 more for a $15,000 loan, $4,200 more for a $25,000 loan, $8,500 more with a $50,000 loan, and for a $100,000 loan you pay $17,000 more under the so-called bipartisan deal compared to the Reed amendment.

So what we are seeing now is a breakdown of why we say it is going to mean $715 million more in debt on the backs of our students. I am showing how it breaks down for a family.

This is worth looking at. If you are a graduate student—and I know the Presiding Officer probably has a doctorate—and you had to go borrow money under this bipartisan deal, if your loan amount was $30,000, you would pay $16,000 more than you would under the Reed-Warren amendment. If you had a $50,000 loan, you would pay $26,000.

Look at this: If you have a $100,000 loan, which many people have—you hear about what the cost is, and many people who go to graduate school have this—you will pay $53,000 more under the so-called bipartisan deal.

Let's take a look at the parents—the parents who will have the misfortune of having to live under this. Look at the cap. Under the Reed-Warren cap it is a 7.9-percent cap for the parent loan. Under the so-called bipartisan deal it is a 10.5-percent cap. So what does this mean? The additional money for a 10-year loan would be $2,500 for a $15,000 loan, $4,200 for a $25,000 loan, $8,400 for a $50,000 loan, and $16,000 for a $100,000 loan. That is how much more the parents of the students would pay.

The last chart, to bring it home to everyone, is the parents who are going to live with this bipartisan deal unless we pass Reed-Warren are going to have to pay, over 25 years—because their cap is 10.5 percent under this great bipartisan deal—$16,000 more on a $30,000 loan, $26,000 more on a $50,000 loan, and—hold on to your pocketbook—$53,000 more on a $100,000 loan.

Why would we not support the Reed-Warren bill? Did it cost us a few bucks? Yes. So we paid for the few bucks it cost us by putting in a millionaire's surtax of ½ percent. OK? But because the bipartisan deal expects students to pay, and is putting the deficit burden on the students, their cap ranges up to over 10 percent for the parent loans.

So you might hear: Oh, Senator BOXER, it will never reach the cap. We will not get to the cap. Well, I will use a—well, I will not go there. That is simply not true. We will get to the cap. Why? I said before, the average for the 10-year Treasury bond over the past 30 years is 6.22 percent. That is what it is. The bipartisan deal plugs us into the 10-year Treasury bond and adds a few dollars, a few percentage points for

handling fees, and we will get all the way up to the cap in every case. It is just going to happen.

If you don't learn from past interest rates, you can't predict the future. CBO predicts the future. They are using the past. We have to use the past. The cap will be hit. The cap will be hit.

So where does this leave us? We have a stark choice to make. We can go with a bipartisan deal that people worked very hard on—and I compliment them for all the work they put into it, believe me. We can go with that deal that puts debt on the backs of our students—an additional $715 million worth of debt—or we can go with the Reed-Warren alternative that says to students: You are already paying enough. We are not going to lay this on you. We figured out a way to do it so that you are capped at a much lower rate.

This is what we are talking about. This is what we are talking about. The deal will take $715 million out of our students' pockets over the next 10 years, and anyone who thinks that is fair should vote for the deal. Anyone who can look into the eyes of a student who is already struggling, who is already working, who is already asking their parents for help and trying to put it all together in a package, anyone who thinks that is fair, then vote for the deal. But don't kid yourself. This $715 million is going right onto the backs of our families. I have shown the charts. This is a permanent deal.

Senator COBURN: I am pleased Senators agreed on a permanent principled solution. On Friday, the Republican leader called this bill a permanent reform that ties interest rates to market rates. From the Republican HELP Committee, Senator ALEXANDER called this a long-term market-based solution. They are not going to revisit this issue.

I have to compliment Senators REED and WARREN. They deserve praise because they have come up with a plan that works, that is fair, and that will give solace to our students. For the undergraduate and graduate loans, we will see them capped out at 6.8, and for the parent loans the cap is 7.9 compared to over 10 percent in the so-called bipartisan deal.

Now, I promised I was going to revisit some of the stories, and I am going to close with those stories.

Sandy Barnett, 58 years old, of Illinois took out a $21,000 loan to pay for graduate school in the late 1980s. But even after earning her master's degree, Barnett struggled to find a job that paid more than $25,000 a year. She fell behind on her payments. She suffered through a layoff, a stretch of unemployment, and the death of her husband while her student loan ballooned to $54,000.

So what are we saying to Sandy Barnett? Oh, great news, we had a bipartisan breakthrough and now we are going to add $715 million to student debt.

When Michelle Bisutti, a 41-year-old family practitioner in Columbus, OH, finished medical school in 2003, her student loan debt amounted to $250,000. By 2010 it had ballooned to $555,000. The entire balance of her Federal loans—over $200,000—will be paid off over 351 months, when she will be 70 years old.

What are we doing? Who are we fighting for? How can we make one more speech on the floor of the Senate saying our students are our future? We have an immigration bill that is letting in high-tech workers because we don't have enough trained American workers to fill the jobs. Yet we are going to make it easier on students by piling on another $715 million of debt on their backs and on the backs of their families?

Emmanuel Tellez's mother is a laid-off factory worker, and $120 from her $300 unemployment check is garnished to pay the Federal PLUS student loan she took out for her son.

Aren't we proud, Federal Government? This is great. We are garnishing Emanuel Tellez's mother, her unemployment check, because she took out a Federal PLUS student loan for her son. Why don't we talk about refinancing these loans? Why don't we talk about making it easier for people to pay back these loans instead of having a so-called bipartisan deal that adds $715 million to students; that puts it on their backs?

Deanne Loonin, a staff attorney at the National Consumer Law Center in Boston, said she has been working with an 83-year-old veteran—Mr. President, an 83-year-old veteran—whose Social Security benefits have been reduced for the past 5 years.

The client fell behind on a Federal loan that he signed up for in the 1990s to help his son with tuition costs. Loonin said the government's cuts have left the client without enough cash to pay for medicine for his heart problems.

This is a national problem, and part of it is a national disgrace. So what is the solution? A so-called deal that makes it worse.

Last year, the Federal Reserve Bank of New York reported that Americans 60 and older still owe $36 billion in student loans. Social Security checks are being garnished and debt collectors are harassing borrowers in their eighties over decades-old student loans. We can't do this.

There was a recession, the worst one since the Great Depression. Yes, people lost their jobs. Yes, people had problems. So why aren't we dealing with the underlying issues and making it easier for our families, instead of having a deal that is cut—I wasn't part of it, that is for sure—that hurts our students and their families.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Oregon.

REMEMBERING OFFICERS CHESTNUT AND GIBSON

Mr. MERKLEY. Mr. President, in approximately 8 minutes from now we are going to have a moment of silence for Officer Jacob Chestnut and Detective John Gibson in recognition of the sacrifice they made in defending the Capitol against an armed intruder.

I want to say how much we appreciate the forces deployed to protect us in our ability to share our thoughts on a host of issues that we speak to on the floor. If somewhere across America someone violently disagrees with us, if they decide they want to not engage in democracy but engage in violence, they might come to the Capitol, and our wonderful force protects us and gives us the ability to speak our hearts and minds on this floor on behalf of our constituents every single day.

So not only are we paying respect today to the officer and detective, but we are also paying respect to the entire delegation of security forces who work at the Capitol.

I am going to be brief in order to pause appropriately for that moment of silence and tell you that the conversation we are having today is part of a broader conversation about how to build the middle class in America.

There are some core pathways to the middle class, and one of those is fair mortgages. Indeed, when we were having a debate on Dodd-Frank in 2009 and 2010, we decided to put an end to payments in which mortgage originators were steering people from fair loans into predatory loans and getting big bonuses for doing so.

Today, the Director of the Consumer Financial Protection Bureau announced that they are bringing a case against a company that was doing exactly this, paying $6,000 to $8,000 per mortgage to an originator so they would betray their customer and not put them in the best mortgage they qualified for but into a much higher interest mortgage.

I am delighted that in this Chamber we decided to end such practices. I am delighted we proceeded to confirm the first Senate-confirmed Director just last week so that this agency can do its job. Its announcement today shows it is hard at work in this critical area of fair home mortgages.

Another key pathway to the middle class is living-wage jobs. We are going to have a lot of debate about what creates and destroys those jobs in America because there is no program that substitutes in terms of a foundation for a family more than a living-wage job.

Another key pathway is education. Now, this is very personal to me. I grew up in a working-class community. My dad was a mechanic. I still live in that same community today, and I am surrounded by families that are struggling with near minimum wage jobs with often no benefits, hoping and praying that their children will be able to get the education necessary to have one of those remaining living-wage jobs. They are hoping we will do our job in Congress to help steer the economics of this Nation so there will be more of those living-wage jobs. But the viewpoint from the street is it doesn't look as though there are going to be a

lot of jobs for those folks graduating from college.

They are also concerned if they send their child to college and their son or daughter ends up with a school loan the size of a mortgage, that is going to hang like a millstone around their neck and haunt them the rest of their life.

My colleague from California has just spoken eloquently to this issue. She has just been sharing stories of people on the ground and what they are facing in the context of how these big massive loans for school are weighting down the opportunities for our children.

In addition, it is discouraging our children from believing that they can even get that education. If they don't believe that, then they don't put in the work in high school to prepare themselves to get that higher education to fulfill their potential.

I grew up from a small child with President Kennedy speaking of a vision in which we could aspire to great things, of fulfilling the maximum opportunity for ourselves and for our families and for our Nation. But right now, on the ground there is an undercurrent of deep discouragement, almost desperation, not seeing a broad boulevard into the middle class but seeing a cooked, broken path complete with tricks and traps. That is what this conversation is about: How do we create that broad path into the middle class?

I am going to stop here, and I will come back later and talk specifically about the loan program.

Mr. President, I yield the floor.

MOMENT OF SILENCE

The PRESIDING OFFICER. Under the previous order, the Senate will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police.

(Moment of silence.)

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, on behalf of so many of my colleagues, I want to thank the security forces at the Capitol for the incredible job they do in protecting these rooms where debates and democracy take place.

The debate that we are engaged in right now is about how to create a broad path to access education, as education is one of the key factors in developing and realizing the dream of middle-class jobs in America.

I was starting to share that this is very personal to me because I come from a working-class family. My parents and my grandparents had not gone to college. I didn't know people on my street who had gone to college. I didn't have siblings who had gone to college. I didn't know anything about college. But it was a scholarship, a loan, and jobs that enabled me to attend a university and pursue an education that took me into this realm of public policy, the realm that we are still in right now.

My first deep interest was Third World economic development, and I was blessed with a chance to work in Central America and India and to live as an exchange student in West Africa. Then that same education gave me a chance to go to graduate school, and there I was able to prepare for working here on strategic nuclear policy.

Education took me into realms that matter to our Nation, to our world, and matter in terms of creating the foundation to be able to have a living wage. So this is critically important to our children.

The proposal we have before us is that we are going to set up a loan program, and the loan program is going to take the cost of funds that are lent out and put on an additional 2.05-percent cap or add-on in interest for those who are getting undergraduate loans. For those who are getting graduate loans, it is going to add a 3.6-percent spread, as it is called. And for parents who are getting loans to help finance their kids' education, it is going to add on a 4.6-percent spread.

This 2-percent spread on undergraduates, 3.6-percent spread on graduates, and 4.6-percent spread on parents produces a lot of profits. I had my team consult with CBO to make sure the net profits of this program over the next 10 years are going to be $185 billion, and make sure we understand that they are taking the profits that come from those spreads, the higher interest charged over the cost of money, and they are subtracting out the fact that some loans will be defaulted on. They are subtracting out the cost of administering the program, and they end up with a net profit. How much is that net profit? It is $185 billion.

That means we are providing a service to our students, not at cost, but we are building in an equivalent of a massive $185 billion fee on the children of working families who are aspiring to get an education. That is not a great deal. In fact, it is a terrible framework.

My colleagues who have worked to put this together point out that right now this may be the only option compared to locking in the 6.8 percent for the next 10 years. In the first few years it produces a lower interest for our undergraduates than they would otherwise get. That is an important point to observe, that for a couple of years the loans our students will be getting will be at a significantly lower rate under the deal that is being proposed today. But over the course of the 10 years, the best estimate from CBO of the profits generated is still $185 billion, in fact $1 billion more, rounding off, than it is under the existing program.

To those who believe this is a great long-term solution, I disagree. Is it better in the next couple of years? Yes, it is. But I ask you, exactly why do we believe that adding on $185 billion in fees as a profit center for the U.S. Government is a great idea if our goal is to create an affordable pathway to higher education? I have yet to have anyone explain that. In fact, I often hear: Well, you know, built into the existing law, which doubles to 6.8 from the 3.4 percent right now—that has profits built into that too.

That is a fair point. But let's step back and ask ourselves, sustaining the situation when we are charging extravagant fees to generate extravagant profits and lock them in for 10 years, is that a good idea?

There are a couple of proposals that would make this a much better program. One is to say, no, we are not going to have this big spread with a high cap of 8.25 percent on undergraduate loans and 9.5 percent on graduate loans and 10.5 on parent loans. But we are going to cap it at 6.8 percent. That makes a lot of sense. I applaud my colleague from Rhode Island who has come to the floor to speak for that proposal, and certainly I will be supporting that proposal.

Senator SANDERS has said: You know what. This is a pretty good solution for a 2-year period, so let's sunset this after 2 years so we can have this debate again. Because if we lock this in for 10 years and if we maintain the pay-for rules of the Senate in which if you eliminate the profit margin in one area you have to increase the profit margin in another, we might never be able to unlock this and we will continue treating college loans as a profit center for the U.S. Government, so let's terminate this after 2 years. Let's sunset this and rethink this.

That is a pretty good idea too. I encourage my colleagues to consider doing that. I certainly will be supporting that.

Nick writes to me from Oregon. He says:

> After receiving paperwork the other day from DoE servicer "Direct Loans," I dove into my student loan [application] to see what I was filling out an application for.
>
> I took out $5,500 my Freshman year of college, $6,500 my second year, $7,500 in my third, and $7,500 to finish my senior year. So in total I borrowed $27,000.
>
> In January I deferred payment on my loan because I had not found full time employment.
>
> With a stroke of luck, in February I landed two part-time jobs making a whopping $12 per hour doing manual labor to supplement my $10 per hour part time gig in the health care field.
>
> Since March I've been full-time with the healthcare company, and earned a $1 raise. I've gained a lot of experience on the job, but from a monetary perspective, I wish I could be earning more so I could pay off my loans.
>
> My loans are currently at 6.8 percent with a total owed as of today: $32,266.

That is up from the $27,000 he had owed before. He continues, saying:

> At 6.8 percent my loans are accruing over $1,800 in interest each year. That's about $150 per month.

That is just the interest. Then when he is able to stop deferring and start making payments and include the capital being paid off it will be much more, and on a near minimum wage job that is extraordinarily difficult.

Here is a letter from a mother in Oregon, Melissa.

I graduated with a Master's degree in 1993. My loans have been paid off for over 10 years.

My husband enrolled in college when he was 36, 3 year ago. He will graduate next year with over $60,000 in debt for a Bachelor's degree.

At this rate of increase in what it costs to get a college degree, I don't see how it is possible for our son, who is now 2, to ever have a college experience.

Please do the right thing and help make education accessible to everyone.

That is the plea of Melissa, to do the right thing. The right thing would be to cap the interest in this program so it doesn't go over 6.8 percent. The right thing to do would be to sunset this program after 2 years. Both of those amendments will be available to all of us here on the floor. I encourage my colleagues to support those amendments.

Our students already face $1 trillion in debt. It is weighing them down. It means they are postponing getting married, they are postponing having children, they are perhaps postponing moving out on their own because they cannot afford an apartment with this debt. It is hurting the economy and it is hurting our future because children are discouraged about the possibility of going to college.

That is not the vision we want to have for America, where our children do not believe there is a path to the American dream for them. Today, if these amendments fail, it will be a very difficult choice, a very difficult choice between a couple of years of interest that is better than the status quo but a program that locks in a profit center for college loans, and we will have a very uncertain prospect about whether we can unlock that program a couple of years from now. I hope we pass those amendments.

I am not sure, frankly, which side I will come out on if we fail in that effort. But I will tell you this. If this deal becomes law we must return to this floor time and time again because adding $185 billion in fees so we can have a profit off working-class students trying to find a pathway to the middle class is wrong and deeply damaging to the American dream.

I yield the floor.

• Mrs. MCCASKILL. Mr. President, on Wednesday, the Senate will take votes in relation to the Manchin amendment in the nature of a substitute to H.R. 1911, the Smarter Solutions for Students Act. I was unable to be present for this vote, due to a pre-scheduled commitment in my home State for which my attendance was confirmed before the timing of these votes was set. Because my presence would not have changed the outcome of either vote, I honored my previous commitment. Had I been present I would have voted in support of Senator MANCHIN's amendment.

We are facing a crisis. On July 1, interest rates on new subsidized Stafford student loans doubled, from 3.4 to 6.8 percent. Already, officials at the Federal Reserve, the Department of the Treasury, and the Consumer Financial Protection Bureau have all warned that student borrowing threatens to dampen consumption, depress the economy, limit credit creation, and pose a threat to our Nation's financial stability. Students and graduates in my State are already heavily in student loan debt. Two out of every three Missouri students will leave college with student loan debt. At a time when a higher education is vital to expanded opportunity for so many young people and with a 21st Century economy that increasingly demands workers with the skills earned as part of a college education, we cannot make it even more difficult for young people to financially achieve a college education. We need to act.

While not perfect, the Manchin amendment is the product of bipartisan compromise, forged and supported by Members from both sides of the aisle. I am proud to be a cosponsor of this legislation because it will provide relief to our Nation's students by lowering interest rates for America's student loan borrowers. This relief will not only apply to subsidized Stafford loans; it will apply to loans to undergraduates, graduate students, and the parents of students seeking to pay for their education. Importantly, this legislation also includes interest rate caps; without this feature, I would not have been able to support this bill.

I would have also supported the second-degree amendment put forth by Senators REED and WARREN because it is consistent with my commitment to keeping rates low. The Reed-Warren amendment would provide certainty to students and families by ensuring that interest rates will go no higher than they would under the fixed rates in current law without adding to our deficit. I believe this is a responsible measure that deserves bipartisan support.

To be clear, addressing the issue of student loan interest rates is only one piece of the puzzle of ensuring that higher education is affordable and attainable to those who seek it. We must also examine the issues of the rising costs of college attendance and the rapid growth of the proprietary college sector, where the share of Federal student aid payments and loan defaults is disproportionately and alarmingly high.

I will continue to work with my colleagues on all of these issues. Congress has an important role in helping American students attain the higher education opportunities they seek, to ensure that our Nation remain a global leader in the 21st century economy.•

Ms. HIRONO. Mr. President, I appreciate the hard work of my colleagues who reached today's compromise student loan plan. However, I will oppose this bill, and I want to explain my reasoning.

The bill before us may be a good deal for current students in the short term, but it hurts their younger brothers and sisters in just a few years.

We must find a way to make college affordable for students and families—not just for those who are attending college in the fall or over the next few years, but also for those who will attend college in the future.

In Hawaii in the 2013–2014 academic year, the U.S. Department of Education predicts that over 20,000 undergraduate students, over 3,300 graduate students, and over 2,300 parent borrowers will take out Federal student loans.

Today's bill changes Federal student loans to variable interest rates, and raises caps above current law. While this bill will keep student loan interest rates low in 2013, the Congressional Budget Office—CBO—projects that by 2017, the rates for undergraduate student loans will rise above current law.

The American Association of State Colleges and Universities—AASCU—American Association of University Women—AAUW; Education Trust, The Institute for College Access and Success—TICAS; United States Public Interest Research Group, Young Invincibles, and other groups oppose this bill.

Under today's bill, undergraduates would see their student loan interest rate caps increase from 6.8 percent today to the higher cap of 7.25 percent by 2018. Graduate students would see their rate caps increase from 6.8 percent in 2013 to a new, higher cap of 9.5 percent. Parents using Federal PLUS loans would see their rates increase from 7.9 percent in 2012 to a new, higher cap of 10.5 percent. At these levels, future students will pay thousands of dollars more over the life of their loans.

I am a cosponsor of two of my colleagues' amendments that would improve this bill. To avoid hurting future students, I support an amendment by Senators JACK REED and ELIZABETH WARREN that would allow students to take advantage of the benefits of today's short-term low interest rates, but would keep the same cap as current law. This amendment is fully offset by a surcharge on millionaires. I also support Senator SANDERS' amendment to sunset today's bill in 2 years to prevent interest rates from exceeding current law and to foster a better long-term solution to college affordability.

Government should not be making money on the backs of students. Under current law, the Federal government already overcharges students for their student loans, to the tune of over $180 billion over the next 10 years. This bill locks in that profit, plus it brings an extra $715 million to the Treasury. It is encouraging that today's bill requires the Government Accountability Office to study the actual cost of the Federal Student Loan Program. However, only after getting this information can Congress make an informed decision to set student loan interest rates with just enough markup to make the program self sufficient. Without knowing the true costs of the student loan program,

it is premature to lock in the arbitrary rates in today's bill for 19 years.

Instead, a few weeks ago I voted for both S. 953, the Student Loan Affordability Act, and S. 1238, the Keep Student Loans Affordable Act. Each of these would provide a temporary extension of a 3.4 percent interest rate on subsidized Stafford loans, completely paid for by closing tax loopholes. Such an extension would give Congress time to work toward a broader reauthorization of the Higher Education Act that can address many other important aspects of college affordability and completion all at once, beyond just this interest rate debate.

In sum, I do not support today's bill because it makes future students worse off than current law. Instead, I look forward to working on other initiatives to improve college accessibility and affordability for our young people.

BIPARTISAN STUDENT LOAN CERTAINTY ACT

Mr. LEAHY. Mr. President, more than 3 weeks have passed since interest rates on subsidized Stafford loans have doubled for students next year. Unfortunately, this rate increase has taken effect despite numerous attempts by the Senate to extend the lower rates while we debate a comprehensive solution to the high cost of college, including student loan interest rates. Few if any bills that make their arduous way through the legislative process are perfect, but the legislation we are considering today is, in too many ways, too imperfect. Even after our attempts to win approval of better options, this legislation, in its final form, does not offer enough to protect our future students from needlessly paying higher interest rates.

Education is a path out of poverty, a road to personal growth, and an access ramp to professional accomplishment and economic security. No student should be denied the benefits of a college education because of the cost, but unfortunately that is happening all too often. In recent years, average college tuition rates have been increasing faster than inflation and outpacing student financial aid. Tuition rates today are going beyond the ability of most families to pay. As a result, students and their parents take on significant student loan debt in order to have the opportunity at a college education.

I believe that the Federal Government has an obligation to support these students by subsidizing loans for the lowest income students and offering programs like Pell Grants to help students who never thought they could afford college. While the bill lowers interest rates for 11 million students in the near term, students and their parents by as soon as 2015 will likely pay higher interest than they pay under current law. Debt from student loans is climbing to new heights and outstanding student loan debt in the United States has reached nearly $1 trillion.

This debate has included consideration of two amendments that I am pleased to cosponsor that would greatly improve the underlying legislation. Senators REED and WARREN filed an amendment to reduce the caps on interest rates to current levels, ensuring that students are no worse off under this legislation than they are today. We also have considered an amendment by Senator SANDERS, which will sunset this agreement after 2 years, ensuring that Congress continues the important conversation at how best to reduce college costs for students and their families. I very much hoped that these amendments could have been adopted.

This legislation is a mere patch on a much larger problem. We must have a comprehensive debate at lowering college costs through the Higher Education Act reauthorization this fall. As part of that debate I dearly hope we address the abuses of for-profit colleges and the raw deal they are giving to far too many students. While these schools are turning a profit and filling the airwaves with paid advertising, many of their students are defaulting on their federal loans because these schools by and large do not offer an adequate education that prepares students for the working world. Some of these schools are swindling our students, and we cannot adequately address college affordability without better regulating for-profit schools.

This legislation is not what I would have drafted. Under the new student loan bill, the Federal Government will make an additional $715 million in profits over the next decade, and all of the profit is coming from the pocketbooks of students and their families. While I am pleased the legislation includes a GAO study within 4 months to help us better understand the costs to the government of running the student loan program, so that we can better set appropriate student loan interest rates that do not generate revenue for the Federal Government, it does not go far enough to protect our students.

This conversation is not completed. The challenge and the obligation of making college affordable certainly remains. We have a responsibility to families across America to not only keep student loan interest rates low in the years ahead, as they plan their finances and manage their households, but to make fundamental reforms to help students and their families manage college costs. I am counting on that debate, and I know America's students are, too.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I ask unanimous consent at the conclusion of Senator CARPER's remarks I be recognized to use the time allotted to me under the motion.

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

The Senator from Delaware.

Mr. CARPER. Mr. President, I think what I would like to do is try to set this discussion this afternoon in context if I can. One of the things I focus on a lot—I know the Presiding Officer does as well back in Delaware—is how do we create a nurturing environment for job creation and job preservation. I think that is one of the most important aspects of government. That is not the only one. One of the best things you can do to help people is make sure they have a job.

One of the ways to strengthen our economy is to make sure we are making smart investments with Federal, State, and local moneys as well as public funds. One of the ways we create that nurturing environment is to make sure we have a world-class workforce; that folks coming out of our high schools can read, write, think, do math, have science skills, technology skills, a good work ethic.

Other parts of the nurturing environment include access to capital; that is, to money, commonsense regulations, some certainty with respect to the Tax Code—a Tax Code that makes sense, is not burdensome—access to elected officials, modern infrastructure, broadly defined. Those are some of the elements.

But if we are going to be successful as a country in this century, we need to invest, among other places, in a world-class workforce, those kinds of skill sets. That is not just college, not just in postsecondary, it is almost from the cradle well into their lives.

A second area where it is important for us to invest is infrastructure, broadly defined: roads, highways, bridges, rail, ports, airports, water, wastewater, broadband deployed all across the country—those are the kinds of investments that will pay great dividends in the form of a stronger economy.

A third area we need to invest in is research and development. We were reminded by Dr. Francis Collins, head of the National Institutes of Health, of the kind of impact sequestration is having on our abilities to invest in all kinds of health-related areas and pharmaceutical areas, medical areas. They are finding it difficult to make the kind of investments needed to be made. Part of what we need to do is invest in the kind of research that can be commercialized and turned into goods and products we can sell not just in America but all over the world.

That is sort of the context. In my view, in the end this is how we strengthen our economy, how do we grow the economic pie for our country and citizens.

Going back to the first item I mentioned is a world-class workforce. It doesn't start when people graduate from high school and go off to college, whether junior college or whether it is a certificate program. It is what we do before they ever go the to first grade, the kinds of investments that are made before kids ever go into kindergarten, at the age of 5 in most States.

But today's debate is on college loans. I will focus on that. Let me remind us, the investments we do not make in the lives of children when they

are young, before they ever go to kindergarten, can be demonstrated in Head Start. We only fund about half the kids in this country who are eligible for Head Start, only half. We fund roughly half the kids who are eligible for what is called title I, special education programs in our schools to make sure that, if they are way behind, they have a chance to at least catch up a little bit. We fund half the kids eligible.

Some of my colleagues said we should provide free college education for people; that should be our policy. We are not even meeting our obligation to fund Head Start for half the kids in the country, fund special education title I for half the kids in the country who are eligible. We have a $750 billion budget deficit this year. It is down from $1.4 trillion a couple of years ago, but it is large. It is going to come down for a while and then jump back up a number of years down the line.

I think for us the question is how do we get a better result for less money in almost everything we do. In a way college loans are the symptom of the problem but not the underlying problem. The underlying problem is less the Federal student loan program, it is more the cost of education, what we are spending. My wife and I put two boys through college in the last half dozen or so years and we have a pretty good idea of what it costs to go to school these days. They got a good education but, boy, it costs a whole lot. One of the things we need to be focused on when we have this debate is what can we do to make sure our young people get a good education but how do we make sure it is done in a cost-effective way.

There is some interesting work going on in places such as MIT, Harvard, Stanford, that I think is informing us all in that discussion.

Let's talk about the program before us today, the student loan program. For a number of years we set the rate cap at 6.8 percent and then during the great recession we lowered that cap so the top rate students would pay on their student loans, Federal student loans, was 3.4 percent. That period of time expired more than a year ago, June 30 of last year, and so the rate was supposed to pop back up to 6.8 percent where it had been previously as a cap on what could be charged to students.

June 30 a year ago we were not sure what to do and we said let's kick the can down the road and put it off a year, the date of decision, and we will decide by June 30, 2013, what the new policy should be. We got here on June 30, 2013, and some were willing to kick the can down the road for another year and deal with it then.

The President said we cannot do that. We can't keep doing that. The President said we need to put in place a policy, a commonsense policy that is fiscally responsible but also that is morally responsible to the least of these in our society. I think we have both a fiscal imperative here, given the large deficits we face, and we have a moral imperative here to make sure the least of those in our society have a chance to have the ability to go to college and get a college education—be more productive in our society.

A lot is being said about the different rates.

There are two numbers we ought to keep in mind. People have said that in years to come interest rates will go up. I suspect they probably will go up since they are pretty low at this time, but we don't know. We have had Senators come to the floor and say the interest rates will be this amount or that amount. Who knows. We don't know.

What we do know is that under the current law right now and unless we pass something and get bipartisan support as well as the support of the President, the interest rate is going to be 6.8 percent for some time. If we adopt the bipartisan proposal that a number of us are offering—it is a tripartisan proposal, actually, with the support of the President—the rate for the student loans this year will not be 6.8 percent, it will be 3.86 percent.

If the student takes a loan this year, that rate doesn't go up. Even if interest rates go up, they will owe 3.86 percent on the loan that students take out this year. If they take out another loan in the following school year and the rate is 4.1 percent, or whatever that rate is, that is what they will pay on that second loan for the balance of the loan, whether it is 5 years, 10 years, 15 years, or 20 years.

As interest accrues on these student loans over the next 2, 3, and 4 years while someone is in school, a reasonable question to ask is: Who pays for the accrued interest? If the student is in school, as most of us have been, the interest accrues. In the past, we have had subsidized loans for low-income students and unsubsidized loans for those who have a higher income. For a number of years, the student who had the subsidized loan—the lower income student—would accrue interest on their loan for year 1, year 2, year 3, year 4, and year 5.

As for the subsidized student, the Federal Government has paid the accrued interest. Then when they graduate from school and walk away, they don't owe that interest. It has been paid for—forgiven, if you will.

For the unsubsidized higher income student, the Federal Government defers the interest, but eventually interest—eventually it has to be paid by the higher income student. We don't change that. We leave that in effect.

Who pays the accrued interest for the lower income students? The Federal Government. When they graduate school, then they have an obligation to pay that interest and the principal on their own.

As I have talked to my colleagues, I find that not everybody knows what I just mentioned about the lower rate. As far as the example I just gave, if the rate for the student loan taken out this fall is 3.86 percent and the next year the rate is 5 percent or 6 percent, the House let's the rate go up each year. A permanent, assigned rate would not be in effect when the loan is taken out.

Somebody graduates and they go to work. In this example, they find a job that pays $25,000. That is one person who has no spouse or kids. Let's say that person has $45,000 worth of debt. How much can they be compelled to pay in interest starting the year after they graduate? The answer is not $1,000 a month or $500 a month. The answer is $97 a month, and that is it. There is a mathematical formula where we take their income, less what the poverty level is for that person, multiplied by 0.15 percent. In this case it is $97 a month.

Then we have this example. Let's say Sally gets married, has a child, and has a family of three. Let's say the family of three is making $40,000 a year and they have $45,000 worth of loans. How much can they be compelled to pay in interest? Again, there are three people in the family with $45,000 in loans. How much can they be compelled to pay? It turns out to be about $120 a month. Not many people realize this is the law, and it is going to stay the law under the tripartisan proposal.

How about if somebody goes to work for the Federal Government or State government or local government or they go to work for a nonprofit and they do so at some sacrifice. Maybe they could make more money in the private sector, but they have this urge or compulsion for public service. After 10 years, their loan will be forgiven. If they are current on their loan, their loan will be forgiven after 10 years of public service. That has been the law and that would remain the law.

How about if they don't work in public service? What if they don't work for the State, local or Federal Government? What if they don't work for a nonprofit with a 501(c) designation? Let's say they are current on their loan. After 25 years, their loan is forgiven as well.

We can argue about the rate we use to determine what graduates, undergraduates or families would pay on their loan after the student graduates and whether it makes sense to peg or key that rate off the 10-year Treasury note. I think the 10-year Treasury the President has recommended is a reasonable place to begin.

Some have said we should use the Fed funds rate. What is the Fed funds rate? That is the rate that is charged overnight when one bank loans money to another bank overnight. Some people say that should be the rate. This is not an overnight loan from one financial institution to another, so I don't think the Fed funds rate is appropriate.

Some people said we should use a 90-day T-bill rate. This is not a 9-day loan. A 90-day T-bill rate may make

sense for credit card interest rates, but a 5-year, 10-year, 15-year, 25-year student loan, I don't know that a 90-day T-bill rate makes a lot of sense as the interest rate for us to use.

Some people have said: Why don't we use a rate that might be charged for a 3- or 4-year car loan? This is not a car loan that is collateralized with a car. This is not a 20-, 25-, or 30-year mortgage that is collateralized with a house. This is a long-term loan that is not collateralized.

What the President has said—and I and our bipartisan group agree—is that it makes sense to use a 10-year Treasury note and peg the rate off of that and add to that a modest fee—in this case close to 1.5 points—to make sure the program is soundly run and doesn't make the deficit larger.

We have heard about some large numbers assigned as to what this amounts to in terms of a transfer from students to the Federal Government. The President's original proposal had a very large amount, under his initial proposal, going from students to the Treasury, and he was going to use that money to pay for Pell grants. We would actually cover the cost of the Pell grant increases. We don't do that in our program.

What we tried to do is to take the very large transfer of money in the President's proposal to the Treasury and to change that and scale that down and come as close as we could to eliminating it. This is about a $1.2 trillion college loan program, and that is about as close as we could come to eliminating the transfer, if you will, from students to the government to about $600 million to $700 million. That is a lot of money, but out of $1.2 trillion, somebody told me it works out to $2.50 per student who is getting a loan. If we can bring it down to zero from $600 million or $700 million, that would be great.

Let me conclude with these thoughts: Should we have a Federal student loan program? I am sure some people think we shouldn't, but I think we should. Should it be one where we use the Government's purchasing power to make it possible for people to access credit so they can go to school? I think we should. Should we allow people to use the Federal money the Government borrows—should we let them have that money at below Government cost? When we do that, it makes the deficit go up and it makes us squeeze programs such as Head Start and the Title I Program. It is like robbing Peter to pay Paul.

I think this is a good proposal. This proposal will use the Government's borrowing power and will be able to provide a lower-than-market rate for a lot of students. Students will be able to lock in the lower rate. It will then provide some help—with the Federal Government paying for the accrued interest—for the lower income students who have the subsidized loans. During the time they are in school, the Government picks it up, and they don't have to pay it back. It is covered by the Government.

This will make sure that when students graduate and get a job that doesn't pay a lot of money, there are significant limits on how much interest they can be compelled to pay in a year.

If somebody goes to work for the Federal Government, State government, local government, nonprofit or public service, after 10 years—if they are current on their loan—it is forgiven. For a person who doesn't go into public service but is current on their loan and still owes a ton of money after 25 years, their loan is forgiven. That is not heartless or unfair. I think it is pragmatic and reasonable. I think it makes sure we meet our fiscal obligation for the taxpayers. At the same time, we are meeting our moral obligation for those who need to borrow money to go to college.

I think there was a UC request—as I was beginning to speak—from a Senator from a State smaller than Delaware. I believe he had a unanimous consent request to speak immediately following my remarks.

I yield with great pleasure for my Army buddy, the Senator from Rhode Island, JACK REED.

The PRESIDING OFFICER (Mr. BROWN). The senior Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I recognize it is a much larger State. The nice thing about the Senate is that we all have two Senators.

There has been a great deal of work put together by so many people here: Senator CARPER, Senator MANCHIN, Senator ALEXANDER, Senator HARKIN, Senator KING, and Senator BURR. I could go on. They have been trying—in a principled way—to help students. They provided short-term help, but the major criticism I have of the legislation is that it locks us into the long-run, predictable rate increases and will add further to the burden that students and families are bearing to send their children, and themselves, to college and beyond.

Despite these great efforts, I just do not believe this approach, if unamended, is going to be the way we want to move forward.

Mark Kantrowitz is a well-known expert on student aid. His comments are particularly telling.

> It's still going to be, effectively, an interest rate increase masquerading as a decrease. Students currently enrolled will benefit from the low interest rates, but as the economy recovers and rates rise, today's high school students could end up paying more than 6.8 percent. It's far from a permanent solution.

I think he is right. I wish to emphasize the fact that as the economy recovers and rates rise, one of the fallacies of the CBO projections is that back in early 2000s they suggested that interest rates would stay very high. They did not anticipate the collapse in 2008 and 2009 of our economy.

Honestly, I don't think we want to premise our student lending on an economic collapse. I think what we want to do is assume and hope that the economy recovers, which will invariably increase interest rates. We are starting at the low point of interest rates, and then inevitably we are moving up. We are moving up as the economy recovers. We will also move up as the Federal Reserve limits their very aggressive quantitative easing program, where they have been buying securities to depress the rates.

If we look at the CBO projections, parents and graduate students will begin paying more than the current fixed rate of 6.8 percent and 7.9 percent by 2015. That is not a long time. That means the young freshman who is going into college next year might benefit from this proposal, but the younger brother or sister who is a freshman in high school will be paying much more. I think collectively, over time, since this is a permanent proposal, the debts that will accumulate to American families and American students will be significant.

We are essentially adopting a new approach to Federal policy on higher education. We are not subsidizing it; we are not making it below market rates. We are shifting the costs on to students. That is because one of the premises in this proposal, quite obviously, is that there will be no cost to the government, and we are starting with the principle of a rate of 6.8 percent over time. So as we decrease rates for the first few years, just simple arithmetic tells us we have to raise rates going forward.

Also, I think the way this is structured has to be considered. We have chosen not a short-term T-bill rate—a 91-day rate—which is low; we have chosen a 10-year rate which, in itself, is higher. So we have begun our reconstruction of the rate structure by picking a much higher baseline than has been consistent in the past, even with variable rates, and we have had variable rates in the past. Then we have added a premium to that to cover our costs—the cost of default, the cost of the administration of the program.

Interestingly enough, in this proposal, there is a study the GAO is ordered to do to tell us if our cost estimates are in any way close to the real cost to the Federal Government. I think the factor is significantly sufficient that the premium—the delta, if you will—we are charging students is much higher than the real cost, even including default rates, to the Federal Government.

I think this is a proposal that, again, was generated with great sincerity and great diligence, but over time it does not meet the test of consistency with our previous support for higher education. We actually subsidized higher education, and we did it at below-market rates. We did it because we believed we had to give students a chance to educate themselves not only for

their benefit but, just as importantly, for the benefit of this Nation.

I would suggest—and around this Chamber I have said this before—directly or indirectly, every one of my colleagues who is of a certain age has benefited from subsidized student loans. If they didn't, then a brother or a sister or someone did. Yet we are saying that was good for us, but it is not good for this generation of students. They should bear the risk of interest rate increases.

They should bear the full cost. This is at a time when we have to be much more cognizant of the centrality of higher education in terms of the lifetime wages and earnings of individuals and in terms of our economic competitiveness across the globe.

We all have reached a point that unless we adopt the amendment I propose, we are locking ourselves into increasing rates that go way beyond the current statutory rate of 6.8 percent for Stafford loans and 7.9 percent for PLUS loans. Even with these rates—the current rates—6.8 and 7.9 percent—CBO has estimated that the government will generate about $184 million in revenues. That is the difference between the cost of funding and the return. It is just what it costs the government to borrow and what they are getting in revenue from students, accounting for defaults and borrower benefits. So instead of investing in students, we are basically profiting from them, and that point has been made by my colleagues, particularly Senator WARREN, over time.

As we move to this new form of rate structure—10-year Treasury bills plus a premium; they are capped, but they are capped at high rates—the government will, in fact, be making even more money.

What I would like to do and what we have tried to do is to propose that we initially freeze rates at 3.4 percent and then spend the time to fix this problem as best we can completely. We need to develop a rate structure that does not provide a huge profit, as defined between the cost of funding and the revenue to the Federal Government, incentivize colleges to lower tuition—and that will be a very difficult and challenging endeavor—and think seriously about refinancing because right now we have students and families facing $1 trillion in debt, and they are suffering under this situation.

We want to take a comprehensive approach, but this is not the approach. This is simply fixing rates. The one certainty in this legislation is that the rates will go up—not right away, but they will go up—and they could go up very quickly, and they could reach the limits very quickly, and that is an additional burden on students. As a result, it will begin to make college more expensive, less affordable, less of an option for many families and youngsters, and it will hurt us in the long run in terms of our economic competitiveness and our ability to grow our economy.

We have had experience with market-based rates in the student loan program before. This is not new. Most recently, the market-based rates for student loans from July 1, 1998, and June 30, 2006, was yield on a 91-day Treasury bill plus 1.7 percent while the student was in school and plus 2.3 percent while the student was in repayment. This rate was capped at 8.25 percent, and it applied to all Stafford loans—subsidized, unsubsidized, and graduate. For parent PLUS loans, the rate was the yield on the 91-day Treasury bill plus 3.1 percent, capped at 9 percent.

Those rates were a good deal for borrowers. Students who are repaying their loans under this system have a rate of 2.35 percent this year and parents are paying 3.15 percent. That is because interest rates have come down dramatically. One of the reasons for that—perhaps the primary reason—is because we faced an economic potential catastrophe in 2008 and 2009. Economic activity shrunk, rates fell, and the Federal Reserve took a very aggressive program of quantitative easing to deliberately lower interest rates.

Instead of using the 91-day Treasury bill, what this underlying proposal uses is the 10-year Treasury bill. This decision results in a rate that in and of itself is 1.76 percentage points higher for this year alone. If we use the 91-day T-bill rate, we could lower rates even further, but we are using the 10-year rate, so we are already building in almost 2 percentage points of interest for students who will be subject to this legislation.

Since May 1 we have already seen the rates on the 10-year Treasury bill climb nearly 1 percent. Those rates are headed upward, and the CBO has projected them to rise. That is consistent, by the way, with an economic recovery. So the good news is if the economy recovers, interest rates will rise except it is not good news for students because their interest payments will rise. If CBO is wrong, that means we will probably have an economic shock ahead of us which will be bad news for everyone.

So I think we have to be very cognizant of the fact that there is a much better way to do this, and there should be a comprehensive approach.

What we are suggesting, and in the amendment Senator WARREN and I are proposing, is that we at least cap the interest rates for the Stafford loans—for the undergraduate loans—at 6.8 percent, which is the current rate, and for the PLUS loans at 7.9 percent so no one, regardless of whether one starts college next fall or 4 years from now, will be worse off than the current situation with the fixed interest rate. I think that would be an improvement. I think, if we don't adopt such an approach, then we are locking students and families into a very costly and predictably increasingly costly structure. We are not making any reforms with respect to the cost of college. We are not dealing with the issue of refinancing.

Honestly, I also think to say, well, if it gets really bad, if we really start hitting those caps—to say we will go back and fix it fundamentally ignores one of the principles that underlies this proposed legislation—that there be no further costs to the government. To fix the interest rate several years from now, when it is 8 percent, again, will cost a lot more than staying with the current 6.8 percent fixed rate and 7.9 percent fixed rate.

So for that reason, I will be opposing the underlying legislation unless we can make significant progress with respect to at least capping the rates at 6.8 percent and 7.9 percent.

With that, I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I wish to speak for a few minutes about the loan program and concerns I have about it, particularly the scoring conventions used by the Congressional Budget Office in its cost analysis of these student loans. It is something I have looked at for some time as the ranking member of the Budget Committee. We have asked CBO to analyze these issues and have offered the honest Budget Act, which deals with all kinds of loans, and the improper way CBO scores them—not that they do it on their own, but because we require them to score it that way.

In sum, I would say the loans that have been referred to today do not make money for the government. They just do not. They are going to cost money. It is simply—and that would be a subsidy to the borrower. We are talking about 2.05 percent above the 10-year Treasury note, and that is a good way to figure what the interest rates are. When they rise, the cost of money rises. It rises for the U.S. Treasury as well as for the people who borrow from the U.S. Treasury.

But the Federal Credit Reform Act, or FCRA, requires CBO to score these loans in a way that gives the impression that they do, in fact, make money. In a recent report on student loans, the CBO wrote to us that FCRA—this is the law that tells them how they analyze the cost:

> FCRA accounting does not consider some costs borne by the government. In particular, it omits risks taxpayers face because federal receipts from interest and principal payments on student loans tend to be low when economic and financial conditions are poor and resources therefore are more valuable. Fair-value accounting methods account for such risk. . . .

Fair value accounting methods aren't being used with these loans. In fact, CBO utilized a fair value accounting system—please get this, colleagues: They used that system to analyze these loans in addition to the system required by law, and that would show that student loans actually lose money for the American taxpayer. So often around here we have scores that indicate one thing, and Senators advocate that they say one thing, when the truth is it costs us money.

As the Senate moves forward in this debate, it is important that it consider the real costs associated with the Federal student loan program.

The budgetary costs of the Federal Direct Student Loan Program are determined based on accounting rules specified by the Federal Credit Reform Act. Under the guidelines set forth there, the cost of Federal loans are recorded in the year in which the loans are made. The net cost of a student loan includes the estimated future repayment of principal and interest—the estimate of what would be repaid. The value of these future repayments are adjusted to reflect certain risks—the risk of default and the risk of inflation. CBO cannot, however, include an adjustment for market risk, such as if the country has a bad financial crisis, which periodically happens.

Examples of market risk include the current fiscal situation: Our Nation's current unemployment rate is 7.6 percent with 11.8 million people unemployed. Some want to continue to bring in millions of people to take those jobs from abroad while we have 11 million people unemployed, and it is time for us to reevaluate that policy, in my opinion.

According to the Bureau of Labor Statistics, June 2013 figures, the unemployment rate among college students shows about 1.9 million unemployed college students. All of these factors lead to lower loan repayment rates and higher collection costs for the government. With an interest rate well over 7 percent and college students struggling to find work, default rates are going to increase.

Because the FCRA method of accounting for student loans does not take into account all of the risks that are associated with making a loan, the government should require that CBO adopt the fair-value accounting method. As I said, unrelated specifically to this legislation, I offered legislation 2 years ago to do just that because the American people need to know what the cost to the Treasury will be when we make loans, and we know, and CBO acknowledges, that this method they are using required by law is not accurate.

According to a June 2013 CBO report made for the Senate Budget Committee entitled ''Options to Change Interest Rates and Other Terms on Student Loans'' that I requested in my capacity as ranking member of the Budget Committee, CBO admitted and acknowledged that its current scoring rules failed to adequately account for the cost of these loans.

That is just a fact. I wish it were not so. I wish we could cut these rates even lower than they are. But I have to say, it is not accurate to say the Federal Government is going to make a bunch of money off of it.

It goes on to say:

[U]sing fair-value methodology represents a broader measure of cost that includes the cost of market risk.

So CBO has explicitly stated it would be better to use the fair-value methodology and not the other.

Well, does that make a difference? Does it change what the score and the analysis would be? They have their official analysis based on the requirements that Congress gave them, but they acknowledge the market risk is a better analysis. What did they say that would do?

The methodological difference between FCRA—the current system—and the fair-value accounting system produces alarmingly different results—alarmingly different. Under the FCRA, CBO estimates that the student loan program will reduce the deficit by $37 billion in fiscal year 2013 and save $184 billion over 10 years. With those results, of course, the program looks good.

But under the fair-value accounting procedure that CBO says is preferable, CBO estimates that direct student loans issued between 2013 and 2023 would cost the government $95 billion—cost the government $95 billion. Suddenly, the student loan program, when adjusted more accurately for market risk, is a deficit creator rather than an income producer.

As I say, I wish that were not so. I hate to report that. But we have been looking at these numbers for some time. I urge my colleagues. I know we need to do something about student loans. We need to get it done now. I am not here to try to say we should not pass anything. But what I am saying is, colleagues, we have to end this fooling ourselves system. We have to go to an honest system that the private markets utilize and the Federal Government should be utilizing. I am going to continue to push for that.

We will continue to work on this issue. I know we have a situation that is very painful for students, many of whom have overborrowed. They did not understand the significance of what they were doing and they ran up more debt than they should have. As a result, they are in a painful circumstance, for sure. But when we do our policy for the future, and we analyze what it costs to make a loan program—what it costs the taxpayers—we need to have accurate accounting.

If the matter is accurately accounted, using best accounting procedures, this bill, as now presented, would actually cost the taxpayers money rather than make them money.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 10 minutes.

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

Mr. DURBIN. Mr. President, we are debating student loans. We are here having this debate because of Russia. How did that happen? It was October of 1957. The Russians launched a satellite called Sputnik. We did not have any satellites. We knew they had the bomb, and then they had the satellite. It scared us. It frightened Congress enough that they created the first student loan program. Oh, there were loans given to GIs coming back from the war, but this was a program available to those who were not veterans. They called it the National Defense Education Act. It was all about Americas defense. What they said was: We will loan money to students across America to go to college. I think their rationale was sound. If more Americans went to college and got educated, we would have the engineers and scientists we need to make this a strong nation from a defense point of view and from our economy point of view.

So I thank the Russians for launching Sputnik, and I thank the Congress for creating the National Defense Education Act because a kid from East St. Louis, IL, whose parents had eighth grade educations, got a chance to go to college, and he is standing here today in the Senate.

It was a pretty good deal too. The National Defense Education Act said: You can borrow money to go to school, and you do not have to pay it back until a year after you graduate—10 equal payments at 3-percent interest. I remember these because I was frightened to death in 1969, when I finished law school and added up all my student loans, and they said to me: You owe $8,500. I went home to my wife, and I said: We are doomed. We can't pay that back—$850 a year. It is impossible. It was not impossible. We did it. And many others did too.

What happened as a result of that satellite and that student loan program was a dramatic change in higher education in America in the 1960s and ever since. We democratized higher education. It used to be the only folks who went to college were the sons and daughters of alumni and those who were supersmart and rich. Well, kids like myself got a chance all across America.

So now here we are today, many years later—some 50 years later—and we are talking about student loans for this generation of students. We have many choices before us. I happen to like the National Defense Education Act. I like holding interest rates at 3 percent. I like the payback terms. But the number of students taking out loans and the cost of higher education have reached a point where we cannot do that without some serious commitment of resources at the Federal level at a time when our budget problems do not give us much latitude and much opportunity.

So I sat down with a number of my colleagues—ANGUS KING, a new Senator from Maine, an Independent who sits on the Democratic side; JOE MANCHIN, a Democrat from West Virginia; TOM CARPER, a Democrat from Delaware; and TOM HARKIN, who is the chairman of the Health, Education, Labor, and

Pensions Committee, and is in charge of this subject matter. That was the Democratic side. On the Republican side: LAMAR ALEXANDER of Tennessee, RICHARD BURR of North Carolina, TOM COBURN of Oklahoma. It is a pretty diverse group.

We hammered out a bipartisan answer to dealing with student loans that will be the last vote today. We will have a series of votes. That, I think, is the right answer because I think we have struck the right balance. There are many of my colleagues in the Democratic caucus who are still opposed to this bipartisan approach. Some of them believe—and I do not quarrel with it—we should go back to the old days of the National Defense Education Act. We should be subsidizing the interest rates. We ought to be putting a substantial amount of money into keeping the cost of higher education low in terms of interest rates.

I do not quarrel with that. I am a beneficiary of that type of approach and philosophy. But we have tried to pass that in the Senate several times with the leadership of JACK REED of Rhode Island, and we cannot come up with 60 votes. We cannot come up with the supermajority we need to make this a viable alternative.

So now we have to ask ourselves a very basic question: What will we do if we cannot have a subsidized Federal program? Well, I think what we have come up with is a good approach. What we have come up with says basically we are capping the interest rate any student will ever have to pay in undergraduate loans at 8.25 percent—8.25 percent—capped, no matter what happens to interest rates. And we are saying we are going to start at an interest rate that is even dramatically lower than the interest rate paid by students as of this moment. So if you vote against the bipartisan alternative on student loans, you are voting against an effort to bring student loan interest rates down from 6.8 percent to 3.8 percent and you are voting against the cap on interest rates at 8.25 percent. I do not see how that is going to benefit students. If you were offered a new home mortgage, reducing your interest rate by 3 percent, you could not wait to go to closing—right?—because the interest you are going to pay on your home goes down dramatically.

Our bipartisan approach is going to reduce the interest rates paid by 11 million students and for about two-thirds of them by 3 percent. And those who vote no, those who vote no to that approach, are saying: Keep it at 6.8 percent. How can that be good for students or their families? A cap of 8.25 percent on student loans for 10 years is a protection that says to students in the future: The highest interest rate you face is 8.25 percent.

What does it mean in terms of savings? Our approach in the bipartisan bill means if you are an undergraduate student in America, over the next 4 years of your education, you will save between $2,189 and $3,191 in interest not paid—interest not paid.

So those who are going to vote against the bipartisan bill are saying to students: Keep the rate at 6.8 percent. Do not lower it. And pay between $2,000 and $3,000 more in interest over the next 4 years. With friends like that, students and their families—I will not finish the sentence. But people ought to think twice about this. We are giving students a lower interest rate and a guaranteed cap.

It is not just for undergraduates. In the next 4 years, those who are in the graduate loan programs will save over $4,000 in interest with the bipartisan approach; and those in the parent loans will save over $2,000 in interest paid. So for 4 years this is a solid winner.

In the effort of full disclosure and honesty, after 4 years, in the second 4 years, interest rates, we project, will be going up, and the cost of these loans go up.

My position is, let's vote for this now, roll up our sleeves and make sure that 4 years from now we can replace it with something that is as good or better. But why stick people with 6.8 percent, when we can bring the loan rate down to 3.8 percent?

At the end of the day, the groups that are supporting this bill are substantial: the American Council on Education, the American Association of Community Colleges, the National Association of Independent Colleges and Universities, Rock the Vote, the United States Student Association, and the Committee for a Responsible Federal Budget, because, you see, we are not adding to our budgetary woes here.

We found out this program actually generates about $715 million more than the actual cost of loans, as we project them. I wish it were zero. But put it in perspective: $715 million over 10 years against the student loan program that will cost us $1.4 trillion.

My colleague Senator KING did an analysis, and I think he calculated it at .005 percent or somewhere in that range.

Mr. KING. Three zeroes.

Mr. DURBIN. So .0005 percent. Do you know what it means to the cost of a student loan—that $715 million I am talking about? Mr. President, on average $2.76 for each loan over the ten year period. So if you borrow $2,000 or $3,000, over the life of the loan you will pay $2.76 more, but you will save $2,000 to $3,000 in interest.

For those who argue that $715 million is a deal killer, it is not. I wish it were zero, but it should not stop us. If you are frustrated with the current situation, if you think there ought to be a different student loan program, work to change it. But do not be supporting a position which raises interest rates on the students who are struggling to get by. Do not be voting against the bipartisan bill that puts a cap on these student loan interest rates.

Let's roll up our sleeves in the next 4 years. Let's make sure we continue affordable interest rates for students.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. 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. HARKIN. 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. HARKIN. Mr. President, I spoke on the floor earlier today about the proposal that is before us. I wish to reiterate what I said then: I cannot stress enough that this bill represents a number of compromises made on both sides to come to a solution on how to keep interest rates low for students in the coming years. The compromise we will be voting on shortly is the closest we have gotten to a deal that represents two core Democratic principles related to student loan interest rates: No. 1, the inclusion of hard, upfront caps for students, so should we experience high interest rates in the future, they will be protected from those high rates.

Let me repeat. Under this plan, undergraduates in this country will never pay more than 8.25 percent. That is what we had in the 1990s, and five times we bumped up against that in the 1990s. History could well repeat itself in that regard.

We have a hard cap. Graduate students will pay no more than 9.5 percent; parents and graduate students taking out PLUS loans, no more than 10.5 percent—hard cap.

Secondly, we wanted this to come as close to deficit neutral as possible, and this is what we have done.

To show how we made compromises around here, I will say that the Republicans' initial proposal that we had voted on here—and it went down, as well as the initial Democratic Senate proposal went down—the Senate Republicans' initial proposal raised $15.6 billion in deficit reduction over 10 years. We negotiated down to $715 million over 10 years. Put that in context. Over the next 10 years the student loan program will probably loan out somewhere in the neighborhood of $1.4 to $1.5 trillion. What we are talking about is only $715 million over the next 10 years. That is the closest we could come to zero and at the same time have hard caps and keep interest rates low.

I can't stress enough that this is a true compromise. If I were to write it, I would write it differently, and I have expressed myself in votes on the Senate floor in the past. But we have to deal with the art of the possible and reach compromises that answers both what the Republicans sought to do and what we sought to do.

I would also reiterate that this is not the end of the conversation. It is the beginning.

As important as student loans are—Stafford loans so students are able to get an education and their parents being able to afford it—as important as that is, it is only one part of the jigsaw puzzle that is college affordability.

In 4 months, when the GAO report comes back—and I will again repeat that one of the elements we got in this compromise was a requirement that the GAO do a study on student loans, what the real cost is to the government, what the real cost is to administer that, and get that back to us in 4 months. When we are in our committee reauthorizing the Higher Education Act, we can take that into account.

My good friend from Maine, who has been so instrumental in working out this agreement, has said many times that the rule book we have to go on is CBO estimates. I have been here long enough to see how many mistakes CBO has made in the past. We don't know if they are right. We have no way of knowing that. We also don't know what those interest rates are going to be in the future, and we don't know if a 2.05 add-on or 3.6 add-on is the right thing. We don't know. That is why we have required the GAO to give us an in-depth study so we can have a better handle on the cost to the government, what it costs to administer the program and all of its elements. We will take that into account.

I was pleased to hear, again, Senator ALEXANDER, my good friend and ranking member on our committee, earlier today on the floor. He expressed the same commitment he has expressed to me personally that I mentioned today; that is, working together to get a reauthorization of the Higher Education Act done in this Congress. Senator ALEXANDER is committed to that, and so am I.

I might also add that I am pleased that President Obama has also said he is personally committed to working with us to get a Higher Education Act through and working with us to look at all of the college affordability issues. This was displayed in his speech today.

This is just one element—an important element but only one element.

I look forward to working with Senator ALEXANDER, the White House, Secretary Duncan, the Department of Education, and members of my committee on the Democratic side to really look at all aspects of college affordability and how we are going to address this issue comprehensively.

I again want to point out for the Record—because soon we will be voting—that there are two amendments that will be voted on. I think one is by Senator REED of Rhode Island and the other is by Senator SANDERS of Vermont, and then we will have our final passage, if I am not mistaken. I know the two amendments that have been offered—one by Senator SANDERS and one by Senator REID—look very nice, and I know many on my side will be tempted to vote for them, but I will not be voting for them. They look nice, they sound nice, they would be nice in a perfect world, but we have to deal with CBO estimates. Quite frankly, the cost of those amendments, as judged by CBO, is something we can't do. Again, they sound nice, they look nice, they might feel nice, but we can't do it. So I will be opposing those amendments. I will be opposing them because we can't do that at this time.

What we can do is do the compromise we have reached. That is what we can do. And don't let anyone tell you this is a bad deal for students. This is not a bad deal for students. If we don't pass this, undergraduate students this year will pay 6.8 percent on their loans. With this bill, they will pay 3.86 percent. Tell me which is the best deal. Next year it is 4.26 percent, the year after that it is 5.4 percent, and the year after that it is 6.29 percent. It doesn't get up to 7 percent for 4 years, if CBO is right. In any case, for the next 4 years it is going to be lower than 6.8 percent for every undergraduate student in college.

Don't let anybody tell you this isn't a good deal for students. It is a good deal for students. This is why today we received an endorsement by the United States Student Association endorsing this bill, endorsing the compromise. They are not walking away from it. The Leadership Conference on Civil and Human Rights has endorsed this bill. Any way you look at it, this is a good deal for students, and it is a good deal for their families. Don't let anybody tell you otherwise.

Could there be a better deal? Well, I suppose. How about free money? That is always a good deal, free money. There is always something better out there. I say to my friends on the Democratic side, don't let the perfect be the enemy of the good. Yes, there is probably a more perfect thing we could do. We can't afford it. We don't have the CBO scoring that would allow us to do that. Plus, we need the votes of our colleagues on the Republican side, so that is why we have to have a compromise. That is the way this place should run—on compromises. Legitimate, yes, hard-fought-out, but good compromises.

What Senator MANCHIN and Senator BURR have offered is that compromise—a good bill, a good, solid compromise, one that will make sure interest rates for undergraduate students will be lower for the next 4 years and under 6.8 percent. As Senator ALEXANDER worked so hard to make sure we got into this compromise, when students get these loans at 3.68 percent this year, that is it for the life of the loan—that is a good deal—or next year at 4.26 percent or the next year at 5.24 percent. That is a good deal. So don't let what you might think would be more perfect take you away from voting for this bill. This is a good bill.

Again, I thank so many who are responsible for putting this together. I thank Senator DURBIN, Senator MANCHIN, Senator KING, and Senator CARPER, who worked so hard through so many days and weeks to get this pulled together. Of course, I thank my ranking member and good friend Senator ALEXANDER, who has been here from day one trying to find that sweet spot that we could all agree on and vote on. I thank Senator COBURN, Senator BURR, and all their staffs for all of their hard work and diligence in putting this proposal together. I thank President Obama and his team and Secretary Duncan and his team for working together, and all of our staffs.

This is the best we could do on a compromise for students given all the various priorities of this side, that side, the White House, and everybody else. This is a good deal. We shouldn't turn it down.

I will vote against the amendments offered by Senator REED and Senator SANDERS, well meaning though they are. As I said, they sound nice and they look pretty, but don't be lured into thinking that somehow that is going to happen. It is not. We have to stick with this compromise and get a good deal for the students, even though you may not think it is perfect. It is a good deal.

I support the Bipartisan Student Loan Certainty Act. I encourage all of my colleagues to vote in favor of its passing and against amendments that would detract from it.

Mr. President, I ask unanimous consent that all time be yielded back with the exception of 2 minutes equally divided prior to each vote.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

AMENDMENT NO. 1778

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote in relation to amendment No. 1778, offered by the Senator from Rhode Island, Mr. REED.

The Senator from Rhode Island.

Mr. REED. The Reed-Warren amendment would provide students and families with certainty by ensuring that interest rates will go no higher than they would under the current fixed rates in present law—6.8 percent for student loans and 7.9 percent for PLUS loans. The amendment is fully paid for by a very small—about one-half of 1 percent—surcharge on income over $1 million.

We should do this for students all across the country, and we should do it not only for the students who might be going to college next year but for those who are in high school today and will face, as we know, predictably higher rates.

A young man from Rhode Island wrote a letter to me. He said:

> My brother, who is in college, will be paying a lot of money for college and he's worried he will have a hard time paying the loan. I'm afraid that by the time I go to college, loans will be so expensive that I will not be able to pay it off. My parents help with paying for college but they might not be able to help with a loan that big. I really want to be able to go to college.

For those young men and women who are in high school today or who are going to high school, we have to at least vote for this Reed-Warren amendment to make sure interest rates stay at least within the present bounds.

With that, I urge a ''yes'' vote.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. The Senator from Rhode Island knows I have the highest respect and affection for him. I might say that he makes excellent points.

As I said earlier, this amendment looks good, looks pretty, sounds pretty, and might be nice in a perfect world, but that is not where we are. Like my colleagues, like Senator REED, I want to make sure we are only asking students and families to pay as much interest as needed in order to properly administer the program and no more. Student loans should not be a profit center for the Federal Government. As I said earlier, that is why we put into our underlying bill, the Manchin-Burr bill, a requirement that GAO report back to us in 4 months as to what it actually costs. My good friend from Rhode Island doesn't know what it costs. I don't know what it costs. No one really knows what the cost of this is.

As Senator ALEXANDER said earlier, we are going to be looking at all of this in the Higher Education Act, what college affordability is.

Let me repeat. Under the bill before us, students pay less interest rates than 6.8 percent until 2017.

While the Reed bill may sound good, we are not there. We are not there to move on the Reed bill yet or anything like it. Plus, the offset he has for that, even though he has fully paid for it, is not acceptable to a lot of people here in the Senate Chamber.

Stick with the underlying bill and defeat the Reed amendment.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Reed-Warren amendment.

Mr. REED. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

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

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 183 Leg.]

YEAS—46

Baldwin	Cantwell	Gillibrand
Baucus	Cardin	Hagan
Begich	Casey	Heinrich
Bennet	Coons	Heitkamp
Blumenthal	Durbin	Hirono
Boxer	Feinstein	Johnson (SD)
Brown	Franken	Klobuchar
Landrieu	Nelson	Tester
Leahy	Reed	Udall (CO)
Levin	Reid	Udall (NM)
Markey	Rockefeller	Warner
Menendez	Sanders	Warren
Merkley	Schatz	Whitehouse
Mikulski	Schumer	Wyden
Murphy	Shaheen	
Murray	Stabenow	

NAYS—53

Alexander	Enzi	McCain
Ayotte	Fischer	McConnell
Barrasso	Flake	Moran
Blunt	Graham	Murkowski
Boozman	Grassley	Paul
Burr	Harkin	Portman
Carper	Hatch	Pryor
Chambliss	Heller	Risch
Chiesa	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shelby
Corker	Kaine	Thune
Cornyn	King	Toomey
Crapo	Kirk	Vitter
Cruz	Lee	Wicker
Donnelly	Manchin	

NOT VOTING—1

McCaskill

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 1774

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 1774, offered by the Senator from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. President, I want to thank Senators LEAHY, WYDEN, BROWN, WHITEHOUSE, GILLIBRAND, MERKLEY, BLUMENTHAL, SCHATZ, MURPHY, and HIRONO for supporting this amendment. I also wish to thank the NEA and the AFT, the two largest teachers organizations in the country, for supporting this amendment.

This amendment is very simple. It sunsets this legislation after 2 years, takes advantage of current, relatively low interest rates, and gives us the time to reauthorize the Higher Education Act and come up with sensible long-term solutions to the crisis of student indebtedness and college affordability.

According to the CBO, by the year 2018, under this legislation undergraduate Stafford loans will be 7.25 percent, graduate Stafford loans will be 8.8 percent, and parent loans will be 9.7 percent. We have a crisis right now in student indebtedness. We need to solve that crisis, not make it worse.

I ask for support of this amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I can't support this amendment. By sunsetting this effort 2 years because CBO uses a 10-year window, the amendment would cost an estimated above $20 billion, and there is no offset to pay for it. So, again, the lack of that offset would violate the agreement we made under our bipartisan agreement of trying to get as close to deficit neutrality as possible.

Like Senator SANDERS, I also want to make sure we make any needed changes to student loan interest rates before they become too high. Let me remind everyone, in the 1990s we had an 8.25-percent cap. We hit it five times. We got back in this agreement an 8.25-percent absolute cap.

Beyond that, for the next 4 years every student—subsidized and unsubsidized—in college will have a lower interest rate than 6.8 percent. In the outyears, who knows what the interest rates are going to be. We don't know that, and neither does CBO. But we do know what they are going to be this year and probably next year, and the students get a much better deal under the compromise.

So I say, don't support the Sanders amendment. Let's vote and let's keep the compromise in place and give our students a good deal, this year and next year and the year after and keep that 8.25-percent cap that we negotiated.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SANDERS. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

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

The result was announced—yeas 34, nays 65, as follows:

[Rollcall Vote No. 184 Leg.]

YEAS—34

Baldwin	Johnson (SD)	Rockefeller
Baucus	Klobuchar	Sanders
Begich	Leahy	Schatz
Blumenthal	Levin	Schumer
Boxer	Markey	Shaheen
Brown	Menendez	Stabenow
Cantwell	Merkley	Udall (NM)
Cardin	Mikulski	Warren
Coons	Murphy	Whitehouse
Franken	Nelson	Wyden
Gillibrand	Reed	
Hirono	Reid	

NAYS—65

Alexander	Feinstein	McCain
Ayotte	Fischer	McConnell
Barrasso	Flake	Moran
Bennet	Graham	Murkowski
Blunt	Grassley	Murray
Boozman	Hagan	Paul
Burr	Harkin	Portman
Carper	Hatch	Pryor
Casey	Heinrich	Risch
Chambliss	Heitkamp	Roberts
Chiesa	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Tester
Corker	Johnson (WI)	Thune
Cornyn	Kaine	Toomey
Crapo	King	Udall (CO)
Cruz	Kirk	Vitter
Donnelly	Landrieu	Warner
Durbin	Lee	Wicker
Enzi	Manchin	

NOT VOTING—1

McCaskill

The PRESIDING OFFICER. Under the previous order requiring 60 votes

for the adoption of this amendment, the amendment is rejected.

The majority leader.

Mr. REID. We will likely have one more vote tonight, and then Senator MURRAY and Senator COLLINS will determine what is going to happen on the appropriations bill that is before us.

ORRIN HATCH'S 13,000TH VOTE

Mr. President, I rise now to honor our colleague ORRIN HATCH. The next vote cast will be ORRIN HATCH's 13,000th vote. This is a tremendous accomplishment. It speaks to his dedication to the State of Utah, his constituents, the Senate, and our country. He is the Republicans' most senior Member. He is now serving in his seventh term in the Senate. Before running for the Senate, Senator HATCH received a bachelor's degree from Brigham Young University, a law degree from the University of Pittsburgh, and was in private practice for a number of years.

He is the ranking member on the Finance Committee today. As we know, he made a reputation for himself when he was chair of the Judiciary Committee. We worked together with him for those many years. He serves on the HELP Committee and the Joint Committee on Taxation. He has truly had a significant impact on the Senate.

He is a dedicated member of the board of directors of the Holocaust Memorial Museum. He has done amazing work throughout his career.

His No. 1 accomplishment for me is not how many terms he has served in the Senate but his accomplishment for his wonderful family. His wife Elaine has been a great helpmate for him for these many decades. He has 23 grandchildren, 6 children, and now 10 great-grandchildren.

Although ORRIN and I occasionally disagree on substantive issues, I have great respect for him. I am so grateful to him over the years for always expressing concern about me personally and his kindness and concern to my family, especially to Landra.

Congratulations.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. The senior Senator from Utah will not be known for the quantity of his votes but for the quality of his work. He is a man of extraordinary character. We are happy to have this intermission to congratulate him on yet another accomplishment in a long and outstanding career in the Senate.

ORRIN HATCH'S 13,000TH VOTE IN THE SENATE

Mr. HATCH. Mr. President, I have just cast 13,000th vote here in the Senate. I have to admit that I never thought I would cast so many votes, but I'm grateful that I have had the opportunity to serve the good people of Utah long enough to reach this milestone.

That said, I am not really one to dwell on the past. I have a lot more work here to do and a lot more votes to cast before I am done.

But, I do want to thank both the distinguished majority and minority leaders for their kind words this evening and for being gracious enough to take the time to mark this occasion. I have known these good Senators a long time and I am proud to call both of them my friends.

I am grateful for all of the friends and colleague I have made here in the Senate. They make it a great place to work.

AMENDMENT NO. 1773

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote in relation to amendment No. 1773, offered by the Senator from Iowa, Mr. HARKIN.

The Senator from Rhode Island.

Mr. REED. Mr. President, a point of order. I believe we are prepared to voice vote this, and at the proper time I ask that such a motion be made.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, we can fix our student loan program with a ''yes'' vote on the bipartisan legislation to lower interest rates for all student borrowers. The bipartisan Student Loan Certainty Act is a long-term fix that is fair, equitable, financially sustainable, and fiscally responsible.

This compromise will save students $8 billion in interest this school year which translates to $31 billion in savings over the next 4 years. That means a savings of $2,000 in interest for the average freshman student who starts college this year. A ''no'' vote will prevent our students from realizing this savings.

There is simply no better investment we can make than the education of our children and grandchildren. I urge my colleagues to make that investment and vote to support this long-term bipartisan fix.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I oppose the proposed amendment. It is short-term rate relief, but it is long-term rate pain for thousands of students and families across the country. We can do much better than that. In a few moments, we will have an opportunity after the voice vote to have another small discussion prior to final passage.

Again, I believe this amendment is not—despite the best work and best intentions and great effort by my colleagues—the best work we can do with respect to students and families.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. First of all, I respect my colleague, and we just have a difference of opinion, but we are still going to work together on everything we possibly can to make it better.

It is my understanding that we will be able to adopt the amendment by a voice vote since we will be having a rollcall vote on passage of the bill as amended with this language.

I ask unanimous consent to extinguish the previous order requiring a 60-vote threshold for this amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 1773) was agreed to.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on passage of H.R. 1911, as amended.

Who yields time?

The Senator from Iowa.

Mr. HARKIN. Mr. President, the vote comes on what we are going to do and that is—as my good friend Senator MANCHIN said—to keep interest rates low for students.

What this means for our students is that the student loans for all undergraduate students will be reduced from 6.8 percent to 3.86 percent this year. It will be lower than 6.8 percent for the next 4½—almost 5—years.

Do our students and our families a favor. Vote for final passage. Keep the interest rates low and make sure our students are not paying a 6.8-percent interest rate this year, next year, and the year beyond.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, as I indicated previously with respect to the amendment proposed by Senator MANCHIN, this proposal will provide short-term rate relief but lock in long-term rate pain for thousands of families and students across the country. It also represents the fundamental shift in our approach to student lending. It goes from investing in students and in our future economy to making those students be profit centers for the Federal Government. There is an estimated $184 billion over 10 years of profit in the current baseline. It is the difference between the cost of funding and the revenue paid by the students to the Federal Government. This proposal adds $715 million to that.

Also, we have done nothing to address the $1 trillion of outstanding debt that students face today. This measure will add to that debt.

Education has always been the engine of opportunity in this country. With this legislation, that engine will leave the station with many fewer students aboard.

I urge a ''no'' vote.

The PRESIDING OFFICER. Under the previous order, the clerk will read the title of the bill for a third time.

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

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, under the previous order the question is, Shall the bill pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

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

The result was announced—yeas 81, nays 18, as follows:

[Rollcall Vote No. 185 Leg.]

YEAS—81

Alexander	Fischer	Mikulski
Ayotte	Flake	Moran
Barrasso	Franken	Murkowski
Baucus	Graham	Murray
Begich	Grassley	Nelson
Bennet	Hagan	Paul
Blunt	Harkin	Portman
Boozman	Hatch	Pryor
Burr	Heinrich	Reid
Cantwell	Heitkamp	Risch
Carper	Heller	Roberts
Casey	Hoeven	Rockefeller
Chambliss	Inhofe	Rubio
Chiesa	Isakson	Schatz
Coats	Johanns	Schumer
Coburn	Johnson (SD)	Scott
Cochran	Johnson (WI)	Sessions
Collins	Kaine	Shaheen
Coons	King	Shelby
Corker	Kirk	Tester
Cornyn	Klobuchar	Thune
Crapo	Landrieu	Toomey
Cruz	Levin	Udall (CO)
Donnelly	Manchin	Vitter
Durbin	McCain	Warner
Enzi	McConnell	Wicker
Feinstein	Merkley	Wyden

NAYS—18

Baldwin	Hirono	Reed
Blumenthal	Leahy	Sanders
Boxer	Lee	Stabenow
Brown	Markey	Udall (NM)
Cardin	Menendez	Warren
Gillibrand	Murphy	Whitehouse

NOT VOTING—1

McCaskill

The PRESIDING OFFICER. The 60-vote threshold having been achieved on this bill, the bill, as amended, is passed.

The bill (H.R. 1911), as amended, is as follows:

H.R. 1911

Resolved, That the bill from the House of Representatives (H.R. 1911) entitled ''An Act to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.'', do pass with the following amendment:

Strike all after the first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the ''Bipartisan Student Loan Certainty Act of 2013''.

SEC. 2. INTEREST RATES.

(a) INTEREST RATES.—Section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) is amended—

(1) in paragraph (7)—

(A) in the paragraph heading, by inserting ''AND BEFORE JULY 1, 2013'' after ''ON OR AFTER JULY 1, 2006'';

(B) in subparagraph (A), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,'';

(C) in subparagraph (B), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,''; and

(D) in subparagraph (C), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,'';

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(3) by inserting after paragraph (7) the following:

''(8) INTEREST RATE PROVISIONS FOR NEW LOANS ON OR AFTER JULY 1, 2013.—

''(A) RATES FOR UNDERGRADUATE FDSL AND FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans issued to undergraduate students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 2.05 percent; or

''(ii) 8.25 percent.

''(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

''(ii) 9.5 percent.

''(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

''(ii) 10.5 percent.

''(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

''(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

''(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 3. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay- As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 4. STUDY ON THE ACTUAL COST OF ADMINISTERING THE FEDERAL STUDENT LOAN PROGRAMS.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study that determines the actual cost to the Federal Government of carrying out the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), which shall—

(A) provide estimates relying on accurate information based on past, current, and projected data as to the appropriate index and mark-up rate for the Federal Government's cost of borrowing that would allow the Federal Government to effectively administer and cover the cost of the Federal student programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) under the scoring rules outlined in the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.);

(B) provide the information described in this section in a way that separates out administrative costs, interest rate, and other loan terms and conditions; and

(C) set forth clear recommendations to the relevant authorizing committees of Congress as to how future legislation can incorporate the results of the study described in this section to allow for the administration of the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) without generating any additional revenue to the Federal Government except revenue that is needed to carry out such programs; and

(2) prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives setting forth the conclusions of the study described in this section in such a manner that the recommendations included in the report can inform future reauthorizations of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

The PRESIDING OFFICER. The Senator from Arkansas.

MORNING BUSINESS

Mr. PRYOR. Mr. President, if it is in order, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Arkansas.

THUD APPROPRIATIONS

Mr. PRYOR. Mr. President, I rise today to speak in favor of the THUD appropriations bill that is on the floor this week. I know all of us have listened to the speeches and the commentators, and we hear a lot of people around Washington say: Cut, cut, cut.

Well, I am for cutting our spending, and I think we need to tighten our belt, but we need to do it in a smart way, and we need to do things such as cut programs that do not work. We need to also make smart and targeted investments in our future. The question is, how do we do that?

Well, one of the ways we do that is by supporting this legislation today. By

working together and investing in our future, we can do great things for this country, and that is what the THUD bill is about.

Yesterday, the FAA announced seven airports in our State would receive a total of $4.8 million from the FAA for infrastructure upgrades. That is part of what the bill is about. Some of these are runway rehabilitations, some are new lighting systems, some may be drainage improvements. These not only promote safety—and certainly they make air travel safer in this country, and that is extremely important—but also they are a way to spur economic activity. It is a great way to reinvest Federal tax dollars into my State and into the other 49 States to create jobs. Let me give Arkansas as an example of this.

In Arkansas—and I know we are only about 1 percent of the population, so you can kind of do the math here—commercial and general aviation airports actually support 29,000 jobs and contribute $2.5 billion every year in economic activity.

Our airports are important, but it is only actually a piece of the puzzle. We need to remember that we have other great infrastructure we need to invest in, such as waterways and ports and highways, and rural communities—we have to make sure they are not left behind—such as rural housing, but also rural broadband.

So there are a lot of ways we can invest to make this country stronger. That is why I believe it is very important to support this THUD appropriations bill.

The bill passed in committee on a bipartisan vote 22 to 8. I was proud to vote for it. I was glad to see it get such a large bipartisan vote in the Senate subcommittee. I certainly hope my colleagues will do this again on the floor in a very bipartisan way.

This bill includes things such as the Federal-Aid Highway Program. This is a program that helps support interstate maintenance, bridge repairs, highway safety. After all, how many reports do we have to read that talk about the distressed infrastructure of our highways? So if we want to replace these bridges that are beyond their lifespan, this is the way to do it.

Every $1 billion in Federal highway and transit investment supports 13,000 American jobs.

This bill also includes popular programs that have been put to good use, such as TIGER. I could go through several of the TIGER grants my State has received, but one of those I am proud of is the TIGER grant for West Memphis, AR, to develop their port. It is an intermodal facility on the Mississippi River, right across from Memphis, which is crowded. West Memphis has all the same attributes that Memphis has, it just happens to be on the Arkansas side of the river, and that investment there is going to explode development and do great things up and down the Mississippi River.

The Airport Improvement Program is also part of this, the Contract Tower Program, the Community Development Block Grants. Every mayor, every elected official in the counties, the Governors—they all know how important the CDBG money is.

The other great thing about supporting this legislation is that it is one step in the right direction headed back to what we call regular order, trying to get things done in the Senate the way they ought to be done, with us working together, going through the committee process, coming to the floor with a bill, having amendments, having debate, sometimes fussing and fighting with one another, but nonetheless getting it done, and this is a great way to do that.

I believe moving our country forward with new jobs and a stronger economy is something we all should be able to agree on. All of us should be able to agree on this, maybe with a little difference here and there. But I hope a big number of Senators will support this legislation.

Lastly, let me say a few words about Chairwoman MIKULSKI and her ranking member Senator SHELBY. Senator MIKULSKI has been amazing in her leadership of the Appropriations Committee. Everybody on the committee knows she is a breath of fresh air. She is so energetic and so knowledgeable and so good at what she does. We are so excited to have her there as chair of that committee. She is going to go down in history as one of the all-time greats. We are so proud she is pushing so hard to get these bills out of the committee and get them to the Senate floor and, hopefully, get them done on the Senate floor, so we can send them over to the House and get them conferenced.

Also, I have to say thank you to Senator MURRAY, who is the chair of this subcommittee, and also Senator COLLINS. I think Senator COLLINS is a great legislator. She knows how to get it done. She knows how all the bits and pieces work around here. She knows the process. She has great relations on both sides of the aisle. One thing I like about SUSAN COLLINS is a lot of times she will take on the hard items. She gets the hard work done. We need more Senators like her around here.

Certainly Senator MURRAY is incredible. She does so much good in the Senate and for the country and for her State.

With that, I encourage my colleagues to look at this bill. I know we are going to have some amendments, we are going to have some more debate. That is part of it. That is great. But let's get up-or-down votes and let's get this through the system.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here once again, actually now for the 40th time, to urge my colleagues to wake up to the threat of climate change.

I am very pleased to be joined today by our colleague Senator BRIAN SCHATZ of Hawaii, who is a champion of renewable energy and energy efficiency. As Hawaii's Lieutenant Governor, he coauthored his State's net metering rule, which encourages renewable energy, and he led the design of the State's Renewable Energy Portfolio, which is on track to be No. 1 in the Nation. He has pushed commonsense ways to boost energy security and battle climate change, and it is no wonder he has been called Hawaii's ''Ambassador of Energy.''

We are here today in the wake of a hearing last week in the Committee on Environment and Public Works. The premise of that hearing was simple—''Climate Change: It's Happening Now.'' Disappointingly, again, allies of the fossil fuel industry attempted to discount or downplay that straightforward call to action.

Of the climate scientists on hand, everyone—even the minority witnesses—agreed that carbon dioxide causes climate change. That is physics 101. And all but one agreed that climate change is a real problem. The only academic who did not, Dr. Roy Spencer, is affiliated with the industry-backed George C. Marshall Institute and the Heartland Institute.

Regrettably, Dr. Spencer played a tried-and-true trick of the climate deniers: deselecting data that does not support your conclusions. Scientists around the world have been collecting high-quality surface temperature data for more than 100 years. To Dr. Spencer, however, the only data that matters are satellite and balloon readings of atmospheric temperatures in the tropics. Why ignore data outside the tropics? Why ignore surface temperature data? Why ignore ocean data, when the oceans cover two-thirds of the globe? Well, when you look at all the data, it shows the Earth warming at a much faster rate than his data in isolation.

Other minority witnesses played similar games.

Ms. Furchtgott-Roth, who is not a climate scientist, testified. She appears to be a sort of all-purpose witness-of-all-trades for the Republicans on topics that range from job training to health insurance to constitutional law, even to Samoan fisheries. She claimed that climate change has stopped.

Well, if you look at the past decade, you can convince yourself that climate change has stopped. Actually, on this chart I have in the Chamber, you can convince yourself that climate change has stopped five different times. But when you look at the whole picture, the only conclusion is that the Earth is getting warmer. The past 10 years were warmer than the 10 years before that. In fact, the past 10 years were warmer than any other 10 years in recorded history.

The continued, now-near-fraudulent denial of climate change is pernicious. Dr. Jennifer Francis of Rutgers called out in her testimony what she calls ''climate misleaders.'' She explained—and I will quote her—

> These are people who [are] deliberately ignoring and misconstruing the science in an attempt to convince [lawmakers] and the public that either human-caused climate change isn't happening, or that it's nothing to worry about.

Well, I am sure Senator SCHATZ is aware that observations around the world, including in his home State, show climate change is indeed real and already happening.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Thank you, Mr. President.

I want to thank the Senator from Rhode Island for his kind words. He is a real expert and a leader on climate change, and I look forward to continuing to work together with him and our colleagues on this important issue. He has just discussed the overwhelming evidence that global temperatures are rising. I would like to build on his remarks and add that temperature is not the only indicator that climate change is real and it is happening now.

We see the changes in Hawaii and all over the world. One only need to look to the top of the world, where Arctic Sea ice is melting faster than scientists had predicted originally. Just last summer, the ice covering the Arctic Ocean retreated to its smallest size in recorded history, shrinking by 350,000 square miles—an area about the size of Venezuela.

Glaciers continue to retreat. The Greenland ice sheet provides a stark example of the rapid recession of the world's ice. For several days in July of 2012, Greenland's surface ice cover melted more than at any time in 30 years of satellite observation. During that month an estimated 97 percent of the ice sheet thawed.

Some types of severe weather are also on the rise. While climate scientists are extremely careful not to attribute any single weather event to climate change, there is no doubt that increased climate change has ''loaded the dice,'' which means extreme weather events are increasingly likely.

Extreme weather events cost us in lives and in money. Of course, the sea level continues to rise. As water warms, its volume expands. Scientists have observed that the top layer of the world's oceans has stored an enormous amount of heat, raising sea levels in many parts of the world. This ocean warming has contributed to an estimated one-third to one-half of the increase in sea level rise to date.

Sea level rise is a serious challenge for my home State of Hawaii in particular. Just a 3-foot rise in sea level, which scientists project for this century, will flood many parts of Honolulu, including the iconic hotels and businesses along Waikiki Beach, leaving beaches eroded and hotels, businesses, and homes possibly inundated by the ocean.

My colleague from Rhode Island, an ocean State, is especially aware of these changes.

Mr. WHITEHOUSE. Mr. President, tide gauges in Newport, RI, show an increase in average sea level of nearly 10 inches since 1930. That is a big deal for Rhode Islanders when we think about how devastating our great hurricane of 1938 was and what worse would now befall us with 10 more inches of sea for storms to hammer against our shores.

Those measurements show that the rate of sea level rise is also increasing. This matches reports that since 1990, sea level has been rising faster than the rate predicted by the Intergovernmental Panel on Climate Change. Part of what has caused sea level rise is ocean warming, as described by Senator SCHATZ.

When fluids get warm, including ocean water, they expand and therefore rise. During last week's EPW hearing, we heard about the heat, significant amounts of heat, that oceans are now absorbing. Even if atmospheric warming had hit another temporary level, the ocean is still warming, and ocean warming hits ocean ecosystems.

Dr. Margaret Leinin testified at the hearing last week about a study that showed economically important species such as cod, haddock, yellowtail, and winter flounder shifting northward over the last four decades. The study suggests that the fish are moving to locations within their preferred temperature range.

Scientists have begun to tease out how what seem like small changes in average temperature are important to fish and other animals in the ocean. In Narragansett Bay, we have a continuous temperature record going back to 1959, along with data on what is living in the water. We know water temperature is rising. One study found on average winter temperatures are up almost 4 degrees since the 1960s in Narragansett Bay, and that is not good for the winter flounder.

NOAA scientists working in Rhode Island found that winter flounder incubated in warmer water are smaller when they hatch than those incubated in colder water. Juvenile winter flounder need time to settle to the bottom of the bay and to grow larger before abundant bottom feeders such as the sand shrimp arrive. It looks like warmer water brings the shrimp in earlier while the flounder are still small enough to eat, making them easier prey.

So the evidence is that warmer waters load the dice against winter flounder in Narragansett Bay, and the fisherman who relied upon this fishery paid the price. Catches are down to less than one-tenth of what they once were. Fishermen in Hawaii are paying the price as well.

Mr. SCHATZ. As Senator WHITEHOUSE has described, our oceans show the effect of climate change by absorbing much of the heat from our warming planet. But they do more than that; our oceans absorb almost 25 percent of the carbon that humans release into the atmosphere. If they did not, even more greenhouse gasses would warm our planet at an even faster pace. Our oceans and the life in them pay a price for all of this carbon.

Increasing carbon dioxide creates a chemical reaction that raises the acidity of the sea water. This is called ocean acidification. So that is a technical term, but what does it mean as a practical matter? In plain terms, ocean acidification makes it difficult for shellfish, corals, sea urchins, and other creatures to form the shells that they need in order to live. As a result, fewer survive, which means entire populations are put at risk. Acidification negatively affects crucial parts of the ocean food chain from shellfish and coral reefs to fisheries.

So what does this mean for human beings? Ocean acidification has real economic consequences for communities that depend on the ocean for food, for jobs, and for tourism, such as my home State of Hawaii. Further acidification and warming will hurt our local fishing and tourism industries, industries that make up the backbone of our economy. All the fish and the seafood we depend upon may become scarcer and likely more expensive.

If we continue to burn fossil fuels at our current rate, our oceans may become 150 percent more acidic by the end of this century. That is a higher level of acidity than has been seen in the last 20 million years.

Today, more than 1 billion people worldwide rely on food from the ocean as their primary source of protein. So without solving the problem of ocean acidification, we will leave people, industries and entire economies, vulnerable, especially in developing countries. Climate change is threatening the basic foundation of many of our economies and especially the State of Hawaii. The Hawaii economy, culture, and history are derived from the ocean. So any dramatic changes to our ocean environment will impact our lives especially.

As I mentioned before, sea level rise threatens our beachfront property from Waikiki to Ka'anapali to the North Shore of Kauai. These beaches are important for Hawaii tourism and our economy and to local people across the State. Each year, Hawaii hosts an estimated 8 million visitors, with many of them drawn to our beaches. Tourist receipts alone made up almost $12 billion in revenues last year. So climate change could also usher in a period of more frequent and severe weather, which could make Hawaii's communities increasingly vulnerable to flooding and storm damage.

Climate change threatens more than our economy. Our national security institutions face a similar risk from sea

level rise and ocean acidification. The 2010 Quadrennial Defense Review, an assessment produced every 4 years by the Department of Defense, concluded that climate change will affect the military and its mission. In particular, low-lying naval installations, such as Joint Base Pearl Harbor-Hickam, face similar threats from sea level rise that could leave parts of the base flooded, requiring millions of dollars in costly upgrades.

With the United States rebalancing to the Asia-Pacific region, sustaining our naval capabilities and ensuring that they too can weather the effect of climate change will be increasingly important for Hawaii and for our Nation.

I know the Senator from Rhode Island has concerns about his own State. I yield to him.

Mr. WHITEHOUSE. As the Senator from Hawaii said, it is not just Hawaii, it is not just Rhode Island actually, it is all of our States that will be affected. Dr. Leinin, who testified at our EPW hearing, is from Florida Atlantic University. She highlighted how sensitive Florida will be to climate change.

In her testimony, Dr. Leinin said:

> The Caribbean/Florida region has shown sea surface temperature increases of about . . . [2 degrees Fahrenheit] per decade concurrent with losses of viable coral reef area of between 5.5 percent and 9.2 percent per year. Western Atlantic reefs have the highest percentage area affected by bleaching of any reefs worldwide.

Not so great for Florida's diving and snorkeling economy. Dr. Leinin pointed out that Florida's population ''is heavily concentrated, with almost 14 million people living along our coast. In South Florida, Miami, the seventh largest city in the country, the Florida Keys, coastal and inland portions of Broward County, the Florida Everglades and Ft. Lauderdale are all below 2 feet in elevation.''

The effects of sea level rise that we discussed for Hawaii and Rhode Island appear to be more evident in Florida. Dr. Leinin told us: Although sea level rise has only risen these few inches in 50 years, that rise has been sufficient to prevent drainage systems from working during lunar high tides and during storms. The streets of Miami Beach are now routinely flooded at peak high tide. The addition of storm surges to these higher sea levels means that drainage systems no longer work reliably, causing seawater to move into storm sewer systems forcing water inland.

So South Florida is ground zero for sea level rise. As Senator SCHATZ said earlier, this is one of the effects of climate change. Sea level rise has not stopped or slowed down, especially not in South Florida. It is time to wake up and get to work slowing these changes where we can, and adapting our communities to their inevitable effects.

Mr. SCHATZ. Commonsense solutions to the threat of climate change are everywhere. We have been talking a lot about the risks of climate change, but let's talk a little bit about the opportunities—the opportunities to fight climate change, to transform how we produce and consume energy, and to grow a clean energy economy.

We know what we need to do. We also know how to do it. Congress may not enact comprehensive climate legislation this year, but it can still take action to make a difference. As I see it, we have an opportunity for common ground in three areas: energy efficiency, tax incentives, and innovative financing structures to promote clean energy deployment.

Perhaps the greatest opportunity for compromise is in energy efficiency, the commonsense idea that we ought to save money and reduce pollution at the same time by simply consuming less energy to perform the same tasks. Senators SHAHEEN and PORTMAN have taken this up and are writing excellent legislation to improve and enhance energy efficiency across the Nation.

Their bill includes sensible measures that will help to achieve significant reduction in energy use. Buildings use close to 40 percent of the energy used in the United States. This bill will contain provisions that will update the building codes, increase efficiency goals for Federal facilities, and provide incentives to industrial facilities, commercial buildings, and homes.

In recent weeks, we have been hearing that Shaheen-Portman may come to the floor. We are encouraged by that. We encourage both the majority leader and the minority leader, as well as the managers of this legislation, to move it to the floor expeditiously so that we can take care of it before the August break.

Second, I urge my colleagues to support tax incentives for clean energy, many of which expire at the end of this year. Senators on both sides of the aisle have repeatedly worked together to extend these incentives, especially the wind credit. We can build on this common ground to support sensible solutions. We not only have the opportunity to extend clean energy incentives as a part of tax reform but to improve upon them. We should focus on creating credits that reward performance and innovation and do not pick winners and losers. They should help industries scale up, bring costs down, and become competitive on their own.

Finally, the Federal Government must do more to help new and innovative technologies reach the marketplace. New technologies face significant barriers to market entry; barriers that focused government intervention such as loan guarantees and other financing mechanisms can help overcome.

The Senator from Rhode Island may also have thoughts on other commonsense solutions. I yield to him for any comments he may have.

Mr. WHITEHOUSE. Mr. President, Rhode Island is preparing for climate change. We are doing it in commonsense ways. Along our coasts, we are identifying areas that are vulnerable to sea level rise. The University of Rhode Island Graduate School of Oceanography is a world leader in measuring and understanding the effects of climate change on our waters.

Rhode Island's Department of Health, with a grant from the Centers for Disease Control and Prevention, is preparing us for the health effects associated with climate change. But it is not enough for individual States to have to act alone. That is why Senator SCHATZ and I, along with our colleagues in the House, Representatives WAXMAN and BLUMENAUER, have put forward a discussion draft for a fee on carbon pollution.

It is clear when we consider the damage climate change will cause, indeed already has begun to cause, there is a social cost of carbon pollution. It is not factored into the price of fossil fuel.

That is a market failure, and our approach would correct that market failure.

We wish to discuss with our Democratic and Republican colleagues how best to implement this solution, what the price should be, how fast it should rise, and how to return the proceeds back to Americans. A market solution like this should be right up Republicans' alley. This is why Republicans such as Art Laffer and George Shultz are talking about it.

A fee on carbon can reduce emissions. One option, to use the proceeds to reduce taxes, should be attractive to our Republican colleagues.

To give one example, with the majority of the carbon pollution fee proceeds, setting a little reserve aside for the lowest income people, putting the rest of it to work lowering corporate income taxes, and just with that you can reduce the top of the American corporate income tax rate from 35 to 28 percent, that is a pretty considerable value to those businesses that are still considering paying the top rate, and that should be worth something during negotiations.

As I have said before in these talks, it is time to wake up. It is time to get to work.

I wish to thank my friend Senator SCHATZ for his leadership in the effort to protect Americans from the harms of climate change.

I turn to him now for his final remarks and welcome Senator BLUMENTHAL, who will be joining us in this colloquy.

Mr. SCHATZ. I wish to thank Senator WHITEHOUSE for being a leader for so long, for being so forceful and so factual on this issue. I applaud his leadership and look forward to continuing to work together on this important issue.

Climate change is real. Climate change is caused by humans, and climate change is solvable.

I wish to end on a note of optimism. The urgency of this situation creates a real opportunity. We have a chance to start a second Industrial Revolution that will drive our economy for decades to come.

We have the chance and the responsibility to transition into a clean energy economy and leave our world in better shape than we found it.

I yield the floor for Senator BLUMENTHAL.

Mr. BLUMENTHAL. I wish to join with my two very good friends and colleagues who have highlighted an issue that concerns the whole country, not just Hawaii, Rhode Island—and no two States are farther apart geographically—but we share this very dire and dangerous problem, often characterized as climate change. I think it is climate disruption. It is global destruction.

One of the myths that surrounds this area that my two colleagues have sought to expose is the supposed incompatibility of reducing destruction of our planet and, at the same time, growing our economy. Often, economic growth is thought to be in conflict with environmental protection and responsibility.

In fact, ecology and economy go together. We can expand our economy by developing new sources of fuel, renewables such as wind and solar, but also fuel cells, which in my State of Connecticut are a growing source of energy responsibility and economic growth.

Far from being incompatible, these two goals are complementary. More jobs, more economic growth, can be the result of controlling carbon pollution.

In fact, the President's program for controlling carbon pollution, which would dramatically cut the magnitude of our air contamination and make us a more responsible nation, will increase jobs and economic growth. It will also put us in a position of leadership around the globe and enable us to regain the position of trust and leadership that we have exercised on so many other issues. We cannot be a leader if we don't lead ourselves.

We cannot tell others what to do when we don't follow the example that we should be setting. It should be and it must be leadership by example.

My colleague Senator MURPHY and I—and he will be shortly speaking about another subject—brought together a very powerful coalition in Connecticut last week to highlight this issue of climate change and to dramatize how many different interests and ages have commonality in this goal: labor leaders, environmental activists, young people wearing T-shirts and carrying signs.

They get it. They know. The science is there. The reality is pressing, urgent, and we must address it.

I wish to thank all of my colleagues who are uniting on this historic cause. I hope we can join together in colloquies going forward.

The Presiding Officer has been a leader in the House and will be now in the Senate; most especially, my friend and colleague Senator WHITEHOUSE, who literally week after week, in many different themes and widely diverse ways, has brought our attention, riveting our minds, on this very important subject. I congratulate him on the 40th speech, and I look forward to participating more with him.

Mr. WHITEHOUSE. I look forward to that.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. On July 20, a few days ago, we had a pretty somber anniversary in this country. Senator BENNET came down to acknowledge the occasion. It was the 1-year anniversary of the shooting in Aurora, CO, in which a young man killed 12 individuals and wounded 58 others when he walked into a crowded movie theater at a midnight showing of ''The Dark Knight Rises.'' This, once again, showed the vulnerability of this Nation when the Congress refuses to act on the issue of preventing gun violence.

I have come down virtually every week—not, frankly, as often or as regularly as Senator WHITEHOUSE has on the issue of climate change, but in the short time I have been in the Senate I have tried to come down to the floor virtually every week to talk about the victims of gun violence. Today it is an apt moment to recognize the victims in Aurora, who now have been lost for over a year.

This number represents something different. On December 14, our world in Connecticut was absolutely shattered by a global tragedy in which 26 people, adults and children, including 7-year-olds, died in a splatter of gunfire at Sandy Hook Elementary School, as well as six of the professionals who were charged with protecting them.

What has happened since December 14 is, frankly, in a lot of ways even more egregious, even more unconscionable, even more difficult to swallow than what happened on that day, and that is that 6,497 people have died from guns since December 14 in, frankly, every manner.

There have been more mass shootings, accidental deaths, and suicides. There have been instances of one-on-one urban violence, suburban violence, and family-on-family violence. What has happened is this country has become kind of numb to it. We have to accept that every day we are going to be able to pick up a paper, and somewhere across this country there is going to be upward of 30 or 40 people who have died at the hands of guns at a rate that we can't find anywhere else in the civilized world. We just kind of accept it.

The number is startling. Since December 14, almost 6,500 people have died of gun violence. But we just can't settle on that number. We have to talk about who these people are. I am trying to lend some voice to the victims of gun violence every week on the floor of the Senate to try to spur the Senate to action because I have become resolved that the numbers aren't enough.

Apparently, this number isn't big enough for the Senate to do something so that maybe if we humanize these tragedies, that might do the trick.

A.J. Boik was described as a ball of joy by his friend Jordan. He had just graduated from high school, and he was looking forward to attending the Rocky Mountain College of Art and Design in the fall. He wanted to be an art teacher and wanted to teach others the joy he felt for art.

He was known as a big personality, so much so that after he was killed in that movie theater in Aurora, over 1,000 people came to his funeral. Among those mourners were his girlfriend who was there in the theater the day he was shot.

Matthew McQuinn was one of the heroes that day. He was there with his girlfriend Samantha and her brother Nick Yowler. When the shooter came into the theater and started spraying bullets, Matthew, as well as Nick, attempted to shield Samantha from the bullets.

Samantha survived but Matthew did not. He was working in a Target, which is where he actually met his girlfriend when they were working at another Target. He was remembered by his coworkers very fondly. He died that day saving a life.

Also a victim that day was PO3 John Thomas Larimer. He was one of two Active-Duty servicemembers who died as a result of that mass shooting. His girlfriend Kelley Vojtsek, whose life was saved, said this:

> John and I were seated in the middle area. When the violence occurred, John immediately and instinctively covered me and brought me to the ground in order to protect me from any danger.

In that act, he saved his girlfriend, but he was struck with a bullet that ended his life.

Alex Sullivan was 27 years old. His friends called him a gentle giant. He was ringing in his 27th birthday, in fact, by going to the premier of ''The Dark Knight Rises.'' His family said he always had a glowing smile on his face. He made friends with everybody. He was a huge movie buff, a comic book geek—as his family called him—and the New York Mets. The Sunday following his attack would have been his 1-year wedding anniversary.

Micayla Medek was called Cayla by her friends. She loved her friends and going out with her friends. That is what she was doing when she went out that evening to see this movie. Her family didn't find out she had been killed that day until 20 hours after the shooting. They had spent that evening and morning driving from hospital to hospital hoping to get news she had survived.

Veronica Moser-Sullivan was the youngest of the 12 people who were shot. She was 6 years old, not unlike the 20 6-year-old and 7-year-old children killed in Newtown. She was described as beautiful and innocent, excited about life. She was there that

evening because her family wanted to get her mind off of the recent passing of her grandfather. She had become consumed with sorrow over the passing of her grandfather. So as a treat her family brought her to the premier of this movie. She was going to start swimming lessons the following week.

James Holmes walked into that movie theater with an AR–15-style rifle, which we have heard talked about over and over and over—the weapon of choice in mass shootings in this country. But just as important, he was armed with 100-round drums of ammunition. Why on Earth does this Senate allow for the continued legal sale of 100-round drums of ammunition? What possible legal reason could there be for the possession of 100-round drums of ammunition that go into an automatic weapon other than to kill as many people as possible as quickly as possible? There is no reason a hunter or sport shooter needs a 100-round drum of ammunition. Yet we can't even get the votes to ban the sale of those deadly accessories to semiautomatic weapons.

I get it. These 6,497 people didn't die at the hands of an assault weapon, they didn't die at the hands of a 100-round drum, never mind a 30-round magazine, but these mass shootings are going to continue to happen. Frankly, the one that happened in Santa Monica not long ago barely made the headlines in this country. Three or four people dying at the hands of a semiautomatic weapon is nothing these days. Now there have to be 20 or 30 people die in order for it to be a big story. Expectations have changed because these shootings are becoming regular, normal occurrences. But we can't let this country become numb to mass shootings in the way I would argue we have become numb to the 6,500 people who have died since December 14.

I understand we tried and failed to get legislation passed through the Senate—supported by 90 percent of Americans—that would extend background checks to more sales of weapons, to make sure criminals don't have weapons, to make gun trafficking a crime in a way that it is not, to provide some more mental health resources, but we shouldn't give up. We shouldn't give up because there is going to be another Aurora, there will be another Sandy Hook if we do nothing, and 30 to 40 people will still die every day if we stand by and continue to allow this kind of regular, everyday gun violence to be the background noise of this Nation.

Maybe if the numbers don't move people, the stories of the victims will. Maybe that will be enough to finally prompt the Senate and the House of Representatives to action.

I yield the floor.

THE MINIMUM WAGE

Mr. DURBIN. Mr. President, 4 years ago today, the Federal minimum wage increased to $7.25 per hour. That was the final phase of a minimum wage increase that Congress passed in 2007. After 4 years, it is time to evaluate where wages stand.

Since 1967, the Federal minimum wage has increased from $1.40 to $7.25. While at first glance this seems like significant progress, when adjusted to current dollars the value of the minimum wage has actually declined by 12.1 percent. Had the minimum wage kept pace with inflation, it would be $10.74 an hour today.

But the minimum wage for tipped workers is even worse. The current minimum wage for tipped workers is $2.13, and that has not gone up since 1991. Employers paying the tipped minimum wage now pay just 21 percent of what that employee would make at minimum wage. This forces workers to use more and more of their tips simply to make up the difference between the tipped minimum wage and the standard minimum wage.

Working 40 hours per week at $7.25 per hour translates to just $15,080 per year. That's about $400 less than the Federal poverty level guidelines for a family of two. Last week, The Atlantic ran an article that showed a budget chart produced by McDonald's to help its employees better manage their finances. And while I commend McDonald's for trying to help workers better manage money, the budget tells a sad story.

According to the chart, someone making the minimum wage and working 40 hours a week at McDonald's would have to work a second job to make ends meet. But to be clear for this budget to be accurate, a worker must hold nearly two full time jobs. According to the Washington Post's Wonkblog, a worker making the minimum wage would to have work 75 hours a week to have the after-tax income in the McDonalds sample budget. Working 75 hours a week at minimum wage with no vacation days and limited benefits—if any—one can make $24,720 a year, after tax.

How does a person do that if they are a single parent? They can't. There are not enough hours in the day to raise a family working that many hours. And there certainly aren't enough dollars in the income to provide child care.

The sample budget drawn up for McDonald's employees might as well include a line for Federal and State assistance. Families living on the minimum wage have few alternatives but to turn to programs such as SNAP, housings assistance, and Medicaid to survive. These are the same programs that are regularly attacked by the ultra-conservative for growing too quickly. For those who insist that working be a requirement for receiving public assistance, shouldn't they also insist that if you are working full time you shouldn't need public assistance? Wouldn't that be a good definition of a minimum wage?

If we increase the minimum wage to $10.10, more than 30 million workers would receive a raise. And while some of these workers are teenagers, 88 percent are adults. For many of those adults, these are not part time jobs or stepping stones to their next job, but the full time job they rely on for a living.

That is why 4 years after the last minimum wage increase, it is time to act again. I am a cosponsor of the Fair Minimum Wage Act introduced by Senator HARKIN in the Senate and Representative GEORGE MILLER in the House. The Fair Minimum Wage Act will increase the minimum wage from $7.25 to $10.10 per hour in three, 95-cent annual increments, and index it to inflation annually thereafter. The bill will also gradually raise the minimum wage for tipped workers from the current $2.13 per hour to a level that is 70% of the regular minimum wage.

If we pass the Fair Minimum Wage Act that same full-time worker being paid minimum wage I mentioned earlier that makes $15,080 a year—will make $21,000. That can be the difference for a family that is getting by and one that is living in poverty. I hope my colleagues on both sides of the aisle will join me in cosponsoring the Fair Minimum Wage Act.

Mr. HARKIN. Mr. President, 4 years ago today, July 24, 2009, was the last time the minimum wage was increased. It rose from $6.55 an hour to $7.25 an hour. And it has been stuck there ever since. Four years is too long. It is time to raise the minimum wage.

To that end, I have introduced legislation along with Rep. GEORGE MILLER in the House. The Fair Minimum Wage Act will gradually increase the minimum wage to $10.10 an hour in three annual steps. Our bill will also link future increases in the minimum wage to the cost of living, using the Consumer Price Index, so that people who are trying to get ahead don't fall behind as our economy grows. Finally, our bill—for the first time in more than 20 years—will raise the minimum wage for workers who earn tips, from a paltry $2.13 per hour, today, to a level that is 70 percent of the regular minimum wage. This will be gradually phased in over the course of 6 years, which will give businesses time to adjust while providing more fairness for hard-working people in tipped industries.

While millions of workers have been without a raise these past 4 years, costs have continued to climb. Between 2009 and 2012, rent has gone up 4%, auto repair costs have climbed 6%, food is 8% more expensive, child care costs 9% more, and public transportation takes a 13% bigger bite out of workers' wallets.

I do not need to tell you that when you are taking in $1,000 a month, even a few dollars more at the grocery checkout line is a hardship. The tens of millions of working poor and low-wage Americans and their families know this. They know that the minimum wage, for many, is a poverty wage; it pays $3,000 less per year than what is needed to lift a family of three above

the poverty line. They know they can not survive on such meager wages. They know it because they live it.

Unfortunately, the McDonald's corporation does not seem to understand. Last week, a budgeting brochure that McDonald's provides its workers went viral on the Internet. It seems that, as the folks at The Atlantic said, ''McDonald's can't figure out how its workers survive on minimum wage.'' Let's talk about McDonald's.

McDonald's is the third-largest employer of low-wage workers in the country, with 860,000 U.S. workers. According to Glassdoor, the average wage for a cashier is $7.72 and for a crew member is $7.68. That is just pennies above the minimum. Even managers only make around $9.50 per hour, sometimes less.

The McDonald's budget brochure shows workers how to add up their monthly expenses to determine their monthly household budget. But wages at McDonald's are so paltry that its sample budget had to assume that its employees work two full-time jobs to earn $2,000 a month. Never mind that most fast food jobs are part-time, and finding two jobs would be very difficult in today's economy with so many unemployed and part-time workers looking for full-time jobs.

On top of requiring two jobs, this budget's estimated costs are either out of sync with reality or simply missing. It estimated rent at $600 a month, when in reality rent costs $783 for a one-bedroom apartment and $977 for a two-bedroom, according to the National Low-Income Housing Coalition. Those are national figures; rent is much higher in many parts of the country. The McDonald's budget also doesn't include necessities like child care or food. And I don't know where someone is going to get health insurance for $20 a month. Even McDonald's charges $54 a month for its most basic plan for one employee with no dependents, and that is after a year of working there. With just one dependent, it is $140 a month. And that basic plan still has deductibles and copays on top of the premium.

This just shows how difficult it is for tens of millions of people—folks who do some of the most demanding work in our country—to make ends meet. But it's not just low-wage workers who are hurt when they can't keep up with costs. This hurts our communities and our local businesses as well. When our neighbors can't afford to go to the grocery store or the auto repair shop or the hardware store, all of those businesses suffer. They lose customers and sales.

But imagine if the lowest wage workers all got raises. They would take their car in for that long-needed repair. They would pick up a few extra items at the store. They would buy a new pair of shoes for their growing son or daughter. And those local stores would all benefit.

And when we see that 30 million people across the country will get a raise thanks to the Fair Minimum Wage Act, all that extra spending really adds up. The local grocery might even have to hire new people to keep up with rising demand. In total, my bill will add $33 billion to our GDP over its 3 years of implementation. And it will create 140,000 new jobs over that same period.

It's simple: more money in consumers' pockets means more spending, which means more economic activity, which means more jobs.

In fact, the financial and economic experts know this already. I have seen article after article, interview after interview from financial experts saying that we need more consumer spending in order to get our economy really going. Just last month, the Wall Street Journal interviewed the president of Naroff Economic Advisors. He analyzed a recent consumer spending report and said, ''We're in a situation where we need much stronger increases in wages and salaries if households are going to have the money to spend and the economy's going to grow faster.'' He added:

> We need wages to grow significantly faster. They're coming up from where they have been, but we need them to really begin to pick up. We need stronger job growth, but more importantly we also need average salaries and hourly wages to grow faster. Those have been largely flat and that's the problem. Right now, income's growing because we're creating more jobs, not because people are making more money. We need the average person to see their salaries go up before they can spend more and drive this economy forward.

Well, we can raise wages in this country, and we can provide those raises to the people who need it most—not to CEOs but to the people serving our food, watching our children, helping us when we call customer service, and assisting us at our local stores. These are the people who are earning wages so low, they work two jobs and still can't make ends meet. And these are people who will go out and spend just about every dime in their local stores, boosting their local economies.

Minimum wage workers want to support themselves. Ninety percent of the people who would benefit from my legislation are adults, not teenagers. They are often parents. In fact, one in five working parents in this country will get a raise under my bill, and a third of single parents. A total of 18 million children have parents who would get a raise. Think about that. All of those millions of families with a little more money to spend. What a help that will be to those growing kids.

We owe it to millions of low-wage families struggling to just have a glimpse of the American Dream, to make sure that they get a raise and can support their families. But we also owe it to ourselves, to our economy. Our system works best when everyone has the opportunity to support themselves, to be productive, and to participate in our larger economy.

Raising the minimum wage is a simple and effective way to do this. And we know we can do it in a responsible way, with no unintended consequences. My bill would phase in an increase in three steps, giving businesses time to adapt. And because the minimum wage will apply to all businesses, no single business will be at a competitive disadvantage.

Also, my proposal is in line percentage wise with previous increases in the minimum wage. Decades of solid economic research shows us that these increases have not caused job losses. In fact, businesses stand to benefit from increased wages, because raises result in significantly lower turnover rates, which in turn saves those businesses money.

Four years without a raise is 3 years too many. We have to make sure that working families can keep up with the economy. That is why linking future increases in the minimum wage to the cost of living is so crucial. Small annual increases will be easy to absorb, but will make a big difference to American families. And it will help our businesses on Main Street as well as our national economy.

Mr. President, it is time to raise the minimum wage and link it to inflation for the future. It is the right thing to do, and it is the responsible thing to do. And it will give a much needed boost to both local economies and our national economy. I urge my colleagues to support this long-overdue legislation.

TRIBUTE TO FRANK J. SAMMARTINO

Mrs. MURRAY. Mr. President, I rise along with my colleague, the Ranking Member of the Budget Committee, Senator SESSIONS, to pay tribute to Frank J. Sammartino, who is retiring this week after 33 years of distinguished Federal service, including 26 years serving the Congress at the Congressional Budget Office and the Joint Economic Committee.

Mr. Sammartino began his Federal career in 1978, working in the office of the assistant secretary for planning and evaluation at the U.S. Department of Health and Human Services, where he worked until 1985. He left HHS for the Tax Analysis Division in the Congressional Budget Office, where he has worked for most of his remaining career. While at CBO, Mr. Sammartino has risen up through the ranks to his current position of assistant director for Tax Analysis, the director's top person on all tax policy and budget matters. In addition to his work at CBO, he has also served Congress as the chief economist and deputy director at the Joint Economic Committee.

As head of the Tax Analysis Division at CBO, Mr. Sammartino has worked tirelessly to ensure the Congress has quality and timely analysis of tax policy and budget issues. He has directly contributed to and overseen numerous baseline projections, policy studies, and cost estimates. In fact, early on at

CBO, he developed the first microsimulation model used by CBO for analyzing tax policy. That model became the basis for CBO's individual income tax projections and its analysis of the distribution of federal taxes. In general, his expertise on a wide range of public policy issues has served as a valuable resource for Members and staff.

Mr. Sammartino exemplifies CBO's high standards of professionalism, objectivity, and nonpartisanship, and has received the highest awards for outstanding service while at both CBO and HHS. As chairman, I greatly appreciate the sacrifices that he—as well as his family, including his wife, Ellen, and children, Frank and Lulu—have made in assisting the Budget Committee and Congress.

I would like to turn to my colleague, Senator SESSIONS, for his remarks.

Mr. SESSIONS. I thank the chairman and join her in commending Mr. Sammartino for his many years of dedicated and distinguished service to CBO, the Congress, and the American people. We wish him and his family well in his retirement from Federal service.

We hope our colleagues will join us in thanking Mr. Sammartino—and really all of the hard-working employees at the Congressional Budget Office—for his and their service.

ENERGY SUBCOMMITTEE ASSIGNMENTS

Mr. WYDEN. Mr. President, I ask unanimous consent that the Subcommittee Assignments of the Committee on Energy and Natural Resources be printed in the RECORD.

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

ENERGY

Al Franken, *Chairman*

Tim Johnson, Mary L. Landrieu, Maria Cantwell, Bernard Sanders, Debbie Stabenow, Mark Udall, Joe Manchin, III, Martin Heinrich, Tammy Baldwin.

James E. Risch, *Ranking*, Dean Heller, Jeff Flake, Lamar Alexander, Rob Portman, John Hoeven.

PUBLIC LANDS, FORESTS, AND MINING

Joe Manchin, III, *Chairman*

Tim Johnson, Mary L. Landrieu, Maria Cantwell, Mark Udall, Al Franken, Brian Schatz, Martin Heinrich, Tammy Baldwin.

John Barrasso, *Ranking*, James E. Risch, Mike Lee, Dean Heller, Jeff Flake, Tim Scott, Lamar Alexander, John Hoeven.

NATIONAL PARKS

Mark Udall, Chairman

Mary L. Landrieu, Bernard Sanders, Debbie Stabenow, Brian Schatz, Martin Heinrich, Tammy Baldwin.

Rob Portman, *Ranking*, John Barrasso, Mike Lee, Lamar Alexander, John Hoeven.

WATER AND POWER

Brian Schatz, *Chairman*

Tim Johnson, Maria Cantwell, Bernard Sanders, Debbie Stabenow, Joe Manchin, III, Al Franken.

Mike Lee, *Ranking*, John Barrasso, James E. Risch, Dean Heller, Jeff Flake, Tim Scott.

Ron Wyden and Lisa Murkowski are ex officio members of all the Subcommittees.

TRIBUTE TO TOM ED McHUGH

Ms. LANDRIEU. Mr. President, today I wish to ask my colleagues to join me in recognizing Tom Ed McHugh, who will retire as executive director of the Louisiana Municipal Association. Mr. McHugh will step down on December 31, 2013, after 13 years of dedicated service.

Mr. McHugh began his career in public service in 1966 as a teacher in the East Baton Rouge Parish School System after receiving a Bachelor's degree in education from Louisiana State University. In 1989, Mr. McHugh was elected mayor-president of the City of Baton Rouge and Parish of East Baton Rouge and served three terms in this position. Under his leadership, East Baton Rouge Parish experienced its greatest years of growth and prosperity. Through his years of service as an elected official, Mr. McHugh created enduring changes in a wide breadth of programs to impact and improve the lives of every individual within and throughout his community.

Mr. McHugh has worked tirelessly for 13 years as executive director of the Louisiana Municipal Association to maintain and promote the independence and self-sufficiency of Louisiana's municipalities while strengthening the relationship between the local, State, and Federal levels of government. He created municipal structures in which all people are taken care of, no matter their situation in life. Mr. McHugh had a vision to reach the lives of the citizens he vigorously worked to improve through dynamic enhancement models that provided quality management and services at all levels of government. Mr. McHugh also worked continuously to build a strong economic agenda to ensure the prosperity of Louisiana's municipalities and communities for generations to come.

Mr. McHugh's distinguished career includes many prestigious recognitions. Among them are memberships to the United States Conference of Mayors, the National League of Cities, and the governing boards of the Louisiana Conference of Mayors and the Louisiana Municipal Association. Mr. McHugh's career leaves a legacy of accomplishment and dedication to his family and all those who are a part of the educational systems and municipalities that he served. Together with his high school sweetheart, Betty Schilling McHugh, Mr. and Mrs. McHugh are the proud parents and grandparents of three children and eight grandchildren, all of whom have continued to inspire Mr. McHugh as a professional, a father, and a grandfather.

Mr. McHugh has been and continues to be an inspiration to all of those who have been impacted by his tireless efforts. It is with my heartfelt and greatest sincerity that I ask my colleagues to join me along with Mr. McHugh's family in recognizing the life and many accomplishments of this incredible leader and his impact in so many communities.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 6:48 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5. An act to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5. An act to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

MEASURES DISCHARGED

The following measure was discharged from the Committee on Energy and Natural Resources and referred as indicated:

S. 1294. A bill to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2668. To delay the application of the individual health insurance mandate, to delay the application of the employer health insurance mandate, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2374. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Fresh Citrus Fruit From Uruguay, Including Citrus Hybrids and Fortunella spp.,

Into the Continental United States'' ((RIN0579–AD59) (Docket No. APHIS–2011–0060)) received in the Office of the President of the Senate on July 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2375. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010'' (RIN0584–AE09) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2376. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Export Administration Regulations Based on the 2012 Missile Technology Control Regime Plenary Agreements'' (RIN0694–AF81) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2377. A communication from the Acting Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–2378. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to significant transnational criminal organizations that was established in Executive Order 13581 on July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2379. A communication from the Associate Director, Financial Reporting and Accounting Policy, Federal Home Loan Bank of Des Moines, transmitting, pursuant to law, the 2012 Statement on the System of Internal Controls of the Federal Home Loan Bank of Des Moines and accompanying reports; to the Committee on Banking, Housing, and Urban Affairs.

EC–2380. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Seattle, transmitting, pursuant to law, the Bank's 2012 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–2381. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–2382. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC–2383. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Israel; to the Committee on Banking, Housing, and Urban Affairs.

EC–2384. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–2385. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Singapore; to the Committee on Banking, Housing, and Urban Affairs.

EC–2386. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Disqualification of Felons and Other ''Bad Actors'' from Rule 506 Offerings'' (RIN3235–AK97) received in the Office of the President of the Senate on July 11, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2387. A communication from the President and Chief Operating Officer, Financing Corporation, transmitting, pursuant to law, the Corporation's Statement on the System of Internal Controls and the 2012 Audited Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC–2388. A communication from the President and Chief Operating Officer, Resolution Funding Corporation, transmitting, pursuant to law, the Corporation's Statement on the System of Internal Controls and the 2012 Audited Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC–2389. A communication from the Special Inspector General for the Troubled Asset Relief Program, transmitting, the January 2013 Quarterly Report to Congress of the Special Inspector General for the Troubled Asset Relief Programs; to the Committee on Banking, Housing, and Urban Affairs.

EC–2390. A communication from the President and Chief Executive Officer, United States Enrichment Corporation, transmitting the Corporation's eighteenth annual report regarding its activities as Executive Agent for the U.S. government in the implementation of the 20-year contract to purchase low enriched uranium derived from dismantled Russian nuclear weapons; to the Committee on Energy and Natural Resources.

EC–2391. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Critical Habitat Map for the Fountain Darter'' (RIN1018–AZ68) received in the Office of the President of the Senate on July 16, 2013; to the Committee on Environment and Public Works.

EC–2392. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Species Status for Six West Texas Aquatic Invertebrates'' (RIN1018–AX70) received in the Office of the President of the Senate on July 16, 2013; to the Committee on Environment and Public Works.

EC–2393. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Six West Texas Aquatic Invertebrates'' (RIN1018–AZ26) received in the Office of the President of the Senate on July 16, 2013; to the Committee on Environment and Public Works.

EC–2394. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Listing One Distinct Population Segment of Broad-Snouted Caiman as Endangered and a Second as Threatened with a Special Rule'' (RIN1018–AT56) received in the Office of the President of the Senate on July 16, 2013; to the Committee on Environment and Public Works.

EC–2395. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Buena Vista Lake Shrew'' (RIN1018–AW85) received in the Office of the President of the Senate on July 16, 2013; to the Committee on Environment and Public Works.

EC–2396. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2013'' (RIN3150–AJ19) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2397. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Service Limits and Loading Combinations for Class 1 Linear Type Supports'' (Regulatory Guide 1.124, Revision 3) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2398. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Service Limits and Loading Combinations for Class 1 Plate-and-Shell-Type Supports'' (Regulatory Guide 1.130, Revision 3) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2399. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Preparation of Environmental Reports for Nuclear Power Plant License Renewal Applications'' (Regulatory Guide 4.2, Supplement 1, Revision 1) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2400. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Community Right-to-Know; Direct Final Rule to Adopt 2012 North American Industry Classification System (NAICS) Codes for Toxics Release Inventory (TRI) Reporting'' (FRL No. 9825–8) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2401. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Protection of Stratospheric Ozone; The 2013 Critical Use Exemption from the Phaseout of Methyl Bromide'' (FRL No. 9809–7) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2402. A communication from the Inspector General of the Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2013 (OEI–05–13-00090)''; to the Committee on Finance.

EC–2403. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled ''The Year in Trade 2012''; to the Committee on Finance.

EC–2404. A communication from the Chief of the Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Media Space, Inc. v. Commissioner'' (AOD 2012–08) received during adjournment of the Senate in the Office of the President of the Senate on July 22, 2013; to the Committee on Finance.

EC–2405. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—August 2013'' (Rev. Rul. 2013–13) received during adjournment of the Senate in the Office of the President of the Senate on July 22, 2013; to the Committee on Finance.

EC–2406. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2013–46) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Finance.

EC–2407. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revised Timeline and Other Guidance Regarding the Implementation of FATCA'' (Notice 2013–43) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Finance.

EC–2408. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Expanded Eligibility for Temporary Housing for Individuals Displaced by Severe Storms, Flooding, and Tornadoes in Oklahoma'' (Notice 2013–47) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Finance.

EC–2409. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Updated Static Mortality Tables for the Years 2014 and 2015'' (Notice 2013–49) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Finance.

EC–2410. A joint communication from the Secretary of Labor, Chair of the Board and the Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2012 actuarial evaluation of the expected operations and status of the Pension Benefit Guaranty Corporation funds; to the Committee on Health, Education, Labor, and Pensions.

EC–2411. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted in Feed and Drinking Water of Animals; Ammonium Formate'' (Docket No. FDA–2008–F–0151) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2412. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Animal Feeds Contaminated With Salmonella Microorganisms'' (Docket No. FDA–2013–N–0253) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2413. A communication from the Acting Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the Department of Labor's fiscal year 2011 Office of Workers' Compensation Programs annual report; to the Committee on Health, Education, Labor, and Pensions.

EC–2414. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Health, United States, 2012''; to the Committee on Health, Education, Labor, and Pensions.

EC–2415. A communication from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary, Department of Homeland Security, received in the Office of the President of the Senate on July 9, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2416. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Director, Office of Management and Budget, received in the Office of the President of the Senate on July 18, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2417. A communication from the Director of the Diversity and Inclusion Division, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the Department's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–2418. A communication from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting, pursuant to law, the Company's Balance Sheet as of December 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–2419. A communication from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–2420. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department of Commerce's Performance and Accountability Report for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–2421. A communication from the Chairman and Members of the Federal Labor Relations Authority, transmitting, pursuant to law, the Office of Inspector General Semi-annual Report for the period of October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2422. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2423. A communication from the Director, National Security Agency, transmitting a report relative to classified information sharing and safeguarding efforts on computer networks; to the Select Committee on Intelligence.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–44. A joint resolution adopted by the Legislature of the State of Nevada urging Congress to pass the Marketplace Fairness Act; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 5

Whereas, In the case of National Bellas Hess, Inc. v. Department of Revenue, 386 U.S. 753 (1967), the United States Supreme Court held, in relevant part, that Congress alone has the power to regulate and control the taxation of commerce which is conducted between a business that is located within one state, and a customer who is located in another state and who communicates with and purchases from the business using only remote means; and

Whereas, The United States Supreme Court established in Quill Corp. v. North Dakota, 504 U.S. 298 (1992), that a state government cannot, of its own accord, require out-of-state retailers to collect sales tax on sales within the state; and

Whereas, The United States Supreme Court also announced in Quill that Congress could exercise its authority under the Commerce Clause of the United States Constitution to decide whether, when and to what extent the states may require collection of sales tax on remote sales; and

Whereas, The State of Nevada and municipalities within this State receive significant operating revenue from sales taxes collected by brick-and-mortar businesses and online vendors with a nexus to the State and from use taxes on purchases made online through vendors without a brick-and-mortar location in the State; and

Whereas, Remittance of use taxes not collected by a vendor from online purchases puts an undue burden and widely unknown obligation on consumers; and

Whereas, The unequal taxation schemes as between online and traditional retailers create a disadvantage for Nevada-based retailers, who are rooted and invested in the Nevada community and employ residents of this State; and

Whereas, The tax collection loophole for online retailers deprives local governments of revenue that could be used to fund necessities such as schools, police and fire departments, and other important infrastructure; and

Whereas, The Marketplace Fairness Act, S. 336, 113th Cong. (2013), and H.R. 684, 113th Cong. (2013), proposes to provide states with the authority to require out-of-state retailers, such as online and catalog retailers, to collect and remit sales tax on purchases shipped into the state; and

Whereas, The State of Nevada has enacted the Simplified Sales and Use Tax Administration Act, chapter 360B of NRS, which is in compliance with the Marketplace Fairness Act, S. 336, 113th Cong. §2 (2013) and H.R. 684, 113th Cong. §2 (2013): Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, Jointly, That the members of the 77th Session of the Nevada Legislature urge Congress to pass the Marketplace Fairness Act without delay; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation and the Executive Director of the Department of Taxation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM–45. A joint resolution adopted by the Legislature of the State of Nevada expressing support for wild horses and burros in Nevada; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 1

Whereas, Wild horses and burros are an integral part of the ecosystem and rangelands of the United States and the State of Nevada; and

Whereas, Wild horses and burros helped to build this nation and are living symbols of freedom and our American Western heritage, as represented by the depiction of wild horses on the Nevada State quarter; and

Whereas, Wild horses and burros are natural resources and cultural assets, and have the potential to promote tourism and job creation in this State; and

Whereas, Building eco-sanctuaries that enable the public to view and photograph wild horses and burros may provide a much needed boost to the Nevada economy; and

Whereas, Wild horses and burros depend on the understanding, cooperation and fairness of all interested parties: Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, Jointly, That the Nevada Legislature:

1. Supports the preservation and protection of our iconic wild horses and burros in the State of Nevada as living symbols of freedom, the pioneer spirit of the West and America's heritage, as well as valuable natural resources and cultural assets;

2. Supports the development of wild horse and burro related ecotourism in the State of Nevada;

3. Encourages the State Department of Agriculture to enter into cooperative agreements with local wild horse and burro advocacy groups pursuant to NRS 569.031 concerning wild horses and burros living on private lands that are under the jurisdiction of the State Department of Agriculture; and

4. Encourages a spirit of cooperation, collaboration and fairness among wild horse and burro advocacy groups, private land owners and the State Department of Agriculture; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation, the Governor and the Director of the State Department of Agriculture; and be it further

Resolved, That this resolution becomes effective upon passage.

POM–46. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to amend the Clean Air Act and to fully consider the impact of the new regulations; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1001

To the Congress of the United States of America:

Your memorialist respectfully represents:

Whereas, the Clean Air Act is a federal law designed to minimize air pollution nationwide; and

Whereas, the Clean Air Act requires the Environmental Protection Agency (EPA) to enforce regulations intended to protect the public from air pollutants believed to be hazardous to public health; and

Whereas, in 1970, Congress amended the Clean Air Act by mandating comprehensive state and federal regulations for both stationary and non-stationary sources of pollution; and

Whereas, the 1970 amendments dramatically expanded the EPA's regulatory authority; and

Whereas, additional amendments adopted in 1990 expanded the Clean Air Act by allowing the EPA to address acid rain, ozone depletion, gasoline formulation and evaporative emissions; and

Whereas, in April 2009, the EPA issued an endangerment finding, declaring that current and future greenhouse gas emissions pose a serious threat to public health and safety, allowing the agency to regulate carbon dioxide emissions; and

Whereas, as written, the Clean Air Act gives states, not the federal government, the primary role in establishing and carrying out plans to comply with EPA regulations; and

Whereas, as written, the Clean Air Act requires the EPA to consider the economic impact of its proposed regulations; and

Whereas, in spite of these provisions, recent actions by the EPA reflect a disturbing and legally questionable shift away from state and towards federal primacy; and

Whereas, these actions include the EPA's recent rejection of Arizona's State Implementation Plan for Regional Haze, which may cost Arizona consumers as much as one billion dollars for new technology that will make an imperceptible improvement in air quality compared to the state's plan; and

Whereas, while Americans support efforts to improve air quality, such efforts should be carefully balanced to ensure that the cost of new regulations on the economy do not exceed potential benefits; and Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress amend the Clean Air Act to further clarify that the states, not the EPA, have the primary role in developing plans for regulating air pollutants and fully consider the impact of new regulations on the state and national economy before approval or implementation of new regulations.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–47. A joint memorial adopted by the Legislative Assembly of the State of Oregon urging Congress to increase investment in the Drinking Water State Revolving Fund and Clean Water State Revolving Fund; to the Committee on Environment and Public Works.

HOUSE JOINT MEMORIAL 7

To the President of the United States and the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-seventh Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas generations of Oregonians have enjoyed access to safe, reliable and accessible public water, but a lack of investment in critical water systems that are relied upon to bring clean, accessible water to communities and the aging of public water infrastructure pose significant threats to the quality, safety, reliability and accessibility of public water; and

Whereas water is widely viewed in Oregon as a public trust to be managed for the common good of the public at large; and

Whereas approximately 80 percent of Oregon residents get their drinking water from public water systems; and

Whereas the federal Safe Drinking Water Act Amendments of 1996 created the Drinking Water State Revolving Fund for the purpose of assisting states with funding to ensure safe public drinking water; and

Whereas in 2010 the Department of Human Services determined that $44 million would be needed in order to fund projects for protecting existing sources of public drinking water in Oregon; and

Whereas in 2010 the final amount of funding from the Drinking Water State Revolving Fund available for use on Oregon priority projects was $9,752,311, representing less than 25 percent of the amount needed; and

Whereas according to the United States Environmental Protection Agency, approximately 45 percent of the investment needs in Oregon for public water infrastructure are in communities with a population of less than 10,000; and

Whereas the Title VI provisions of the federal Clean Water Act created the Clean Water State Revolving Fund in 1987 for the purpose of assisting states with funding to ensure clean water resources and wastewater systems and treatment facilities for the public; and

Whereas in 2011 the Department of Environmental Quality determined that $380,821,000 will be needed in order to fully fund projects for maintaining clean water resource programs and wastewater systems and treatment facilities to protect the public and Oregon water resources; and

Whereas in 2011 the funding from the Clean Water State Revolving Fund predicted to be available for use on Oregon priority projects was $23,017,000, representing six percent of the amount needed; and

Whereas 50 percent of Oregon priority projects for funding from the Clean Water State Revolving Fund would serve communities with a population of less than 5,000; and

Whereas the current levels of funding for the Drinking Water State Revolving Fund and the Clean Water State Revolving Fund are not sufficient to ensure that Oregon's public drinking water and wastewater systems and treatment facilities are maintained and protected to benefit the health and safety of Oregon residents and benefit Oregon water resources;

Whereas investing in Oregon's public drinking water and wastewater systems and treatment facilities will create and support family wage jobs for Oregon workers; and

Whereas according to the National Utility Contractors Association, for every $1 billion that is invested nationally in water infrastructure, almost 27,000 jobs are created; and

Whereas it is critical for Oregon students to have access to safe and clean drinking water; and

Whereas there is currently no dedicated federal funding available for updating and repairing drinking water systems in public schools; and

Whereas protecting the public drinking water and wastewater systems and treatment facilities in the nation's communities is of crucial importance and requires an ongoing federal funding commitment: Now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon:

(1) The Seventy-seventh Legislative Assembly of the State of Oregon urges the Congress of the United States of America to increase investment in the Drinking Water State Revolving Fund to upgrade and repair the nation's aging public drinking water systems in order to ensure that all citizens have access to safe, clean and affordable drinking water.

(2) The Seventy-seventh Legislative Assembly urges the Congress of the United States to increase investment in the Clean Water State Revolving Fund to upgrade and repair the nation's aging public water and

wastewater treatment systems in order to ensure the health and safety of the nation's urban and rural environments and water resources.

(3) The Seventy-seventh Legislative Assembly urges the Congress of the United States to ensure that federal funding is available for public water systems in both large and small communities and ensure that dedicated funding is made available for updating and repairing drinking water systems in the nation's public schools.

(4) A copy of this memorial shall be sent to the President and Vice President of the United States, to the Senate Majority Leader, to the Speaker of the House of Representatives and to each member of the Oregon Congressional Delegation.

POM–48. A joint resolution adopted by the Legislature of the State of California memorializing the President and Congress of the United States to enact appropriate legislation reauthorizing the federal Older Americans Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION NO. 4

Whereas, In 2006, Congress reauthorized the federal Older Americans Act of 1965 in its entirety, effective through the 2011 fiscal year; and

Whereas, The federal Older Americans Act of 1965 has not been reauthorized since 2006, although it was updated in 2009 and funding for its programs has been authorized since that date on an annual basis; and

Whereas, The congressional appropriations staff continue to stress the tight spending caps on discretionary programs imposed by the Balanced Budget Act of 1997; and

Whereas, A substantial number of older Americans living in the State of California will be at risk if there are significant reductions in allocated funds for the programs funded by the act; and

Whereas, Further delay in the reauthorization of the federal Older Americans Act of 1965 will erode the capacity of the act's various structures to deliver services to meet the needs of older Americans; and

Whereas, The federal Older Americans Act of 1965 should immediately be reauthorized to preserve the aging network's role in home- and community-based services, maintain the advocacy and consumer directed focus of the act, and give area agencies on aging increased flexibility in planning and delivering services to vulnerable older Americans; and

Whereas, The federal Older Americans Act of 1965 should be funded in the same manner in which the act has been funded for the past 48 years: Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature memorializes the President and the Congress of the United States to enact appropriate legislation that would reauthorize the federal Older Americans Act of 1965; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to the Chairman of the Senate Special Committee on Aging, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM–49. A resolution adopted by the House of Representatives of the State of Illinois relative to urging the Congress of the United States, the President of the United States, and the United States Department of Education to consider communities in the State of Illinois as Promise Neighborhoods; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 0154

Whereas, The Promise Neighborhoods program was founded in 2010 on the premise of significantly improving the educational and developmental outcomes of children and youth in distressed communities by providing access to great schools and strong systems of community support to aid in the transition from childhood to career; and

Whereas, The Promise Neighborhoods grant program consists of planning grants and implementation grants; and

Whereas, The United States Department of Education proposed to fund Promise Neighborhoods through the legislative authority of the Fund for the Improvement of Education Program in 2010; the level and allocation of planning and implementation funds are contingent upon each fiscal year's final budget; and

Whereas, The Promise Neighborhoods grant program is expected to continue in 2013 with another round of applications and award winners: Now, therefore, be it

Resolved, by the House of Representatives of the Ninety-Eighth General Assembly of the State of Illinois, that we urge the Congress of the United States, the President of the United States, and the United States Department of Education to consider communities in this State, including communities in the City of Chicago, as Promise Neighborhoods and award grants as such; and be it further

Resolved, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, each member of the Illinois congressional delegation, the President of the United States, and the U.S. Secretary of Education.

POM–50. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to protest against the closure of the Cherrybell Postal Processing and Distribution Center; to the Committee on Homeland Security and Governmental Affairs.

HOUSE CONCURRENT MEMORIAL 2007

To the Members of the United States Congress:

Your memorialist respectfully represents:

Whereas, the Cherrybell Postal Processing and Distribution Center (Cherrybell) serves the entire southern portion of Arizona covering the counties of Pima, Santa Cruz and Cochise. Currently, Southern Arizona is facing a potential economic downfall due to the initial decision made by the United States Postal Service Board of Governors to close Cherrybell; and

Whereas, more than 1.8 million people and 23,197 businesses use the Cherrybell postal services. According to United States Postal Service officials, over 3 million pieces of mail go through Cherrybell each day as it is the 15th largest facility serving the 33rd largest population area in our nation. Thus, the processing and sorting operations at Cherrybell that are being proposed to be moved to Phoenix affect approximately 280 jobs in Southern Arizona; and

Whereas, Southern Arizona, which includes both the Tohono O'odham nation and Pasqua Yaqui tribal lands, encompasses the California and Arizona border at Yuma south to Nogales, across to Douglas and Bisbee in Cochise County and the military installations located at Fort Huachuca and Davis Monthan, depends on the Cherrybell Post office; and

Whereas, Council Member Richard Fimbres went on record opposing the closure of Cherrybell Post Office and requested that the Tucson City Council work directly with Tucson's congressional delegation and community members to frame a campaign to protect the vital jobs at Cherrybell; and

Whereas, Pima County Recorder F. Ann Rodriguez, objects to the closure of Cherrybell and firmly believes this change will clearly impact the activities of the state and county elections officials in Arizona and will cause a detrimental impact to voters. The information provided to the public by the United States Postal Services is based entirely on economic considerations with no apparent regard for the impact of the change on the fundamental right to vote of all citizens and, in particular, the significant additional detrimental impact to Native American voters in the region; and

Whereas, 600 people attended the public hearing, which was scheduled three days after Christmas, and 6,000 people wrote letters and signed online petitions urging the United States Postal Service Board of Governors not to close Cherrybell.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the Congress of the United States protest the proposed closing of Cherrybell Postal Processing and Distribution Center.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–51. A memorial adopted by the Legislature of the State of Arizona urging the United States to propose an amendment to the Constitution of the United States to provide rights to victims of crime; to the Committee on the Judiciary.

HOUSE MEMORIAL 2002

To the Congress of the United States of America:

Your memorialist respectfully represents:

Whereas, criminal defendants are afforded numerous federal rights and procedural protections; and

Whereas, victims of crime are not afforded any federal constitutional rights or protections; and

Whereas, the people of this state believe in the individual rights and liberties of all persons and have amended the Constitution of Arizona to provide crime victims with rights, and yet it is clear that without federal constitutional rights, crime victims' rights are less meaningful and enforceable.

Wherefore your memorialist, the House of Representatives of the State of Arizona, prays:

1. That the Congress of the United States propose to the people an amendment to the Constitution of the United States that provides rights to crime victims and that embodies the following principles:

(a) The right to be informed of and not excluded from any public proceedings relating to the crime.

(b) The right to be heard regarding any release from custody.

(c) The right to consideration for the safety and privacy of the victim, the victim's interest in avoiding unreasonable delay and the victim's interest in restitution.

(d) The right to be heard regarding any negotiated plea or sentence.

(e) The right to receive notice of release or escape.

2. That any amendment to the Constitution of the United States to establish rights for crime victims grant standing to victims of crime to assert all rights established by the Constitution.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial

to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–52. A joint resolution adopted by the Legislature of the State of Nevada urging Congress to enact comprehensive immigration reform; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 15

Whereas, The United States is predominantly a nation of immigrants that draws strength from the diversity of its residents; and

Whereas, Hardworking persons who aspire to become citizens of the United States have contributed to the prosperity of the State of Nevada in extraordinary ways through the years; and

Whereas, The operation of a strong and vibrant democracy is likely to be impeded unless all men and women, regardless of their race, creed, color, ethnicity or birthplace, are able to participate meaningfully in the political process with full rights and the equal protection attendant thereto; and

Whereas, We believe in the human dignity of all residents of the United States, regardless of their immigration status, and recognize the importance of the many contributions that immigrants have made to the social and economic fabric of Nevada; and

Whereas, A comprehensive approach to fixing our broken immigration system would strengthen the economy of our State and our nation, and would free aspiring citizens to make even greater contributions to our communities, our State and our nation; and

Whereas, We support immigration reform that keeps families together, upholds our values as a nation, promotes economic growth and provides long-term solutions to the current problems resulting from our immigration system; and

Whereas, Comprehensive immigration reform must include a significant reduction in the often unreasonable wait times and arbitrary rules that keep families separated from their loved ones; and

Whereas, Comprehensive immigration reform must include a realistic pathway to citizenship for all hardworking and taxpaying aspiring citizens who live in this country and meet reasonable requirements; and

Whereas, Comprehensive immigration reform must provide a mechanism for aspiring citizens who have grown up in this country to become citizens and be better able to fully contribute to our joint future; and

Whereas, The reform of our nation's immigration system must occur in a thoughtful manner which builds the strength and unity of working people, and guarantees the same rights, obligations and basic fairness for all workers, no matter their country of birth or origin; and

Whereas, Comprehensive immigration reform must include a new temporary worker program that provides for strict compliance with the labor standards and wage and hour requirements of the United States, portability of work visas so that workers may change jobs and the ability of workers to petition for permanent residency; and

Whereas, The enforcement provisions which accompany comprehensive immigration reform must restore respect for the law by promoting strict adherence to our nation's values, including due process, civil and human rights, accountability and proportionality; and

Whereas, The focus of law enforcement, both within and at the borders of the United States, should be to prevent criminals, and those persons attempting to enter the country for the purpose of doing harm to this nation, from entering or remaining in the United States; and

Whereas, Comprehensive immigration reform must include a funding stream to address the entire spectrum of fiscal impacts that will be experienced by state governments as a result of programs for guest workers, earned legalization and increases in the number of immigrants; and

Whereas, Our federal elected officials must create an immigration process that strengthens our nation's economy and allows aspiring citizens to continue making contributions to our communities, our State and our nation: Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, Jointly, That the members of the 77th Session of the Nevada Legislature hereby urge Congress to enact comprehensive immigration reform as outlined in this resolution which addresses: (1) earned legal residency accompanied by a clear path to citizenship; (2) the future immigration of families and workers; (3) improved immigration enforcement and border security that is consistent with our nation's values; and (4) a funding stream to address the entire fiscal impacts on state governments; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the President of the United States, the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM–53. A joint memorial adopted by the General Assembly of the State of Colorado urging Congress to adopt comprehensive immigration reform; to the Committee on the Judiciary.

SENATE JOINT MEMORIAL 13–003

Whereas, Unlike most nations, America has a long and rich heritage of generous immigration laws; and

Whereas, Many employers are faced with an insufficient number of visas for workers to support the needs of the United States economy, with arbitrary visa caps creating backlogs, frequent exploitation by employers through wage and workplace violations, and inadequate government infrastructure to efficiently administer our numerous guest worker programs; and

Whereas, Colorado's identity is defined by its promise of equal opportunity, esteem for diversity and commitment to innovation; and

Whereas, Coloradans have prospered because of the contributions of hardworking immigrants who aspire to citizenship; and

Whereas, We believe in the human dignity of all Colorado residents, regardless of immigration status, and recognize the importance of immigrants' many contributions to the social and economic fabric of the state of Colorado; and

Whereas, Becoming a citizen of the United States means taking a solemn oath to uphold our nation's Constitution and to forsake allegiance to other nations; and

Whereas, Citizenship is the legal embodiment and symbol of full membership and participation in society that should be encouraged for all who can meet the lawful standards for citizenship; and

Whereas, Keeping families together not only is the correct and moral thing to do but is also good for the economy because families provide a base of support that increases worker productivity and spurs entrepreneurship; and

Whereas, It is universally recognized that adequate border security is a fundamental prerequisite for successful and lasting immigration reform; and

Whereas, America's current immigration system is widely recognized as dysfunctional because it harms our economy and does not reflect Colorado's values; and

Whereas, A well-designed and efficiently enforced immigration system is a federal responsibility, and a comprehensive approach to solve our broken immigration system would strengthen Colorado's and the nation's economy and would free aspiring citizens to make an even greater contribution to our communities; and

Whereas, The federal government's inability to enact immigration reform has created severe economic, cultural, and political strains in communities across Colorado and has led to a patchwork of state laws that inadequately address immigration-related problems; and

Whereas, Immigration reform must occur in a comprehensive, thoughtful manner that builds the strength and unity of working people, keeps families together wherever possible, and guarantees the same rights, obligations, and basic fairness for all lawful workers, no matter where they come from; and

Whereas, Comprehensive immigration reform must provide a fair, equitable, and realistic mechanism for aspiring citizens who have grown up in this country to become citizens and be able to fully contribute to our joint future; and

Whereas, Comprehensive immigration reform must update the legal immigration system so that the future flow of legal guest workers more realistically matches our nation's labor needs and is structured to protect the employment, wages, and working conditions of U.S. and lawful immigrant workers; and

Whereas, Comprehensive immigration reform must strengthen the small business workforce and customer base, reward initiative with the American promise of opportunity, promote productivity, reduce red tape, and strengthen the American economy; and

Whereas, Any new guest worker visa program must provide for strict compliance with United States labor standards and wage and hour standards, portability of visas so that workers can change jobs under prescribed circumstances, and the ability for workers to petition for permanent residency; and

Whereas, Comprehensive immigration reform must aim to reduce the unreasonable wait times and overly complex rules that keep families unreasonably separated from their loved ones; and

Whereas, Colorado citizens support a comprehensive immigration reform that keeps families together wherever possible, upholds our values as a state and nation, promotes small business and economic growth, and provides long-term, practicable and enforceable solutions to our broken immigration system: Now, therefore, be it

Resolved by the Senate of the Sixty-ninth General Assembly of the State of Colorado, the House of Representatives concurring herein:

That we urge the 113th Congress to enact comprehensive immigration reform as outlined in this Joint Memorial; and be it further

Resolved, That a copy of this Joint Memorial shall be delivered to the U.S. Speaker of the House, President of the U.S. Senate, members of Colorado's Congressional delegation, members of Colorado's General Assembly, and the Governor of Colorado.

POM–54. A joint resolution adopted by the City of Sumter, Sumter County Council, and

Sumter School District of the State of South Carolina supporting the preservation of tax-exempt municipal bonds; to the Committee on Finance.

POM–55. A resolution adopted by the Board of Education of the Mentor Exempted Village School District of the State of Ohio urging Congress and the Administration to mitigate across-the-board cuts to education that are scheduled to occur March 1, 2013; to the Committee on Health, Education, Labor, and Pensions.

POM–56. A resolution adopted by the Municipal Assembly of San Juan, Puerto Rico expressing the San Juan Municipal Legislature's deepest rejection of the application of the death penalty by the United States District Court for the District of Puerto Rico; to the Committee on the Judiciary.

POM–57. A resolution adopted by the Governing Body of the City of Santa Fe, New Mexico expressing support for the Uniting American Families Act; to the Committee on the Judiciary.

POM–58. A resolution adopted by the Board of Aldermen of the Town of Carrboro, North Carolina supporting the Uniting American Families Act and the inclusion of LGBT families in comprehensive immigration reform; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with amendments:

S. 960. A bill to foster stability in Syria, and for other purposes (Rept. No. 113–79).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 156. A resolution expressing the sense of the Senate on the 10-year anniversary of NATO Allied Command Transformation.

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. 375. A bill to require Senate candidates to file designations, statements, and reports in electronic form.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Kent Yoshiho Hirozawa, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2016.

*Nancy Jean Schiffer, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2014.

By Mr. SCHUMER for the Committee on Rules and Administration.

*Davita Vance-Cooks, of Virginia, to be Public Printer.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MORAN (for himself, Mr. TESTER, and Mr. KIRK):

S. 1349. A bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BOOZMAN (for himself and Mr. PRYOR):

S. 1350. A bill to exclude from gross income compensation provided for victims of the March 29, 2013, pipeline oil spill in Mayflower, Arkansas; to the Committee on Finance.

By Mr. THUNE (for himself, Mr. KAINE, Mr. PORTMAN, and Mr. COONS):

S. 1351. A bill to provide for fiscal gap and generational accounting analysis in the legislative process, the President's budget, and annual long-term fiscal outlook reports; to the Committee on the Budget.

By Ms. CANTWELL (for herself, Mr. BARRASSO, Mr. JOHNSON of South Dakota, Mr. TESTER, Mr. UDALL of New Mexico, Mr. FRANKEN, Mr. BEGICH, Ms. HEITKAMP, Ms. HIRONO, and Mr. SCHATZ):

S. 1352. A bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROCKEFELLER (for himself and Mr. THUNE):

S. 1353. A bill to provide for an ongoing, voluntary public-private partnership to improve cybersecurity, and to strengthen cybersecurity research and development, workforce development and education, and public awareness and preparedness, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN (for himself and Ms. KLOBUCHAR):

S. 1354. A bill to amend title 18, United States Code, to clarify the range of conduct punished as sex trafficking, and for other purposes; to the Committee on the Judiciary.

By Mr. INHOFE (for himself, Mr. BEGICH, Mr. BLUNT, and Mr. CASEY):

S. 1355. A bill to provide regulatory parity among alternative fuel vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. MURRAY (for herself, Mr. ISAKSON, Mr. HARKIN, and Mr. ALEXANDER):

S. 1356. A bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS (for himself and Ms. COLLINS):

S. 1357. A bill to extend the trade adjustment assistance program; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 1358. A bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN:

S. 1359. A bill to amend the Federal Water Pollution Control Act to establish national standards for discharges from cruise vessels; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER (for himself and Mr. COBURN):

S. 1360. A bill to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MURPHY:

S. 1361. A bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 20, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 134

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 134, a bill to arrange for the National Academy of Sciences to study the impact of violent video games and violent video programming on children.

S. 409

At the request of Mr. BURR, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 409, a bill to add Vietnam Veterans Day as a patriotic and national observance.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 425

At the request of Ms. STABENOW, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 425, a bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 491

At the request of Mr. UDALL of New Mexico, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from

Oregon (Mr. MERKLEY), the Senator from Ohio (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 491, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 888

At the request of Mr. JOHANNS, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 888, a bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 983

At the request of Mr. CORNYN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 983, a bill to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010.

S. 1007

At the request of Mr. KING, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1007, a bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property.

S. 1064

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1064, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 1072

At the request of Ms. KLOBUCHAR, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1072, a bill to ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, and for other purposes.

S. 1123

At the request of Mr. CARPER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1123, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1128

At the request of Mr. TOOMEY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1128, a bill to clarify the orphan drug exception to the annual fee on branded prescription pharmaceutical manufacturers and importers.

S. 1143

At the request of Mr. MORAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1149

At the request of Mr. NELSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1149, a bill to reauthorize the ban on undetectable firearms, and to extend the ban to undetectable firearm receivers and undetectable ammunition magazines.

S. 1182

At the request of Mr. UDALL of Colorado, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1182, a bill to modify the Foreign Intelligence Surveillance Act of 1978 to require specific evidence for access to business records and other tangible things, and provide appropriate transition procedures, and for other purposes.

S. 1188

At the request of Ms. COLLINS, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Arkansas (Mr. BOOZMAN), the Senator from South Carolina (Mr. GRAHAM) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1188, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act.

S. 1215

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1215, a bill to strengthen privacy protections, accountability, and oversight related to domestic surveillance conducted pursuant to the USA PATRIOT Act and the Foreign Intelligence Surveillance Act of 1978.

S. 1236

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1236, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 1279

At the request of Ms. LANDRIEU, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1279, a bill to prohibit the revocation or withholding of Federal funds to programs whose participants carry out voluntary religious activities.

S. 1292

At the request of Mr. CRUZ, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 1292, a bill to prohibit the funding of the Patient Protection and Affordable Care Act.

S. 1306

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1306, a bill to amend the Elementary and Secondary Education Act of 1965 in order to improve environmental literacy to better prepare students for postsecondary education and careers, and for other purposes.

S. 1310

At the request of Mr. PORTMAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1310, a bill to require Senate confirmation of Inspector General of the Bureau of Consumer Financial Protection, and for other purposes.

S. 1334

At the request of Mr. MANCHIN, the names of the Senator from Nevada (Mr. HELLER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Wyoming (Mr. ENZI) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1334, a bill to establish student loan interest rates, and for other purposes.

S. 1343

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1343, a bill to protect the information of livestock producers, and for other purposes.

AMENDMENT NO. 1749

At the request of Mr. MCCONNELL, his name was added as a cosponsor of amendment No. 1749 proposed to S. 1243, an original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

At the request of Mr. PORTMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 1749 proposed to S. 1243, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOZMAN (for himself and Mr. PRYOR):

S. 1350. A bill to exclude from gross income compensation provided for victims of the March 29, 2013, pipeline oil spill in Mayflower, Arkansas; to the Committee on Finance.

Mr. BOOZMAN. Mr. President, on March 29, 2013, the ExxonMobil pipeline

ruptured spilling an estimated 147,000 gallons of oil into Mayflower, Arkansas. Victims of this oil spill are rightfully being compensated by ExxonMobil, but the Internal Revenue Service has said that compensatory payments will be considered taxable income. These families should not have to pay taxes on this disaster relief assistance. The Mayflower Oil Spill Tax Relief Act of 2013 prohibits compensation to Mayflower oil spill victims from being taxed by treating it as ''a qualified disaster relief payment'' under current law. My colleague Senator PRYOR joins me in introducing this important legislation. I would also like to thank Representative TIM GRIFFIN for his support and leadership on the House companion version of the Mayflower Oil Spill Tax Relief Act of 2013.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1350

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mayflower Oil Spill Tax Relief Act of 2013''.

SEC. 2. MAYFLOWER, ARKANSAS OIL SPILL COMPENSATION EXCLUDED FROM GROSS INCOME.

For purposes of the Internal Revenue Code of 1986—

(1) the March 29, 2013, pipeline rupture and oil spill in Mayflower, Arkansas, shall be treated as a qualified disaster under section 139(c) of such Code, and

(2) any compensation provided to or for the benefit of a victim of such disaster shall be treated as a qualified disaster relief payment under section 139(b) of such Code.

By Mr. ROCKEFELLER (for himself and Mr. THUNE):

S. 1353. A bill to provide for an ongoing, voluntary public-private partnership to improve cybersecurity, and to strengthen cybersecurity research and development, workforce development and education, and public awareness and preparedness, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, the cybersecurity legislation Senator THUNE and I introduce today is built upon several years of bipartisan hard work on the Senate Commerce, Science, and Transportation Committee. I am proud of that fact and proud of our work product.

I would like to sincerely thank Senator THUNE for working closely with me on this legislation. Senator THUNE appreciates the gravity of the cybersecurity threat to our national security and our economy—a genuine threat to the free flow of commerce. He has been laser focused in finding workable, private sector led solutions to mitigate this existential threat.

Our bill will go a long way to better secure our nation from ongoing cyber threats by having the National Institute of Standards and Technology, NIST, a world-class, non-regulatory agency within the Department of Commerce—facilitate and support the development of voluntary, industry-led standards and best practices to reduce cyber risks to critical infrastructure and all businesses.

Our bill will give NIST the permanent authority it needs to continue the standards development process initiated by the President's Executive Order on Improving Critical Infrastructure Cybersecurity to ensure such efforts remain industry led and voluntary.

It will also make sure that the Federal Government supports cutting edge research, works to increase public awareness, and improves our workforce to better address cyber threats.

Our country's future economic success and security demands prompt attention to the cyber threat. It demands we all pull together to face the reality of cyber intrusions into every aspect of our nation's business, our electric grid, our trade secrets, our water supply, and so much more. The stakes are great. This is about our national security—3 Directors of National Intelligence have said cyber attacks are the number 1 national security threat to our country. That is why we have to find a way to reach a consensus that allows us to responsibly legislate.

This bill is a very good start. There is a lot more we can and should do to protect our critical infrastructure, including promoting more sharing of private sector threat information. I will certainly keep looking for ways to work with my colleagues to provide this nation with the tools and resources we need to take on this threat.

Again, I thank Senator THUNE for dedicating his time, talent, and energy to this legislation, and his fine staff.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Cybersecurity Act of 2013''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. No regulatory authority.
TITLE I—PUBLIC-PRIVATE COLLABORATION ON CYBERSECURITY
Sec. 101. Public-private collaboration on cybersecurity.
TITLE II—CYBERSECURITY RESEARCH AND DEVELOPMENT
Sec. 201. Federal cybersecurity research and development.
Sec. 202. Computer and network security research centers.
TITLE III—EDUCATION AND WORKFORCE DEVELOPMENT.
Sec. 301. Cybersecurity competitions and challenges.
Sec. 302. Federal cyber scholarship-for-service program.
Sec. 303. Study and analysis of education, accreditation, training, and certification of information infrastructure and cybersecurity professionals.
TITLE IV—CYBERSECURITY AWARENESS AND PREPAREDNESS
Sec. 401. National cybersecurity awareness and preparedness campaign.

SEC. 2. DEFINITIONS.

In this Act:

(1) CYBERSECURITY MISSION.—The term ''cybersecurity mission'' means activities that encompass the full range of threat reduction, vulnerability reduction, deterrence, international engagement, incident response, resiliency, and recovery policies and activities, including computer network operations, information assurance, law enforcement, diplomacy, military, and intelligence missions as such activities relate to the security and stability of cyberspace.

(2) INFORMATION INFRASTRUCTURE.—The term ''information infrastructure'' means the underlying framework that information systems and assets rely on to process, transmit, receive, or store information electronically, including programmable electronic devices, communications networks, and industrial or supervisory control systems and any associated hardware, software, or data.

(3) INFORMATION SYSTEM.—The term ''information system'' has the meaning given that term in section 3502 of title 44, United States Code.

SEC. 3. NO REGULATORY AUTHORITY.

Nothing in this Act shall be construed to confer any regulatory authority on any Federal, State, tribal, or local department or agency.

TITLE I—PUBLIC-PRIVATE COLLABORATION ON CYBERSECURITY

SEC. 101. PUBLIC-PRIVATE COLLABORATION ON CYBERSECURITY.

(a) CYBERSECURITY.—Section 2(c) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)) is amended—

(1) by redesignating paragraphs (15) through (22) as paragraphs (16) through (23), respectively; and

(2) by inserting after paragraph (14) the following:

''(15) on an ongoing basis, facilitate and support the development of a voluntary, industry-led set of standards, guidelines, best practices, methodologies, procedures, and processes to reduce cyber risks to critical infrastructure (as defined under subsection (e));''.

(b) SCOPE AND LIMITATIONS.—Section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended by adding at the end the following:

''(e) CYBER RISKS.—

''(1) IN GENERAL.—In carrying out the activities under subsection (c)(15), the Director—

''(A) shall—

''(i) coordinate closely and continuously with relevant private sector personnel and entities, critical infrastructure owners and operators, sector coordinating councils, Information Sharing and Analysis Centers, and other relevant industry organizations, and incorporate industry expertise;

''(ii) consult with the heads of agencies with national security responsibilities, sector-specific agencies, State and local governments, the governments of other nations, and international organizations;

''(iii) identify a prioritized, flexible, repeatable, performance-based, and cost-effective approach, including information security measures and controls, that may be voluntarily adopted by owners and operators of

critical infrastructure to help them identify, assess, and manage cyber risks;

''(iv) include methodologies—

''(I) to identify and mitigate impacts of the cybersecurity measures or controls on business confidentiality; and

''(II) to protect individual privacy and civil liberties;

''(v) incorporate voluntary consensus standards and industry best practices;

''(vi) align with voluntary international standards to the fullest extent possible;

''(vii) prevent duplication of regulatory processes and prevent conflict with or superseding of regulatory requirements, mandatory standards, and related processes; and

''(viii) include such other similar and consistent elements as the Director considers necessary; and

''(B) shall not prescribe or otherwise require—

''(i) the use of specific solutions;

''(ii) the use of specific information or communications technology products or services; or

''(iii) that information or communications technology products or services be designed, developed, or manufactured in a particular manner.

''(2) LIMITATION.—Information shared with or provided to the Institute for the purpose of the activities described under subsection (c)(15) shall not be used by any Federal, State, tribal, or local department or agency to regulate the activity of any entity.

''(3) DEFINITIONS.—In this subsection:

''(A) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' has the meaning given the term in section 1016(e) of the USA PATRIOT Act of 2001 (42 U.S.C. 5195c(e)).

''(B) SECTOR-SPECIFIC AGENCY.—The term 'sector-specific agency' means the Federal department or agency responsible for providing institutional knowledge and specialized expertise as well as leading, facilitating, or supporting the security and resilience programs and associated activities of its designated critical infrastructure sector in the all-hazards environment.''.

TITLE II—CYBERSECURITY RESEARCH AND DEVELOPMENT

SEC. 201. FEDERAL CYBERSECURITY RESEARCH AND DEVELOPMENT.

(a) FUNDAMENTAL CYBERSECURITY RESEARCH.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, in coordination with the head of any relevant Federal agency, shall build upon programs and plans in effect as of the date of enactment of this Act to develop a Federal cybersecurity research and development plan to meet objectives in cybersecurity, such as—

(A) how to design and build complex software-intensive systems that are secure and reliable when first deployed;

(B) how to test and verify that software and hardware, whether developed locally or obtained from a third party, is free of significant known security flaws;

(C) how to test and verify that software and hardware obtained from a third party correctly implements stated functionality, and only that functionality;

(D) how to guarantee the privacy of an individual, including that individual's identity, information, and lawful transactions when stored in distributed systems or transmitted over networks;

(E) how to build new protocols to enable the Internet to have robust security as one of the key capabilities of the Internet;

(F) how to determine the origin of a message transmitted over the Internet;

(G) how to support privacy in conjunction with improved security;

(H) how to address the growing problem of insider threats;

(I) how improved consumer education and digital literacy initiatives can address human factors that contribute to cybersecurity;

(J) how to protect information processed, transmitted, or stored using cloud computing or transmitted through wireless services; and

(K) any additional objectives the Director of the Office of Science and Technology Policy, in coordination with the head of any relevant Federal agency and with input from stakeholders, including industry and academia, determines appropriate.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The Federal cybersecurity research and development plan shall identify and prioritize near-term, mid-term, and long-term research in computer and information science and engineering to meet the objectives under paragraph (1), including research in the areas described in section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)).

(B) PRIVATE SECTOR EFFORTS.—In developing, implementing, and updating the Federal cybersecurity research and development plan, the Director of the Office of Science and Technology Policy shall work in close cooperation with industry, academia, and other interested stakeholders to ensure, to the extent possible, that Federal cybersecurity research and development is not duplicative of private sector efforts.

(3) TRIENNIAL UPDATES.—

(A) IN GENERAL.—The Federal cybersecurity research and development plan shall be updated triennially.

(B) REPORT TO CONGRESS.—The Director of the Office of Science and Technology Policy shall submit the plan, not later than 1 year after the date of enactment of this Act, and each updated plan under this section to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(b) CYBERSECURITY PRACTICES RESEARCH.—The Director of the National Science Foundation shall support research that—

(1) develops, evaluates, disseminates, and integrates new cybersecurity practices and concepts into the core curriculum of computer science programs and of other programs where graduates of such programs have a substantial probability of developing software after graduation, including new practices and concepts relating to secure coding education and improvement programs; and

(2) develops new models for professional development of faculty in cybersecurity education, including secure coding development.

(c) CYBERSECURITY MODELING AND TEST BEDS.—

(1) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Director the National Science Foundation, in coordination with the Director of the Office of Science and Technology Policy, shall conduct a review of cybersecurity test beds in existence on the date of enactment of this Act to inform the grants under paragraph (2). The review shall include an assessment of whether a sufficient number of cybersecurity test beds are available to meet the research needs under the Federal cybersecurity research and development plan.

(2) ADDITIONAL CYBERSECURITY MODELING AND TEST BEDS.—

(A) IN GENERAL.—If the Director of the National Science Foundation, after the review under paragraph (1), determines that the research needs under the Federal cybersecurity research and development plan require the establishment of additional cybersecurity test beds, the Director of the National Science Foundation, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, may award grants to institutions of higher education or research and development non-profit institutions to establish cybersecurity test beds.

(B) REQUIREMENT.—The cybersecurity test beds under subparagraph (A) shall be sufficiently large in order to model the scale and complexity of real-time cyber attacks and defenses on real world networks and environments.

(C) ASSESSMENT REQUIRED.—The Director of the National Science Foundation, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, shall evaluate the effectiveness of any grants awarded under this subsection in meeting the objectives of the Federal cybersecurity research and development plan under subsection (a) no later than 2 years after the review under paragraph (1) of this subsection, and periodically thereafter.

(d) COORDINATION WITH OTHER RESEARCH INITIATIVES.—In accordance with the responsibilities under section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511), the Director the Office of Science and Technology Policy shall coordinate, to the extent practicable, Federal research and development activities under this section with other ongoing research and development security-related initiatives, including research being conducted by—

(1) the National Science Foundation;

(2) the National Institute of Standards and Technology;

(3) the Department of Homeland Security;

(4) other Federal agencies;

(5) other Federal and private research laboratories, research entities, and universities;

(6) institutions of higher education;

(7) relevant nonprofit organizations; and

(8) international partners of the United States.

(e) NATIONAL SCIENCE FOUNDATION COMPUTER AND NETWORK SECURITY RESEARCH GRANT AREAS.—Section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(J) secure fundamental protocols that are integral to inter-network communications and data exchange;

''(K) secure software engineering and software assurance, including—

''(i) programming languages and systems that include fundamental security features;

''(ii) portable or reusable code that remains secure when deployed in various environments;

''(iii) verification and validation technologies to ensure that requirements and specifications have been implemented; and

''(iv) models for comparison and metrics to assure that required standards have been met;

''(L) holistic system security that—

''(i) addresses the building of secure systems from trusted and untrusted components;

''(ii) proactively reduces vulnerabilities;

''(iii) addresses insider threats; and

''(iv) supports privacy in conjunction with improved security;

''(M) monitoring and detection;

''(N) mitigation and rapid recovery methods;

''(O) security of wireless networks and mobile devices; and

''(P) security of cloud infrastructure and services.''.

(f) RESEARCH ON THE SCIENCE OF CYBERSECURITY.—The head of each agency and department identified under section 101(a)(3)(B) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(3)(B)), through existing programs and activities, shall support research that will lead to the development of a scientific foundation for the field of cybersecurity, including research that increases understanding of the underlying principles of securing complex networked systems, enables repeatable experimentation, and creates quantifiable security metrics.

SEC. 202. COMPUTER AND NETWORK SECURITY RESEARCH CENTERS.

Section 4(b) of the Cyber Security Research and Development Act (15 U.S.C. 7403(b)) is amended—

(1) by striking ''the center'' in paragraph (4)(D) and inserting ''the Center''; and

(2) in paragraph (5)—

(A) by striking ''and'' at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting a semicolon; and

(C) by adding at the end the following:

''(E) the demonstrated capability of the applicant to conduct high performance computation integral to complex computer and network security research, through on-site or off-site computing;

''(F) the applicant's affiliation with private sector entities involved with industrial research described in subsection (a)(1);

''(G) the capability of the applicant to conduct research in a secure environment;

''(H) the applicant's affiliation with existing research programs of the Federal Government;

''(I) the applicant's experience managing public-private partnerships to transition new technologies into a commercial setting or the government user community; and

''(J) the capability of the applicant to conduct interdisciplinary cybersecurity research, such as in law, economics, or behavioral sciences.''.

TITLE III—EDUCATION AND WORKFORCE DEVELOPMENT.

SEC. 301. CYBERSECURITY COMPETITIONS AND CHALLENGES.

(a) IN GENERAL.—The Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security shall—

(1) support competitions and challenges under section 105 of the America COMPETES Reauthorization Act of 2010 (124 Stat. 3989) or any other provision of law, as appropriate—

(A) to identify, develop, and recruit talented individuals to perform duties relating to the security of information infrastructure in Federal, State, and local government agencies, and the private sector; or

(B) to stimulate innovation in basic and applied cybersecurity research, technology development, and prototype demonstration that has the potential for application to the information technology activities of the Federal Government; and

(2) ensure the effective operation of the competitions and challenges under this section.

(b) PARTICIPATION.—Participants in the competitions and challenges under subsection (a)(1) may include—

(1) students enrolled in grades 9 through 12;

(2) students enrolled in a postsecondary program of study leading to a baccalaureate degree at an institution of higher education;

(3) students enrolled in a postbaccalaureate program of study at an institution of higher education;

(4) institutions of higher education and research institutions;

(5) veterans; and

(6) other groups or individuals that the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security determine appropriate.

(c) AFFILIATION AND COOPERATIVE AGREEMENTS.—Competitions and challenges under this section may be carried out through affiliation and cooperative agreements with—

(1) Federal agencies;

(2) regional, State, or school programs supporting the development of cyber professionals;

(3) State, local, and tribal governments; or

(4) other private sector organizations.

(d) AREAS OF SKILL.—Competitions and challenges under subsection (a)(1)(A) shall be designed to identify, develop, and recruit exceptional talent relating to—

(1) ethical hacking;

(2) penetration testing;

(3) vulnerability assessment;

(4) continuity of system operations;

(5) security in design;

(6) cyber forensics;

(7) offensive and defensive cyber operations; and

(8) other areas the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security consider necessary to fulfill the cybersecurity mission.

(e) TOPICS.—In selecting topics for competitions and challenges under subsection (a)(1), the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security—

(1) shall consult widely both within and outside the Federal Government; and

(2) may empanel advisory committees.

(f) INTERNSHIPS.—The Director of the Office of Personnel Management may support, as appropriate, internships or other work experience in the Federal Government to the winners of the competitions and challenges under this section.

SEC. 302. FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

(a) IN GENERAL.—The Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management and Secretary of Homeland Security, shall continue a Federal Cyber Scholarship-for-Service program to recruit and train the next generation of information technology professionals, industrial control system security professionals, and security managers to meet the needs of the cybersecurity mission for Federal, State, local, and tribal governments.

(b) PROGRAM DESCRIPTION AND COMPONENTS.—The Federal Cyber Scholarship-for-Service program shall—

(1) provide scholarships to students who are enrolled in programs of study at institutions of higher education leading to degrees or specialized program certifications in the cybersecurity field;

(2) provide the scholarship recipients with summer internship opportunities or other meaningful temporary appointments in the Federal information technology workforce; and

(3) provide a procedure by which the National Science Foundation or a Federal agency, consistent with regulations of the Office of Personnel Management, may request and fund security clearances for scholarship recipients, including providing for clearances during internships or other temporary appointments and after receipt of their degrees.

(c) SCHOLARSHIP AMOUNTS.—Each scholarship under subsection (b) shall be in an amount that covers the student's tuition and fees at the institution under subsection (b)(1) and provides the student with an additional stipend.

(d) SCHOLARSHIP CONDITIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the program, shall enter into an agreement under which the recipient agrees to work in the cybersecurity mission of a Federal, State, local, or tribal agency for a period equal to the length of the scholarship following receipt of the student's degree.

(e) HIRING AUTHORITY.—

(1) APPOINTMENT IN EXCEPTED SERVICE.—Notwithstanding any provision of chapter 33 of title 5, United States Code, governing appointments in the competitive service, an agency shall appoint in the excepted service an individual who has completed the academic program for which a scholarship was awarded.

(2) NONCOMPETITIVE CONVERSION.—Except as provided in paragraph (4), upon fulfillment of the service term, an employee appointed under paragraph (1) may be converted noncompetitively to term, career-conditional or career appointment.

(3) TIMING OF CONVERSION.—An agency may noncompetitively convert a term employee appointed under paragraph (2) to a career-conditional or career appointment before the term appointment expires.

(4) AUTHORITY TO DECLINE CONVERSION.—An agency may decline to make the noncompetitive conversion or appointment under paragraph (2) for cause.

(f) ELIGIBILITY.—To be eligible to receive a scholarship under this section, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in improving the security of information infrastructure; and

(3) have demonstrated a high level of proficiency in mathematics, engineering, or computer sciences.

(g) REPAYMENT.—If a scholarship recipient does not meet the terms of the program under this section, the recipient shall refund the scholarship payments in accordance with rules established by the Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management and Secretary of Homeland Security.

(h) EVALUATION AND REPORT.—The Director of the National Science Foundation shall evaluate and report periodically to Congress on the success of recruiting individuals for scholarships under this section and on hiring and retaining those individuals in the public sector workforce.

SEC. 303. STUDY AND ANALYSIS OF EDUCATION, ACCREDITATION, TRAINING, AND CERTIFICATION OF INFORMATION INFRASTRUCTURE AND CYBERSECURITY PROFESSIONALS.

(a) STUDY.—The Director of the National Science Foundation and the Secretary of Homeland Security shall undertake to enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study of government, academic, and private-sector education, accreditation, training, and certification programs for the development of professionals in information infrastructure and cybersecurity. The agreement shall require the National Academy of Sciences to consult with sector coordinating councils and relevant governmental agencies, regulatory entities, and nongovernmental organizations in the course of the study.

(b) SCOPE.—The study shall include—

(1) an evaluation of the body of knowledge and various skills that specific categories of professionals in information infrastructure and cybersecurity should possess in order to secure information systems;

(2) an assessment of whether existing government, academic, and private-sector education, accreditation, training, and certification programs provide the body of knowledge and various skills described in paragraph (1);

(3) an evaluation of—

(A) the state of cybersecurity education at institutions of higher education in the United States;

(B) the extent of professional development opportunities for faculty in cybersecurity principles and practices;

(C) the extent of the partnerships and collaborative cybersecurity curriculum development activities that leverage industry and government needs, resources, and tools;

(D) the proposed metrics to assess progress toward improving cybersecurity education; and

(E) the descriptions of the content of cybersecurity courses in undergraduate computer science curriculum;

(4) an analysis of any barriers to the Federal Government recruiting and hiring cybersecurity talent, including barriers relating to compensation, the hiring process, job classification, and hiring flexibility; and

(5) an analysis of the sources and availability of cybersecurity talent, a comparison of the skills and expertise sought by the Federal Government and the private sector, an examination of the current and future capacity of United States institutions of higher education, including community colleges, to provide current and future cybersecurity professionals, through education and training activities, with those skills sought by the Federal Government, State and local entities, and the private sector.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the National Academy of Sciences shall submit to the President and Congress a report on the results of the study. The report shall include—

(1) findings regarding the state of information infrastructure and cybersecurity education, accreditation, training, and certification programs, including specific areas of deficiency and demonstrable progress; and

(2) recommendations for further research and the improvement of information infrastructure and cybersecurity education, accreditation, training, and certification programs.

TITLE IV—CYBERSECURITY AWARENESS AND PREPAREDNESS

SEC. 401. NATIONAL CYBERSECURITY AWARENESS AND PREPAREDNESS CAMPAIGN.

(a) NATIONAL CYBERSECURITY AWARENESS AND PREPAREDNESS CAMPAIGN.—The Director of the National Institute of Standards and Technology (referred to in this section as the ''Director''), in consultation with appropriate Federal agencies, shall continue to coordinate a national cybersecurity awareness and preparedness campaign, such as—

(1) a campaign to increase public awareness of cybersecurity, cyber safety, and cyber ethics, including the use of the Internet, social media, entertainment, and other media to reach the public;

(2) a campaign to increase the understanding of State and local governments and private sector entities of—

(A) the benefits of ensuring effective risk management of the information infrastructure versus the costs of failure to do so; and

(B) the methods to mitigate and remediate vulnerabilities;

(3) support for formal cybersecurity education programs at all education levels to prepare skilled cybersecurity and computer science workers for the private sector and Federal, State, and local government; and

(4) initiatives to evaluate and forecast future cybersecurity workforce needs of the Federal government and develop strategies for recruitment, training, and retention.

(b) CONSIDERATIONS.—In carrying out the authority described in subsection (a), the Director, in consultation with appropriate Federal agencies, shall leverage existing programs designed to inform the public of safety and security of products or services, including self-certifications and independently-verified assessments regarding the quantification and valuation of information security risk.

(c) STRATEGIC PLAN.—The Director, in cooperation with relevant Federal agencies and other stakeholders, shall build upon programs and plans in effect as of the date of enactment of this Act to develop and implement a strategic plan to guide Federal programs and activities in support of the national cybersecurity awareness and preparedness campaign under subsection (a).

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director shall transmit the strategic plan under subsection (c) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

By Mr. DURBIN:

S. 1359. A bill to amend the Federal Water Pollution Control Act to establish national standards for discharges from cruise vessels; to the Committee on Commerce, Science, and Transportation.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1359

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Cruise Ship Act of 2013''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) cruise ships carry millions of passengers through North American waters each year, showcase some of the most beautiful ocean and coastal environments in the United States, and provide opportunities for passengers to relax and enjoy oceans and marine ecosystems;

(2) the natural beauty and health of the ocean and coastal environment is what draws passengers to travel along these waterways by ship;

(3) protecting the natural environment is beneficial to both the environment and to the cruise industry;

(4) the number of cruise passengers continues to grow, making the cruise industry 1 of the fastest growing tourism sectors in the world;

(5) in 2010, more than 10,000,000 passengers departed from North America on thousands of cruise ships;

(6) as of 2010, the average annual growth rate of cruise passengers is 7.5 percent;

(7) during the 2 decades preceding the date of enactment of this Act, the average cruise ship size has increased at a rate of approximately 90 feet every 5 years;

(8) an average-sized cruise vessel generates millions of gallons of liquid waste and many tons of solid waste;

(9) in just 1 week, a 3000-passenger cruise ship generates approximately 200,000 gallons of human sewage, more than 1,000,000 gallons of water from showers and sinks and dishwashing water (commonly known as ''graywater''), more than 8 tons of solid waste, and toxic wastes from dry cleaning and photo-processing laboratories;

(10) in an Environmental Protection Agency survey of 29 ships traveling in Alaskan waters, reported sewage generation rates ranged from 1,000 to 74,000 gallons per day per vessel, with the average volume of sewage generated being 21,000 gallons per day per vessel;

(11) those frequently untreated cruise ship discharges deliver nutrients, hazardous substances, pharmaceuticals, and human pathogens, including viruses and bacteria, directly into the marine environment;

(12) in the final report of the United States Commission on Ocean Policy, that Commission found that cruise ship discharges, if not treated and disposed of properly, and the cumulative impacts caused when cruise ships repeatedly visit the same environmentally sensitive areas, ''can be a significant source of pathogens and nutrients with the potential to threaten human health and damage shellfish beds, coral reefs, and other aquatic life'';

(13) pollution from cruise ships not only has the potential to threaten marine life and human health through consumption of contaminated seafood, but also poses a health risk for recreational swimmers, surfers, and other beachgoers;

(14) according to the Environmental Protection Agency, ''Sewage may host many pathogens of concern to human health, including Salmonella, Shigella, Hepatitis A and E, and gastro-intestinal viruses. Sewage contamination in swimming areas and shellfish beds poses potential risks to human health and the environment by increasing the rate of waterborne illnesses'';

(15) the nutrient pollution from human sewage discharges from cruise ships can contribute to the incidence of harmful algal blooms;

(16) algal blooms have been implicated in the deaths of marine life, including the deaths of more than 150 manatees off the coast of Florida;

(17) in a 2005 report requested by the International Council of Cruise Lines, the Science Panel of the Ocean Conservation and Tourism Alliance recommended that—

(A) ''[a]ll blackwater should be treated'';

(B) treated blackwater should be ''avoided in ports, close to bathing beaches or water bodies with restricted circulation, flushing or inflow''; and

(C) blackwater should not be discharged within 4 nautical miles of shellfish beds, coral reefs, or other sensitive habitats;

(18) that Science Panel further recommended that graywater be treated in the same manner as blackwater and that sewage sludge be off-loaded to approved land-based facilities;

(19) in a summary of recommendations for addressing unabated point sources of pollution, the Pew Oceans Commission states that, ''Congress should enact legislation that regulates wastewater discharges from cruise ships under the Clean Water Act by establishing uniform minimum standards for discharges in all State waters and prohibiting discharges within the U.S. Exclusive Economic Zone that do not meet effluent standards.''; and

(20) a comprehensive statutory regime for managing pollution discharges from cruise vessels, applicable throughout the United States, is needed—

(A) to protect coastal and ocean areas from pollution generated by cruise vessels;

(B) to reduce and better regulate discharges from cruise vessels; and

(C) to improve monitoring, reporting, and enforcement of standards regarding discharges.

(b) PURPOSE.—The purpose of this Act is to amend the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) to establish national standards and prohibitions for discharges from cruise vessels.

SEC. 3. CRUISE VESSEL DISCHARGES.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) CRUISE VESSEL DISCHARGES.—

''(1) DEFINITIONS.—In this subsection:

''(A) BILGE WATER.—

''(i) IN GENERAL.—The term 'bilge water' means wastewater.

''(ii) INCLUSIONS.—The term 'bilge water' includes lubrication oils, transmission oils, oil sludge or slops, fuel or oil sludge, used oil, used fuel or fuel filters, and oily waste.

''(B) COMMANDANT.—The term 'Commandant' means the Commandant of the Coast Guard.

''(C) CRUISE VESSEL.—

''(i) IN GENERAL.—The term 'cruise vessel' means a passenger vessel that—

''(I) is authorized to carry at least 250 passengers; and

''(II) has onboard sleeping facilities for each passenger.

''(ii) EXCLUSIONS.—The term 'cruise vessel' does not include—

''(I) a vessel of the United States operated by the Federal Government;

''(II) a vessel owned and operated by the government of a State; or

''(III) a vessel owned by a local government.

''(D) DISCHARGE.—The term 'discharge' means the release, escape, disposal, spilling, leaking, pumping, emitting, or emptying of bilge water, graywater, hazardous waste, incinerator ash, sewage, sewage sludge, trash, or garbage from a cruise vessel into the environment, however caused, other than—

''(i) at an approved shoreside reception facility, if applicable; and

''(ii) in compliance with all applicable Federal, State, and local laws (including regulations).

''(E) EXCLUSIVE ECONOMIC ZONE.—The term 'exclusive economic zone' has the meaning given the term in section 2101 of title 46, United States Code (as in effect on the day before the date of enactment of Public Law 109–304 (120 Stat. 1485)).

''(F) FUND.—The term 'Fund' means the Cruise Vessel Pollution Control Fund established by paragraph (11)(A)(i).

''(G) GARBAGE.—The term 'garbage' means solid waste from food preparation, service and disposal activities, even if shredded, ground, processed, or treated to comply with other requirements.

''(H) GRAYWATER.—

''(i) IN GENERAL.—The term 'graywater' means galley water, dishwasher, and bath, shower, and washbasin water.

''(ii) INCLUSIONS.—The term 'graywater' includes, to the extent not already covered under provisions of law relating to hazardous waste—

''(I) spa, pool, and laundry wastewater;

''(II) wastes from soot tanker or economizer cleaning;

''(III) wastes from photo processing;

''(IV) wastes from vessel interior surface cleaning; and

''(V) miscellaneous equipment and process wastewater.

''(I) HAZARDOUS WASTE.—The term 'hazardous waste' has the meaning given the term in section 6903 of the Solid Waste Disposal Act (42 U.S.C. 6903).

''(J) INCINERATOR ASH.—The term 'incinerator ash' means ash generated during the incineration of solid waste or sewage sludge.

''(K) NEW VESSEL.—The term 'new vessel' means a vessel, the construction of which is initiated after promulgation of standards and regulations under this subsection.

''(L) NO-DISCHARGE ZONE.—

''(i) IN GENERAL.—The term 'no-discharge zone' means an area of ecological importance, whether designated by Federal, State, or local authorities.

''(ii) INCLUSIONS.—The term 'no-discharge zone' includes—

''(I) a marine sanctuary;

''(II) a marine protected area;

''(III) a marine reserve; and

''(IV) a marine national monument.

''(M) PASSENGER.—The term 'passenger' means any person (including a paying passenger and any staff member, such as a crew member, captain, or officer) traveling on board a cruise vessel.

''(N) SEWAGE.—The term 'sewage' means—

''(i) human and animal body wastes; and

''(ii) wastes from toilets and other receptacles intended to receive or retain human and animal body wastes.

''(O) SEWAGE SLUDGE.—

''(i) IN GENERAL.—The term 'sewage sludge' means any solid, semi-solid, or liquid residue removed during the treatment of on-board sewage.

''(ii) INCLUSIONS.—The term 'sewage sludge' includes—

''(I) solids removed during primary, secondary, or advanced wastewater treatment;

''(II) scum;

''(III) septage;

''(IV) portable toilet pumpings;

''(V) type III marine sanitation device pumpings (as defined in part 159 of title 33, Code of Federal Regulations (or a successor regulation)); and

''(VI) sewage sludge products.

''(iii) EXCLUSIONS.—The term 'sewage sludge' does not include—

''(I) grit or screenings; or

''(II) ash generated during the incineration of sewage sludge.

''(P) TRASH.—The term 'trash' means solid waste from vessel operations and passenger services, even if shredded, ground, processed, or treated to comply with other regulations.

''(2) PROHIBITIONS.—

''(A) PROHIBITION ON DISCHARGE OF SEWAGE SLUDGE, INCINERATOR ASH, AND HAZARDOUS WASTE.—

''(i) IN GENERAL.—Except as provided by subparagraph (C), no cruise vessel departing from, or calling on, a port of the United States may discharge sewage sludge, incinerator ash, or hazardous waste into navigable waters, including the contiguous zone and the exclusive economic zone.

''(ii) OFF-LOADING.—Sewage sludge, incinerator ash, and hazardous waste described in clause (i) shall be off-loaded at an appropriate land-based facility.

''(B) PROHIBITION ON DISCHARGE OF SEWAGE, GRAYWATER, AND BILGE WATER.—

''(i) IN GENERAL.—Except as provided by subparagraph (C), no cruise vessel departing from or calling on, a port of the United States may discharge sewage, graywater, or bilge water into navigable waters, including the contiguous zone and the exclusive economic zone, unless—

''(I) the sewage, graywater, or bilge water is treated to meet all applicable effluent limits established under this section and is in accordance with all other applicable laws;

''(II) the cruise vessel is underway and proceeding at a speed of not less than 6 knots;

''(III) the cruise vessel is more than 12 nautical miles from shore; and

''(IV) the cruise vessel complies with all applicable standards established under this Act.

''(ii) NO-DISCHARGE ZONES.—Notwithstanding any other provision of this paragraph, no cruise vessel departing from, or calling on, a port of the United States may discharge treated or untreated sewage, graywater, or bilge water into a no-discharge zone.

''(C) SAFETY EXCEPTION.—

''(i) SCOPE OF EXCEPTION.—Subparagraphs (A) and (B) shall not apply in any case in which—

''(I) a discharge is made solely for the purpose of securing the safety of the cruise vessel or saving human life at sea; and

''(II) all reasonable precautions have been taken to prevent or minimize the discharge.

''(ii) NOTIFICATION.—

''(I) IN GENERAL.—If the owner, operator, master, or other person in charge of a cruise vessel authorizes a discharge described in clause (i), the person shall notify the Administrator and the Commandant of the decision to authorize the discharge as soon as practicable, but not later than 24 hours, after authorizing the discharge.

''(II) REPORT.—Not later than 7 days after the date on which a discharge described in clause (i) occurs, the owner, operator, master, or other person in charge of a cruise vessel, shall submit to the Administrator and the Commandant a report that describes—

''(aa) the quantity and composition of each discharge authorized under clause (i);

''(bb) the reason for authorizing each such discharge;

''(cc) the location of the vessel during the course of each such discharge; and

''(dd) such other supporting information and data as are requested by the Commandant or the Administrator.

''(III) DISCLOSURE OF REPORTS.—Upon receiving a report under subclause (II), the Administrator shall make the report available to the public.

''(3) EFFLUENT LIMITS.—

''(A) EFFLUENT LIMITS FOR DISCHARGES OF SEWAGE, GRAYWATER, AND BILGE WATER.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall promulgate effluent limits for sewage, graywater, and bilge water discharges from cruise vessels.

''(ii) REQUIREMENTS.—The effluent limits shall—

''(I) be consistent with the capability of the best available technology to treat effluent;

''(II) take into account the best available scientific information on the environmental effects of sewage, graywater, and bilge water discharges, including conventional, nontoxic, and toxic pollutants and petroleum;

''(III) take into account marine life and ecosystems, including coral reefs, shell fish beds, endangered species, marine mammals, seabirds, and marine ecosystems;

''(IV) take into account conditions that will affect marine life, ecosystems, and human health, including seamounts, continental shelves, oceanic fronts, warm core and cold core rings, and ocean currents; and

''(V) require compliance with all relevant Federal and State water quality standards.

''(iii) MINIMUM LIMITS.—The effluent limits promulgated under clause (i) shall require, at a minimum, that treated sewage, treated graywater, and treated bilge water effluent discharges from cruise vessels, measured at the point of discharge, shall, not later than the date described in subparagraph (C)—

''(I) satisfy the minimum level of effluent quality specified in section 133.102 of title 40, Code of Federal Regulations (or a successor regulation); and

''(II) with respect to the samples from the discharge during any 30-day period—

''(aa) have a geometric mean that does not exceed 20 fecal coliform per 100 milliliters;

''(bb) not exceed 40 fecal coliform per 100 milliliters in more than 10 percent of the samples; and

''(cc) with respect to concentrations of total residual chlorine, not exceed 10 milligrams per liter.

''(B) REVIEW AND REVISION OF EFFLUENT LIMITS.—The Administrator shall—

''(i) review the effluent limits promulgated under subparagraph (A) at least once every 5 years; and

''(ii) revise the effluent limits to incorporate technology available at the time of the review in accordance with subparagraph (A)(Ii).

''(C) COMPLIANCE DATE.—The Administrator shall require compliance with the effluent limits promulgated pursuant to subparagraph (A)—

''(i) with respect to new vessels put into water after the date of enactment of this subsection, as of the date that is 180 days after the date of promulgation of the effluent limits; and

''(ii) with respect to vessels in use as of that date of enactment, as of the date that is 1 year after the date of promulgation of the effluent limits.

''(D) SAMPLING, MONITORING, AND REPORTING.—

''(i) IN GENERAL.—The Administrator shall require sampling, monitoring, and reporting to ensure compliance with—

''(I) the effluent limitations promulgated under subparagraph (A);

''(II) all other applicable provisions of this Act;

''(III) any regulations promulgated under this Act;

''(IV) other applicable Federal laws (including regulations); and

''(V) all applicable international treaty requirements.

''(ii) RESPONSIBILITIES OF PERSONS IN CHARGE OF CRUISE VESSELS.—The owner, operator, master, or other person in charge of a cruise vessel, shall at a minimum—

''(I) conduct sampling or testing at the point of discharge on a monthly basis, or more frequently, as determined by the Administrator;

''(II) provide real-time data to the Administrator, using telemetric or other similar technology, for reporting relating to—

''(aa) discharges of sewage, graywater, and bilge water from cruise vessels;

''(bb) pollutants emitted in sewage, graywater, and bilge water from cruise vessels; and

''(cc) functioning of cruise vessel components relating to fuel consumption and control of air and water pollution;

''(III) ensure, to the maximum extent practicable, that technologies providing real-time data have the ability to record—

''(aa) the location and time of discharges from cruise vessels;

''(bb) the source, content, and volume of the discharges; and

''(cc) the operational state of components relating to pollution control technology at the time of the discharges, including whether the components are operating correctly;

''(IV) establish chains of custody, analysis protocols, and other specific information necessary to ensure that the sampling, testing, and records of that sampling and testing are reliable; and

''(V) maintain, and provide on a monthly basis to the Administrator, electronic copies of required sampling and testing data.

''(iii) REPORTING REQUIREMENTS.—The Administrator shall require the compilation and production, and not later than 1 year after the date of enactment of this subsection and biennially thereafter, the provision to the Administrator and the Commandant in electronic format, of documentation for each cruise vessel that includes, at a minimum—

''(I) a detailed description of onboard waste treatment mechanisms in use by the cruise vessel, including the manufacturer of the waste treatment technology on board;

''(II) a detailed description of onboard sludge management practices of the cruise vessel;

''(III) copies of applicable hazardous materials forms;

''(IV) a characterization of the nature, type, and composition of discharges by the cruise vessel;

''(V) a determination of the volumes of those discharges, including average volumes; and

''(VI) the locations, including the more common locations, of those discharges.

''(iv) SHORESIDE DISPOSAL.—The Administrator shall require documentation of shoreside disposal at approved facilities for all wastes by, at a minimum—

''(I) establishing standardized forms for the receipt of those wastes;

''(II) requiring those receipts to be sent electronically to the Administrator and Commandant and maintained in an onboard record book; and

''(III) requiring those receipts to be signed and dated by the owner, operator, master, or other person in charge of the discharging vessel and the authorized representative of the receiving facility.

''(v) REGULATIONS.—Not later than 18 months after the date of enactment of this subsection, the Administrator, in consultation with the Commandant, shall promulgate regulations that, at a minimum, implement the sampling, monitoring, and reporting protocols required by this subparagraph.

''(4) INSPECTION PROGRAM.—

''(A) IN GENERAL.—The Administrator shall establish an inspection program to require that—

''(i) regular announced and unannounced inspections be conducted of any relevant aspect of cruise vessel operations, equipment, or discharges, including sampling and testing of cruise vessel discharges;

''(ii) each cruise vessel that calls on a port of the United States be subject to an unannounced inspection at least once per year; and

''(iii) inspections be carried out by the Environmental Protection Agency or the Coast Guard.

''(B) COAST GUARD INSPECTIONS.—If the Administrator and the Commandant jointly agree that some or all inspections are to be carried out by the Coast Guard, the inspections shall—

''(i) occur outside the Coast Guard matrix system for setting boarding priorities;

''(ii) be consistent across Coast Guard districts; and

''(iii) be conducted by specially-trained environmental inspectors.

''(C) REGULATIONS.—Not later than 18 months after the date of enactment of this subsection, the Administrator, in consultation with the Commandant, shall promulgate regulations that, at a minimum—

''(i) designate responsibility for conducting inspections;

''(ii) require the owner, operator, master, or other person in charge of a cruise vessel to maintain and submit a logbook detailing the times, types, volumes, flow rates, origins, and specific locations of, and explanations for, any discharges from the cruise vessel not otherwise required by the International Convention for the Prevention of Pollution from Ships, 1973 (done at London on November 2, 1973; entered into force on October 2, 1983), as modified by the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 (done at London, February 17, 1978);

''(iii) provide for routine announced and unannounced inspections of—

''(I) cruise vessel environmental compliance records and procedures; and

''(II) the functionality, sufficiency, redundancy, and proper operation and maintenance of installed equipment for abatement and control of any cruise vessel discharge (including equipment intended to treat sewage, graywater, or bilge water);

''(iv) ensure that—

''(I) all crew members are informed of, in the native language of the crew members, and understand, the pollution control obligations under this subsection, including regulations promulgated under this subsection; and

''(II) applicable crew members are sufficiently trained and competent to comply with requirements under this subsection, including sufficient training and competence—

''(aa) to effectively operate shipboard pollution control systems;

''(bb) to conduct all necessary sampling and testing; and

''(cc) to monitor and comply with recording requirements;

''(v) require that operating manuals be on the cruise vessel and accessible to all crew members;

''(vi) require the posting of the phone number for a toll-free whistleblower hotline on all ships and at all ports using language likely to be understood by international crews;

''(vii) require any owner, operator, master, or other person in charge of a cruise vessel, who has knowledge of a discharge from the cruise vessel in violation of this subsection, including regulations promulgated under this subsection, to report immediately the discharge to the Administrator and the Commandant;

''(viii) require the owner, operator, master, or other person in charge of a cruise vessel to provide, not later than 1 year after the date of enactment of this subsection, to the Administrator, Commandant, and on-board observers (including designated representatives), a copy of cruise vessel plans, including—

''(I) piping schematic diagrams;

''(II) construction drawings; and

''(III) drawings or diagrams of storage systems, processing, treating, intake, or discharge systems, and any modifications of those systems (within the year during which the modifications are made); and

''(ix) inhibit illegal discharges by prohibiting all means of altering piping, tankage, pumps, valves, and processes to bypass or circumvent measures or equipment designed to monitor, sample, or prevent discharges.

''(D) DISCLOSURE OF LOGBOOKS.—The logbook described in subparagraph (C)(ii) shall be submitted to the Administrator and the Commandant.

''(5) CRUISE OBSERVER PROGRAM.—

''(A) IN GENERAL.—Not later than 18 months after the date of enactment of this subsection, the Commandant, in consultation with the Administrator, shall establish and carry out a program for the hiring and placement of 1 or more trained, independent, observers on each cruise vessel.

''(B) PURPOSE.—The purpose of the cruise observer program established under subparagraph (A) is to monitor and inspect cruise vessel operations, equipment, and discharges to ensure compliance with—

''(i) this subsection (including regulations promulgated under this subsection); and

''(ii) all other relevant Federal and State laws and international agreements.

''(C) REGULATIONS.—Not later than 18 months after the date of enactment of this

subsection, the Commandant, in consultation with the Administrator and the Attorney General, shall promulgate regulations that, at a minimum—

''(i) specify that the Coast Guard shall be responsible for the hiring of observers;

''(ii) specify the qualifications, experience, and duties of the observers;

''(iii) specify methods and criteria for Coast Guard hiring of observers;

''(iv) establish the means for ensuring constant observer coverage and allowing for observer relief and rotation; and

''(v) establish an appropriate rate of pay to ensure that observers are highly trained and retained by the Coast Guard.

''(D) RESPONSIBILITIES.—Cruise observers participating in the program established under subparagraph (A) shall —

''(i) observe and inspect—

''(I) onboard liquid and solid handling and processing systems;

''(II) onboard environmental treatment systems;

''(III) use of shore-based treatment and storage facilities;

''(IV) discharges and discharge practices; and

''(V) documents relating to environmental compliance, including—

''(aa) sounding boards, logs, and logbooks;

''(bb) daily and corporate maintenance and engineers' logbooks;

''(cc) fuel, sludge, slop, waste, and ballast tank capacity tables;

''(dd) installation, maintenance, and operation records for oily water separators, incinerators, and boilers;

''(ee) piping diagrams;

''(ff) e-mail archives;

''(gg) receipts for the transfer of materials, including waste disposal;

''(hh) air emissions data; and

''(ii) electronic and other records of relevant information, including fuel consumption, maintenance, and spares ordering for all waste processing- and pollution-related equipment;

''(ii) have the authority to interview and otherwise query any crew member with knowledge of cruise vessel operations;

''(iii) have access to all data and information made available to government officials under this subsection;

''(iv) immediately report any known or suspected violation of this subsection or any other applicable Federal law or international agreement to—

''(I) the owner, operator, master, or other person in charge of a cruise vessel;

''(II) the Commandant; and

''(III) the Administrator;

''(v) maintain inspection records to be submitted to the Commandant and the Administrator on a semiannual basis; and

''(vi) have authority to conduct the full range of duties of the observers within the United States territorial seas, contiguous zone, and exclusive economic zone.

''(E) PROGRAM EVALUATION.—The cruise observer program established and carried out by the Commandant under subparagraph (A) shall include—

''(i) a method for collecting and reviewing data relating to the efficiency, sufficiency, and operation of the cruise observer program, including—

''(I) the ability to achieve program goals;

''(II) cruise vessel personnel cooperation;

''(III) necessary equipment and analytical resources; and

''(IV) the need for additional observer training; and

''(ii) a process for adopting periodic revisions to the program based on the data collected under clause (i).

''(F) OBSERVER SUPPORT.—Not later than 18 months after the date of enactment of this subsection, the Commandant, in consultation with the Administrator, shall implement a program to provide support to observers, including, at a minimum—

''(i) training for observers to ensure the ability of the observers to carry out this paragraph;

''(ii) necessary equipment and analytical resources, such as laboratories, to carry out the responsibilities established under this subsection; and

''(iii) support relating to the administration of the program and the response to any recalcitrant cruise vessel personnel.

''(G) REPORT.—Not later than 3 years after the date of establishment of the program under this paragraph, the Commandant, in consultation with the Administrator, shall submit to Congress a report describing—

''(i) the results of the program in terms of observer effectiveness, optimal coverage, environmental benefits, and cruise ship cooperation;

''(ii) recommendations for increased effectiveness, including increased training needs and increased equipment needs; and

''(iii) other recommendations for improvement of the program.

''(6) REWARDS.—

''(A) PAYMENTS TO INDIVIDUALS.—

''(i) IN GENERAL.—The Administrator or a court of competent jurisdiction, as the case may be, may order payment, from a civil penalty or criminal fine collected for a violation of this subsection, of an amount not to exceed ½ of the amount of the civil penalty or criminal fine, to any individual who furnishes information that leads to the payment of the civil penalty or criminal fine.

''(ii) MULTIPLE INDIVIDUALS.—If 2 or more individuals provide information described in clause (i), the amount available for payment as a reward shall be divided equitably among the individuals.

''(iii) INELIGIBLE INDIVIDUALS.—No officer or employee of the United States, a State, or an Indian tribe who furnishes information or renders service in the performance of the official duties of the officer or employee shall be eligible for a reward payment under this paragraph.

''(B) PAYMENTS TO INDIAN TRIBES.—The Administrator or a court of competent jurisdiction, as the case may be, may order payment, from a civil penalty or criminal fine collected for a violation of this subsection, to an Indian tribe providing information or investigative assistance that leads to payment of the penalty or fine, of an amount that reflects the level of information or investigative assistance provided.

''(C) PAYMENTS DIVIDED AMONG INDIAN TRIBES AND INDIVIDUALS.—In a case in which an Indian tribe and an individual under subparagraph (A) are eligible to receive a reward payment under this paragraph, the Administrator or the court shall divide the amount available for the reward equitably among those recipients.

''(7) LIABILITY IN REM.—A cruise vessel operated in violation of this subsection or any regulation promulgated under this subsection—

''(A) shall be liable in rem for any civil penalty or criminal fine imposed for the violation; and

''(B) may be subject to a proceeding instituted in any United States district court of competent jurisdiction.

''(8) PERMIT REQUIREMENT.—A cruise vessel may operate in the waters of the United States, or visit a port or place under the jurisdiction of the United States, only if the cruise vessel has been issued a permit under this section.

''(9) NONAPPLICABILITY OF CERTAIN PROVISIONS.—Paragraphs (6)(A) and (12)(B) of section 502 shall not apply to any cruise vessel.

''(10) STATUTORY OR COMMON LAW RIGHTS NOT RESTRICTED.—Nothing in this subsection—

''(A) restricts the rights of any person (or class of persons) to regulate or seek enforcement or other relief (including relief against the Administrator or Commandant) under any statute or common law;

''(B) affects the right of any person (or class of persons) to regulate or seek enforcement or other relief with regard to vessels other than cruise vessels under any statute or common law; or

''(C) affects the right of any person (or class of persons) under any statute or common law, including this Act, to regulate or seek enforcement or other relief with regard to pollutants or emission streams from cruise vessels that are not otherwise regulated under this subsection.

''(11) ESTABLISHMENT OF FUND; FEES.—

''(A) CRUISE VESSEL POLLUTION CONTROL FUND.—

''(i) ESTABLISHMENT.—There is established in the general fund of the Treasury a separate account, to be known as the 'Cruise Vessel Pollution Control Fund' (referred to in this paragraph as the 'Fund').

''(ii) AMOUNTS.—The Fund shall consist of such amounts as are deposited in the Fund under subparagraph (B)(vi).

''(iii) AVAILABILITY AND USE OF AMOUNTS IN FUND.—Amounts in the Fund shall be—

''(I) available to the Administrator and the Commandant as provided in appropriations Acts; and

''(II) used by the Administrator and the Commandant only for purposes of carrying out this subsection.

''(B) FEES ON CRUISE VESSELS.—

''(i) IN GENERAL.—The Commandant and the Administrator shall establish and collect from each cruise vessel a reasonable and appropriate fee for each paying passenger on a cruise vessel voyage, for use in carrying out this subsection.

''(ii) ADJUSTMENT OF FEE.—

''(I) IN GENERAL.—The Commandant and the Administrator shall biennially adjust the amount of the fee established under clause (i) to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor during the most recent 2-year period for which data are available.

''(II) ROUNDING.—The Commandant and the Administrator may round an adjustment under subclause (I) to the nearest 1/10 of a dollar.

''(iii) FACTORS IN ESTABLISHING FEES.—

''(I) IN GENERAL.—In establishing fees under clause (i), the Commandant and Administrator may establish lower levels of fees and the maximum amount of fees for certain classes of cruise vessels based on—

''(aa) size;

''(bb) economic share; and

''(cc) such other factors as are determined to be appropriate by the Commandant and the Administrator.

''(iv) FEE SCHEDULES.—Any fee schedule established under clause (i), including the level of fees and the maximum amount of fees, shall take into account—

''(I) cruise vessel routes;

''(II) the frequency of stops at ports of call by cruise vessels; and

''(III) other applicable considerations.

''(v) COLLECTION OF FEES.—A fee established under clause (i) shall be collected by the Administrator or the Commandant from the owner or operator of each cruise vessel to which this subsection applies.

''(vi) DEPOSITS TO FUND.—Notwithstanding any other provision of law, all fees collected under this paragraph, and all penalties and payments collected for violations of this subsection, shall be deposited in the Fund.

''(12) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator and the Commandant such sums as are necessary to carry out this subsection for each of fiscal years 2010 through 2014.''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1760. Mr. CARDIN (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

SA 1761. Mr. WHITEHOUSE (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1762. Mr. CORNYN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1763. Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. MENENDEZ, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1764. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1765. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1766. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1767. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1768. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1769. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1770. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1771. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1772. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1773. Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) proposed an amendment to the bill H.R. 1911, of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.

SA 1774. Mr. SANDERS (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Mr. BLUMENTHAL, Mr. WYDEN, and Mr. BROWN) proposed an amendment to amendment SA 1773 proposed by Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) to the bill H.R. 1911, supra.

SA 1775. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 1776. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1777. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1778. Mr. REED (for himself, Ms. WARREN, Mrs. MURRAY, Mr. LEAHY, Mrs. GILLIBRAND, Mrs. BOXER, Ms. STABENOW, Mr. WHITEHOUSE, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. SCHATZ, Mr. MERKLEY, Ms. HIRONO, Ms. BALDWIN, Mrs. SHAHEEN, Mr. BROWN, Ms. KLOBUCHAR, Mr. WYDEN, and Mr. MURPHY) proposed an amendment to amendment SA 1773 proposed by Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) to the bill H.R. 1911, of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.

SA 1779. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 1780. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1781. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1782. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1783. Mr. MURPHY (for himself, Mr. ROCKEFELLER, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1784. Mr. JOHNSON of Wisconsin (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1785. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1786. Mr. JOHNSON of Wisconsin (for himself, Mr. VITTER, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1787. Mr. BENNET (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1788. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1789. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1790. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1791. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1792. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1793. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1794. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1795. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1796. Mr. FLAKE (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1797. Mr. CORNYN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1760. Mr. CARDIN (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; as follows:

On page 38, between lines 17 and 18, insert the following:

SEC. 127. The Secretary shall submit to Congress a report describing the percentages of lane miles and highway bridge deck in each State that are in good condition, fair condition, and poor condition, and the percentage of Federal amounts each State expends on the repair and maintenance of highway infrastructure and on new capacity construction.

SA 1761. Mr. WHITEHOUSE (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 2___. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (referred to in this section as the ''Secretary'') shall establish a demonstration program under

which, during the period beginning on October 1, 2013, and ending on September 30, 2016, the Secretary may enter into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at multifamily residential units participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f); or

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable fiscal years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision—

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary.

(ii) LIMITATION.—A payment made by the Secretary under an agreement under this section shall not exceed the utility savings achieved during the term of the agreement as a result of the improvements made under the agreement.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 fiscal years.

(c) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for—

(1) project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f); and

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q).

(d) EVALUATION AND REPORT.—Not less frequently than once every 5 years after the date on which an initial agreement is entered into under this section, and not later than 2 years after the date of expiration of the final agreement in effect under this section, the Secretary shall—

(1) conduct an evaluation of the program under this section; and

(2) submit to Congress a report describing each evaluation conducted under paragraph (1).

SA 1762. Mr. CORNYN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____ (a) Congress finds the following:

(1) On May 10, 2013, the Internal Revenue Service admitted that it singled out advocacy groups, based on ideology, seeking tax-exempt status.

(2) This action raises pertinent questions about the agency's ability to implement and oversee the Patient Protection and Affordable Care Act (Public Law 111–148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152).

(3) This action could be an indication of future Internal Revenue Service abuses in relation to the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010, given that it is their responsibility to enforce a key provision, the individual mandate.

(4) Americans accept the principle that patients, families, and doctors should be making medical decisions, not the Federal Government.

(b) The Secretary of the Treasury, or any delegate of the Secretary, shall not implement or enforce any provisions of or amendments made by the Patient Protection and Affordable Care Act (Public Law 111–148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152).

SA 1763. Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. MENENDEZ, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, line 4, insert ''bridge'' before ''projects''.

On page 26, line 5, insert ''and title 49'' after ''title 23''.

On page 26, line 9, insert ''to carry out programs under title 23, United States Code, or transfer funds under this heading to other Federal agencies to carry out programs under title 49, United States Code, as applicable'' after ''States''.

On page 26, line 14, strike ''of such title'' and insert ''of title 23 or subtitle V of title 49, United States Code, as applicable,''.

SA 1764. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. None of the funds made available under this Act may be used to subsidize costs related to food and beverage and first class services on any route operated by the National Railroad Passenger Corporation.

SA 1765. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. Not later than 180 days after the date of the enactment of this Act, Amtrak shall submit to Congress a report on profits and losses related to food and beverage and first class services, with the data aggregated by route or rail line.

SA 1766. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 55, strike lines 11 through 13.

SA 1767. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, between lines 17 and 18, insert the following:

SEC. 1_____. The Secretary of Transportation shall submit to Congress an annual report that lists for programs carried out under chapter 2 of title 23, United States Code, the total amounts made available to carry out—

(1) each section of that chapter; and

(2) as applicable, each eligible project type under that chapter.

SA 1768. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 101, line 2, strike ''$1,000,000,000, to remain available until September 30, 2016: *Provided*'' and insert ''$950,000,000, to remain available until September 30, 2016: *Provided*, That the Comptroller General of the United States shall conduct a study of the HOME investment partnerships program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.) to determine the adequacy and effectiveness of such program and that upon the completion of the study, the Comptroller General shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives setting forth the findings and conclusions of the study: *Provided further*''.

SA 1769. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. The Comptroller General of the United States shall conduct a study of, and prepare a report on—

(1) the extent to which U.S. Customs and Border Protection (referred to in this subsection as ''CBP'') uses nonfederal roads along the Southern border, including State,

county, or locally-maintained primitive roads;

(2) the places where CBP use represents a significant percentage of the use of the roads described in paragraph (1);

(3) the extent to which the CBP use of such roads causes increased degradation and increased maintenance costs for State, county, or local entities; and

(4) possible ways for CBP to assist State, county, and local entities with the maintenance of the nonfederal roads adversely affected by CBP use.

SA 1770. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 42, between lines 20 and 21, insert the following:

SEC. 1_____. None of the funds made available under this Act shall be made available to the Secretary of Transportation to carry out activities of the Federal Motor Carrier Safety Administration unless the Secretary extends the application of the exception described in section 395.1(d)(2) of title 49, Code of Federal Regulations (relating to on-duty time not including waiting time at a natural gas or oil well site) to the operators of commercial motor vehicles transporting supplies, equipment, or materials (including produced fluids, drilling and completion fluids, and any other fluids or materials used in the drilling, completion, and production of an oil or gas well) to or from a natural gas or oil well site, regardless of whether the operators have received special training or operate vehicles specially constructed to service wells.

SA 1771. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, line 18, insert ": *Provided further*, That not less than 20 percent of the funds provided under this heading shall be for projects located in rural areas" before the period at the end.

SA 1772. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. Not later than 180 days after the date of the enactment of this Act, Amtrak shall submit to Congress a report on profits and losses related to food and beverage and first class services, with the data aggregated by route or rail line.

SA 1773. Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) proposed an amendment to the bill H.R. 1911, of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes; as follows:

Strike all after the first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the "Bipartisan Student Loan Certainty Act of 2013".

SEC. 2. INTEREST RATES.

(a) INTEREST RATES.—Section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) is amended—

(1) in paragraph (7)—

(A) in the paragraph heading, by inserting "AND BEFORE JULY 1, 2013" after "ON OR AFTER JULY 1, 2006";

(B) in subparagraph (A), by inserting "and before July 1, 2013," after "on or after July 1, 2006,";

(C) in subparagraph (B), by inserting "and before July 1, 2013," after "on or after July 1, 2006,"; and

(D) in subparagraph (C), by inserting "and before July 1, 2013," after "on or after July 1, 2006,";

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(3) by inserting after paragraph (7) the following:

"(8) INTEREST RATE PROVISIONS FOR NEW LOANS ON OR AFTER JULY 1, 2013.—

"(A) RATES FOR UNDERGRADUATE FDSL AND FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans issued to undergraduate students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

"(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 2.05 percent; or

"(ii) 8.25 percent.

"(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

"(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

"(ii) 9.5 percent.

"(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

"(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

"(ii) 10.5 percent.

"(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

"(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

"(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 3. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay- As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 4. STUDY ON THE ACTUAL COST OF ADMINISTERING THE FEDERAL STUDENT LOAN PROGRAMS.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study that determines the actual cost to the Federal Government of carrying out the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), which shall—

(A) provide estimates relying on accurate information based on past, current, and projected data as to the appropriate index and mark-up rate for the Federal Government's cost of borrowing that would allow the Federal Government to effectively administer and cover the cost of the Federal student programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) under the scoring rules outlined in the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.);

(B) provide the information described in this section in a way that separates out administrative costs, interest rate, and other loan terms and conditions; and

(C) set forth clear recommendations to the relevant authorizing committees of Congress as to how future legislation can incorporate the results of the study described in this section to allow for the administration of the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) without generating any additional revenue to the Federal Government except revenue that is needed to carry out such programs; and

(2) prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives setting forth the conclusions of the study described in this

section in such a manner that the recommendations included in the report can inform future reauthorizations of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SA 1774. Mr. SANDERS (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Mr. BLUMENTHAL, Mr. WYDEN, and Mr. BROWN) proposed an amendment to amendment SA 1773 proposed by Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) to the bill H.R. 1911, of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes; as follows:

At the end of the amendment, add the following:

SEC. 5. SUNSET.

(a) IN GENERAL.—The amendments made by this Act shall be effective for a 2-year period beginning on July 1, 2013.

(b) REPEAL.—The amendments made by this Act shall be repealed on July 1, 2015, and section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) shall be applied as if this Act the amendments made by this Act had never been enacted.

SA 1775. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

In title I, under the heading ''DEPARTMENT OF TRANSPORTATION'' under the heading ''OFFICE OF THE SECRETARY'' under the heading ''NATIONAL INFRASTRUCTURE INVESTMENTS'' , strike the period at the end and insert '': *Provided further*, That the Secretary shall publish on a publicly available Internet site any criteria, including any required documentation, of the Secretary in selecting projects and awarding amounts under this heading: *Provided further*, That not later than 2 days after the date on which the Secretary awards funding under this heading, the Secretary shall publish on a publicly accessible Internet site the amount of that award and identify the Federal congressional district in which the project is located.''.

SA 1776. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

In title I, under the heading ''DEPARTMENT OF TRANSPORTATION'' under the heading ''FEDERAL HIGHWAY ADMINISTRATION'' under the heading ''BRIDGES IN CRITICAL CORRIDORS'', strike the period at the end and insert '': *Provided further*, That any project funded under this heading shall be treated as a categorical exclusion for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''

SA 1777. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 188, after line 24, insert the following:

SEC. 4_____. None of the funds made available by this Act may be used to require the use of a green buildings certification system to construct or modify a building other than a green buildings certification system that—

(1) is based on voluntary consensus standards that have an American National Standard Institute (ANSI) designation or were developed by an ANSI-audited designator; and

(2) only excludes a building material if the exclusion is well-founded and based on robust scientific data and risk assessment principles.

SA 1778. Mr. REED (for himself, Ms. WARREN, Mrs. MURRAY, Mr. LEAHY, Mrs. GILLIBRAND, Mrs. BOXER, Ms. STABENOW, Mr. WHITEHOUSE, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. SCHATZ, Mr. MERKLEY, Ms. HIRONO, Ms. BALDWIN, Mrs. SHAHEEN, Mr. BROWN, Ms. KLOBUCHAR, Mr. WYDEN, and Mr. MURPHY) proposed an amendment to amendment SA 1773 proposed by Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) to the bill H.R. 1911, of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes; as follows:

Beginning on page 3, strike line 9 and all that follows through line 13 on page 5 and insert the following:

''(ii) 6.8 percent.

''(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

''(ii) 6.8 percent.

''(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

''(ii) 7.9 percent.

''(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

''(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

''(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 2A. SURTAX ON MILLIONAIRES.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VIII—SURTAX ON MILLIONAIRES

''Sec. 59B. Surtax on millionaires.

''SEC. 59B. SURTAX ON MILLIONAIRES.

''(a) GENERAL RULE.—In the case of a taxpayer other than a corporation for any taxable year beginning after 2013, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to 0.55 percent of so much of the modified adjusted gross income of the taxpayer for such taxable year as exceeds $1,000,000 ($500,000, in the case of a married individual filing a separate return).

''(b) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2014, each dollar amount under subsection (a) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2012' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of $10,000, such amount shall be rounded to the next highest multiple of $10,000.

''(c) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this section, the term 'modified adjusted gross income' means adjusted gross income reduced by any deduction (not taken into account in determining adjusted gross income) allowed for investment interest (as defined in section 163(d)). In the case of an estate or trust, adjusted gross income shall be determined as provided in section 67(e).

''(d) SPECIAL RULES.—

''(1) NONRESIDENT ALIEN.—In the case of a nonresident alien individual, only amounts taken into account in connection with the tax imposed under section 871(b) shall be taken into account under this section.

''(2) CITIZENS AND RESIDENTS LIVING ABROAD.—The dollar amount in effect under subsection (a) shall be decreased by the excess of—

''(A) the amounts excluded from the taxpayer's gross income under section 911, over

''(B) the amounts of any deductions or exclusions disallowed under section 911(d)(6)

with respect to the amounts described in subparagraph (A).

''(3) CHARITABLE TRUSTS.—Subsection (a) shall not apply to a trust all the unexpired interests in which are devoted to one or more of the purposes described in section 170(c)(2)(B).

''(4) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.''.

SA 1779. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated by this Act or by Public Law 113-2 shall be prohibited from use by a Community Development Block Grant Disaster Recovery grantee to reimburse owners of residential buildings for the uncompensated costs of rehabilitation projects for such residential buildings that were completed after Hurricane Sandy, provided that the grantee completes an environmental review before committing to reimburse such an owner for the rehabilitation that was contracted for or performed prior to the submission of the homeowner's application to the grantee requesting such reimbursement for the rehabilitation activity, regardless of whether the cost to rehabilitate such residential structures met or exceeded 50 percent of the value of the structure.

SA 1780. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, between lines 12 and 13, insert the following:

SEC. 1____. (a) None of the funds made available under this Act to the Department of Transportation for cyber security may be obligated or expended until the Secretary of Transportation submits to each of the committees described in subsection (b) a detailed plan describing how the funding will be allocated and for what purposes, including a detailed description of—

(1) how the cyber security funding will be obligated or expended;

(2) the programs and activities that will receive cyber security funding;

(3) if and how the use of the funding complies with the Federal Information Security Management Act of 2002 (6 U.S.C. 101 et seq.)and any other applicable Federal law;

(4) the performance metrics that will be used to measure and determine the effectiveness of cyber security plans and programs; and

(5) the strategy that will be employed to procure goods and services associated with the cyber security objectives of the Department of Transportation.

(b) The report described in subsection (a) shall be provided to—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Commerce, Science, and Transportation of the Senate;

(3) the Committee on Environment and Public Works of the Senate;

(4) the Committee on Homeland Security and Governmental Affairs of the Senate;

(5) the Committee on Armed Services of the House of Representatives;

(6) the Committee on Energy and Commerce of the House of Representatives;

(7) the Committee on Homeland Security of the House of Representatives; and

(8) the Committee on Transportation and Infrastructure of the House of Representatives.

SA 1781. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. (a) None of the funds appropriated or otherwise made available under this title may be used by any recipient of such funds to discriminate against any person because that person is a member of the uniformed services.

(b) For purposes of this section, the term ''member of the uniformed services'' means an individual who—

(1) is a member of—

(A) the uniformed services (as defined in section 101 of title 10, United States Code); or

(B) the National Guard in State status under title 32, United States Code; or

(2) was discharged or released from service in the uniformed services (as so defined) or the National Guard in such status under conditions other than dishonorable.

(c)(1) Nothing in this section may be construed to prohibit any recipient of funds appropriated or otherwise made available under this title from—

(A) making available to an individual a benefit with respect to a dwelling, a residential real estate-related transaction (as defined in section 805 of the Fair Housing Act (42 U.S.C. 3605)), or a service described in section 806 of such Act (42 U.S.C. 3606) because the individual is a member of the uniformed services; or

(B) selling or renting a dwelling only to members of the uniformed services.

(2) For purposes of this subsection, the term ''benefit'' includes a term, condition, privilege, promotion, discount, or other favorable treatment (including an advertisement for such treatment) having the purpose or effect of providing an advantage to a member of the uniformed services.

SA 1782. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ENDING HOUSING DISCRIMINATION AGAINST MEMBERS OF THE UNIFORMED SERVICES.

(a) DEFINITIONS.—Section 802 of the Fair Housing Act (42 U.S.C. 3602) is amended by adding at the end the following:

''(p) 'Member of the uniformed services' means an individual who—

''(1) is a member of—

''(A) the uniformed services (as defined in section 101 of title 10, United States Code); or

''(B) the National Guard in State status under title 32, United States Code; or

''(2) was discharged or released from service in the uniformed services (as so defined) or the National Guard in such status under conditions other than dishonorable.''.

(b) DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING AND OTHER PROHIBITED PRACTICES.—Section 804 of the Fair Housing Act (42 U.S.C. 3604) is amended—

(1) in subsection (a), by inserting ''or because the person is a member of the uniformed services'' after ''national origin'';

(2) in subsection (b), by inserting ''or because the person is a member of the uniformed services'' after ''national origin'';

(3) in subsection (c), by inserting ''or because a person is a member of the uniformed services,'' after ''national origin,''; and

(4) in subsection (d), by inserting '', or because the person is a member of the uniformed services,'' after ''national origin''.

(c) DISCRIMINATION IN RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS.—Section 805 of the Fair Housing Act (42 U.S.C. 3605) is amended—

(1) in subsection (a), by inserting ''or because the person is a member of the uniformed services'' after ''national origin''; and

(2) in subsection (c), by striking '', or familial status'' and inserting ''familial status, or whether a person is a member of the uniformed services''.

(d) DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES.—Section 806 of the Fair Housing Act (42 U.S.C. 3606) is amended by inserting ''or because a person is a member of the uniformed services'' after ''national origin''.

(e) RELIGIOUS ORGANIZATION OR PRIVATE CLUB EXEMPTION.—Section 807(a) of the Fair Housing Act (42 U.S.C. 3607(a)) is amended, in the first sentence by inserting ''or to persons who are not members of the uniformed services'' after ''national origin''.

(f) ADMINISTRATION.—Section 808(e)(6) of the Fair Housing Act (42 U.S.C. 3608(e)(6)) is amended, in the first sentence, by inserting ''(including whether such persons and households are or include a member of the uniformed services)'' after ''persons and households''.

(g) PREVENTION OF DISCRIMINATION.—Section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631) is amended—

(1) in subsection (a), by inserting '', or because the person is a member of the uniformed services (as such term is defined in section 802 of this Act),'' after ''national origin'';

(2) in subsection (b)(1), by inserting ''or because a person is a member of the uniformed services (as such term is defined in section 802 of this Act),'' after ''national origin,''; and

(3) in subsection (c), by inserting ''or because a person is a member of the uniformed services (as such term is defined in section 802 of this Act),'' after ''national origin,''.

(h) RULE OF CONSTRUCTION.—The Fair Housing Act (42 U.S.C. 3601 et seq.) is amended by adding at the end the following:

''SEC. 821. RULE OF CONSTRUCTION RELATING TO THE TREATMENT OF MEMBERS OF THE UNIFORMED SERVICES.

''(a) RULE OF CONSTRUCTION.—Nothing in this Act may be construed to prohibit any person from—

''(1) making available to an individual a benefit with respect to a dwelling, a residential real estate-related transaction (as defined in section 805 of this Act), or a service described in section 806 of this Act because the individual is a member of the uniformed services; or

''(2) selling or renting a dwelling only to members of the uniformed services.

''(b) DEFINITION.—For purposes of this section, the term 'benefit' includes a term, condition, privilege, promotion, discount, or other favorable treatment (including an advertisement for such treatment) having the purpose or effect of providing an advantage to a member of the uniformed services.''.

(i) EFFECTIVE DATE.—This section shall become effective 120 days after the date of enactment of this Act.

SA 1783. Mr. MURPHY (for himself, Mr. ROCKEFELLER, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 23, after ''shall'' insert ''assess the impact on domestic employment if such a waiver were issued and''.

SA 1784. Mr. JOHNSON of Wisconsin (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Except for assistance relating to a natural disaster, none of the funds made available under this Act may be used to prevent a local government from being placed into receivership, to facilitate exit from receivership by a local government, or to prevent a State government from defaulting on its obligations.

SA 1785. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Congress finds the following:

(1) The Housing and Economic Recovery Act of 2008 established an Office of Inspector General within the Federal Housing Finance Agency (in this section referred to as the ''FHFA'').

(2) The President has nominated Steve A. Linick, the current FHFA Inspector General, to be the next Inspector General of the Department of State.

(3) The nomination of Steve A. Linick to be Inspector General of the Department of State occurred on June 27, 2013, following a 1,989 day vacancy that began on January 16, 2008.

(4) The Federal Vacancies Reform Act of 1998 (5 U.S.C. 3345 et seq.) prescribes requirements for filling, both permanently and temporarily, vacancies that are required to be filled by Presidential appointment with Senate confirmation, and generally provides a limit of 210 days for persons serving in an ''acting'' capacity.

(b) It is the Sense of Congress that should a vacancy occur in the position of Inspector General of the Federal Housing Finance Agency, the President should act expeditiously to nominate a person to fill the position on a permanent basis and should wait no more than 210 days to nominate a person to serve in this position in the event of a vacancy.

SA 1786. Mr. JOHNSON of Wisconsin (for himself, Mr. VITTER, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Except for assistance relating to a natural disaster, none of the funds made available under this Act may be used to prevent a local government from being placed into receivership, to facilitate exit from receivership by a local government, or to prevent a State government from defaulting on its obligations.

SA 1787. Mr. BENNET (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. (a) The Administrator of the Federal Aviation Administration shall—

(1) expand the program established pursuant to section 1097 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1608; 49 U.S.C. 40101 note) to include 2 additional test ranges; and

(2) not later than one year after the date on which the Administrator determines the locations of the 6 test ranges required by that section, the Administrator shall determine the location of the 2 additional test ranges.

(b) Of the 8 test ranges required under the program established pursuant to section 1097 of the National Defense Authorization Act for Fiscal Year 2012, as expanded pursuant to subsection (a), at least 2 test ranges shall—

(1) be located in States in which large wildfires that destroy significant amounts of property regularly occur; and

(2) prioritize the monitoring, mitigation, and suppression of wildfires, and other activities associated with preventing and containing wildfires, using unmanned aerial systems.

(c) Not later than 180 days after the date on which the Administrator determines the locations of the 2 additional test ranges required by subsection (a), the Administrator shall submit a report on privacy safeguards relating to the selection and operation of all 8 test ranges to—

(1) the appropriate congressional committees (as defined in section 1097(g) of the National Defense Authorization Act for Fiscal Year 2012); and

(2) the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

SA 1788. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, line 20, strike ''$1,452,000,000''and insert ''$1,565,000,000''.

SA 1789. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Railroad Administration, in consultation with appropriate local government representatives, shall—

(1) evaluate existing regulations governing the use of locomotive horns at highway-rail grade crossings to determine whether such regulations should be revised; and

(2) submit a report to Congress that contains the results of the evaluation conducted pursuant to paragraph (1).

SA 1790. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. (a) The unobligated balance of amounts made available for projects described in section 1307(d)(2) of SAFETEA–LU (23 U.S.C. 322 note) is rescinded.

(b)(1) There is appropriated to the Secretary of Transportation an amount equal to half of the amount rescinded under subsection (a) to make grants to localities for direct costs associated with projects to establish quiet zones as described in parts 222 and 229 of title 49, Code of Federal Regulations.

(2) The amount of a grant made to a locality under paragraph (1) for a project may not exceed 50 percent of the cost of the project.

(c) The amount rescinded under subsection (a) that remains after the appropriation of the amount specified in subsection (b)(1) shall be dedicated to the sole purpose of deficit reduction.

SA 1791. Mr. FLAKE submitted an amendment intended to be proposed by

him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 101, line 2, strike ''$1,000,000,000, to remain available until September 30, 2016: *Provided*'' and insert ''$950,000,000, to remain available until September 30, 2016: *Provided*, That the Comptroller General of the United States shall conduct a study of the HOME investment partnerships program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.) to determine the adequacy and effectiveness of such program and that upon the completion of the study, the Comptroller General shall submit a report to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Financial Services and the Committee on Appropriations of the House of Representatives setting forth the findings and conclusions of the study: *Provided further*''.

SA 1792. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Housing and Urban Development to reorganize or restructure the Office of Multifamily Housing Programs or the Office of Field Policy and Management unless the Secretary of Housing and Urban Development provides a detailed report to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Financial Services and the Committee on Appropriations of the House of Representatives that includes, but is not limited to, the estimated costs, savings, benefits, and risks of implementation of the reorganization and restructuring of such Offices.

SA 1793. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available in this Act may be used the Federal Housing Administration, the Government National Mortgage Association, or the Department of Housing and Urban Development to insure, securitize, or guarantee—

(1) any mortgage secured by a structure, dwelling unit, or other real property that secures a residential mortgage loan that a State, municipality, or other agency or political subdivision thereof, seized, took, or otherwise obtained by the exercise of the power of eminent domain; or

(2) any mortgage-backed security collateralized by a mortgage or a pool of mortgages described under paragraph (1).

SA 1794. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. No funds made available under this Act may be used to enforce vehicle weight limits established under section 127 of title 23, United States Code, for any segment of United States Route 78 in Mississippi that is designated as part of the Interstate System (as defined in section 101(a)(12) of title 23, United States Code) after the date of the enactment of this Act, with respect to the operation of any vehicle that could have legally operated on that segment before such designation.

SA 1795. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 101, line 2, strike ''$1,000,000,000'' and insert ''$950,000,000''.

SA 1796. Mr. FLAKE (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. None of the funds made available under this Act may be used to subsidize costs related to food and beverage and first class services on any route operated by the National Railroad Passenger Corporation.

SA 1797. Mr. CORNYN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) No funds appropriated or otherwise made available under this Act may be used to provide assistance to any local governmental entity described in subsection (c), including —

(1) the purchase or guarantee of any asset or obligation of the local governmental entity;

(2) the issuance of a line of credit to the local governmental entity;

(3) the provision of direct or indirect access to any financing to the local governmental entity; or

(4) the provision of any other direct or indirect financial aid to the local governmental entity.

(b) No funds appropriated or otherwise made available under this Act may be made available to a local governmental entity described in subsection (c) that is exiting a bankruptcy case under chapter 9 of title 11, United States Code, unless the local governmental entity has demonstrated a commitment to ensuring the solvency and generally sound financial condition of the local governmental entity.

(c) A local governmental entity described in this subsection is a city, county, township, borough, parish, village, or other general purpose political subdivision of a State that, on or after January 1, 2013, has defaulted on the obligations of such entity, or is at risk of defaulting or is likely to default on the obligations of such entity absent assistance from the Federal Government.

NOTICE OF HEARING

Ms. CANTWELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on July 31, 2013, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a legislative hearing to receive testimony on the following bills: S. 235, to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium; S. 920, to allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land; and S. ____, the Native American Housing Assistance and Self-Determination Reauthorization Act of 2013.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m., to conduct a hearing entitled ''The FHA Solvency Act of 2013.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and

Transportation be authorized to meet during the session of the Senate on July 24, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Cruise Industry Oversight: Recent Incidents Show Need For Stronger Focus On Consumer Protection.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 24, 2013.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m., in room SD–406 of the Dirksen Senate office building, to conduct a hearing, ''Oversight Hearing on Implementation of MAP-21's TIFIA Program Enhancements.''

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

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 24, 2013, at 10:30 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Health Information Technology: Using it to Improve Care.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 24, 2013, at 9 a.m.

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 24, 2013, at 2 p.m., to hold a East Asia and Pacific Affairs subcommittee hearing entitled, ''Rebalance to Asia III: Protecting the Environment and Ensuring Food and Water Security in East Asia and the Pacific.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Rules and Administration be authorized to meet during the session of the Senate on July 24, 2013, at 9:50 a.m.

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on July 24, 2013, at 2:30 p.m. in room 428A of the Russell Senate Office Building to conduct a hearing entitled ''Implementation of the Affordable Care Act: Understanding Small Business Concerns.''

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

COMMITTEE ON VETERANS' AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on July 24, 2013, at 10:45 a.m. in room SR–418, of the Russell Senate Office Building.

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

SPECIAL COMMITTEE ON AGING

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on July 24, 2013, to conduct a hearing entitled ''Payday Loans: Short-term Solution or Long-term Problem?'' The Committee will meet in room 562 of the Dirksen Senate Office Building beginning at 2 p.m.

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate, on July 24, 2013, at 2 p.m., in room SH–216 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Closing Guantanamo: The National Security, Fiscal, and Human Rights Implications.''

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

SUBCOMMITTEE ON SUPERFUND, TOXICS, AND ENVIRONMENTAL HEALTH

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Toxics, and Environmental Health of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 24, 2013, at 2 p.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Cleaning Up and Restoring Communities for Economic Revitalization.''

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Gabe Sandler, Madeline Walker, Katie Kasten, and Megan Miraglia of my staff be granted floor privileges for the duration of today's session.

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

PATRICIA CLARK BOSTON AIR ROUTE TRAFFIC CONTROL CENTER

Mr. MURPHY. Mr. President, I ask unanimous consent that the Senate immediately proceed to Calendar No. 98, H.R. 1092.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1092) to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center.''

There being no objection, the Senate proceeded to consider the bill.

Mr. MURPHY. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table, all with no intervening action or debate.

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

The bill (H.R. 1092) was ordered to a third reading, was read the third time, and passed.

DISCHARGE AND REFERRAL—S. 1294

Mr. MURPHY. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of S. 1294 and the bill be referred to the Committee on Agriculture, Nutrition and Forestry.

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

ORDERS FOR THURSDAY, JULY 25, 2013

Mr. MURPHY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, July 25, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 11 a.m., with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes; that following morning business, the Senate resume consideration of S. 1243, the Transportation, Housing and Urban Development appropriations bill.

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

PROGRAM

Mr. MURPHY. Mr. President, we will continue to work through amendments to the THUD appropriations bill tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MURPHY. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:22 p.m., adjourned until Thursday, July 25, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT B. ABRAMS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. GARRETT P. JENSEN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRUCE L. GILLINGHAM

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. THOMAS D. WALDHAUSER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSEPH M. MARKUSFELD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DEONDRA P. ASIKE
ANTHONY C. BROWN
ELI N. COHEN
NICHOLAS J. DAVIS
BLAZEN DRAGULJIC
MATTHEW A. FRANK
KEVIN L. GRAY
LAUREN A. KANTER APPLEBAUM
DANIEL A. LARSON
DAVID S. LEWIS
JUSTIN D. MANLEY
KELLY M. MEEHAN
VILAS SALDANHA
MATTHEW L. SARB
GREGORY C. TROLLEY

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

KARL F. MEYER

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

STEPHANIE M. PRICE

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

GREGORY C. PEDRO

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531, 716 AND 3064:

To be lieutenant colonel

JOHN H. SEOK

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

FREDERICK C. LOUGH

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

ADMIRADO A. LUZURIAGA

To be major

JON KIEV

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

WILLIAM G. HUBER

To be lieutenant colonel

KAUSTUBH G. JOSHI

To be major

PAUL E. BORNEMANN
MICHAEL D. DUPLESSIE
MARK L. LEITSCHUH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CURTIS J. ALITZ

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. KEVIN L. MCNEELY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GUY R. BEAUDOIN
FREDERICK T. CALKINS
JACKIE R. RITTER
WALLACE E. STEINBRECHER
REBECCA A. YOUNG

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

TIMOTHY C. MOORE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PIERRE A. PELLETIER