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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

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# House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, November 12, 2013, at 2 p.m.

# Senate

TUESDAY, NOVEMBER 5, 2013

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

## PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by the Reverend Gregory Knox Jones of the Westminster Presbyterian Church in Wilmington, DE.

The guest Chaplain offered the following prayer:

Let us pray.

Mighty God, creator of all that is, we give thanks for this great Nation, for its bounteous resources, its diversity of people, and for its principles of liberty and justice for all, not only for the privileged, not only for the powerful, but for all because each of us is one of your beloved children.

Call forth the best in these servants, that they may bring honor to themselves and instill confidence in those who have entrusted them with breathtaking responsibility. Banish from this historic hall small-mindedness and mean-spiritedness that parade as purity. Instead, bless these men and women with that rare and priceless virtue of humility.

Holy Wisdom, bolster their courage that they may always refrain from hollow rhetoric and selfish gain and instead strive for decisions that bring great promise to all people. Enable them to glimpse Your vision of a world where those who are ill are cared for by the compassionate and the hungry are filled because the well-off are generous. Embolden each Member in this Chamber with a burning desire to do the hard work of governing, that each may become a true servant of Yours and of this Nation, so that they may become a model of inspiration to our children and grandchildren and lead us to a future of promise.

Amen.

## PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge 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.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator MCCONNELL, the Senate will resume consideration of the motion to proceed to S. 815, the Employee Non-Discrimination Act postcloture. The Senate will recess from 12:30 to 2:15 p.m. for weekly caucus meetings. If we can reach agreement, we will move forward on the bill today.

Mr. President, I am wondering whether my friend from Delaware wishes to make a speech regarding the guest Chaplain. If so, I will be happy to yield to him.

The PRESIDENT pro tempore. The Chair recognizes the Senator from Delaware.

## SENATE PRAYERS

Mr. CARPER. Mr. President, my thanks to the majority leader this morning. Before I say a few words about Rev. Gregory Knox Jones, I want to go back in time for a couple of minutes. I was talking to the pages out in the hall behind the leader about how when our country was first settled folks came here from all over the world. They came here in part in pursuit of religious freedom. They were people of different faiths. They wanted to be able to worship God as they saw fit.

When it got really tough in Philadelphia at the Constitutional Convention—trying to wrestle with issues such as slavery, rights of women, whether there should be little States, big States, how we were going to be represented here—many times the Founding Fathers hit the pause button and they called in a person of faith to pray, to help them to find a way to progress, and they did again and again.

When George Washington was inaugurated—not here but in New York City—at the end of the day they did not go off and have big parties; they actually went to church. In the early days of our country, worship services were actually held here, as some of us know. We start every day here in the Senate with a prayer, oftentimes delivered by retired Navy ADM Barry C. Black, our Chaplain, and today with a special guest, my pastor, Gregory Knox Jones from Westminster Presbyterian Church.

Our leader HARRY REID has run a number of marathons. As it happens, so has our guest. He is a long-distance

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



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runner, literally and figuratively. He just ran his 10th marathon. He ran the New York Marathon on Sunday—I might say in good time. He won in the category of White men over 50 who pastor large Presbyterian churches on the east coast and who were former team captains from the Kansas State University football team. That category he won hands down. I congratulate him, and I am sure my colleagues do as well.

He reminds us every Sunday of the idea that we have a moral imperative to look out for the least of those in our society, people who are hungry and need to be fed, people who have no health care. We have an obligation to look after them. He reminds us every Sunday that we have an obligation to look out for not only those who are in our community in Wilmington, DE, but way beyond our borders, such as those in Guatemala and also those who live in Israel and the West Bank of Jordan, to make sure justice is done in those places as well.

He reminds us every Sunday of the Golden Rule for our neighbor: Treat others the way we want to be treated. We have to focus on the poor, widows and the orphans, and those who are in need. He reminds us to not just talk a good game but to actually deliver on our words. What does it say in James 2? You show me your faith by your words, I will show you my faith by my deeds. He reminds us of that every Sunday.

To my colleagues, he reminds us we are servants. There is a great sermon in Mark chapter 10. The words are, as I recall—I will paraphrase him—for those who want to be a leader, you have to be a slave to all. For those who want to become first, you must become last.

We thank you for those remembrances.

Every week I go to a Bible study led by our Chaplain. On Sundays I try to show up in our own church. It reminds me of a double shot. You and I, Mr. President, are about the same age. We remember the days of Motown, the great song called ''Double Shot of My Baby's Love.'' Every week I get a double shot of God's love from these two, my pastor and our Chaplain.

To his life partner Camilla and three children and six grandchildren, we are honored you are here.

I want to close with the way he closes our sermons every Sunday, colleagues. He does it with these words. I hope I have them right. It goes something like this. When he lets us go and dismisses his flock he says these words: May the love of God, the grace of Christ, and the fellowship of the Holy Spirit bless you, those you love, and the ones that no one loves.

And the ones that no one loves. He sends us on our way. Those are great words for us today as well. We welcome him.

I thank the leader for allowing me to say these words this morning.

## MEASURE PLACED ON THE CALENDAR—H.R. 3204

Mr. REID. I am told that H.R. 3204 is at the desk and ready for a second reading.

The PRESIDING OFFICER (Mr. MARKEY). The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 3204) to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes.

Mr. REID. I object to any further proceedings at this time regarding this legislation.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed upon the calendar.

## UPCOMING SCHEDULE

Mr. REID. Mr. President, I have spoken to the Republican leader on more than one occasion, but I want to make sure all the Members understand that we have a 4-week work period. This is the second week of a 4-week work period, and we have certain work we have outlined that needs to get accomplished. I hope everyone understands what we have to get done this week, next week, and the week after.

The reason we are pressing so much work into this limited work schedule is, first of all, it is necessary for a number of reasons and, second, this Senate has worked over the last number of years really hard during holidays. I have traveled, trying to get home for Christmas. I was here on Christmas Eve; I have done that twice. It has been extremely difficult for Christmas, Thanksgiving, and, of course, New Year's.

It is wonderful to be able to go home to our families, our friends, but we also have work to do. We represent our States, and there is work we cannot do when we can only go home for weekends. Some of us live a long ways away—it takes a day to get there and a day to get back—so it really is more complicated for those who live west of the Mississippi.

The whole point is to communicate to everyone that we are going to try to take Thanksgiving week off and the week after. The Republican leader and I really want to get that done, but we cannot do it if we are held up on procedural matters that are unnecessary.

I have outlined what we need to get done. I have explained this to the Republican leader and explained it to my caucus on more than one occasion. The issue at hand is this: We have a few weekends left. We are going to be out Monday because it is Veterans Day. But all weekends until we leave here for Thanksgiving are going to be work weekends in order to get our work done.

I know people have schedules, but understand that you better keep them pretty loose; otherwise, you are going to be missing some votes around here.

We voted on EDNA last night, and we were able to move that, get past the cloture aspect of that. We have a way of going forward. There is no reason to eat up the whole 30 hours that are postcloture.

I am just telling everybody who is in effect forcing us to do this that it may impinge upon the holidays, the situation dealing with Thanksgiving. I hope we can get out of here on the Friday before Thanksgiving, but it is up to people who I think have gotten into the habit of having unnecessary delays. I need not say more. I really would like, for myself personally and for the Senate, Democrats and Republicans, to have those two weekends off.

### ENDA

Take a look at where we are postcloture on a motion to proceed to ENDA, the Employment Non-Discrimination Act.

I was disappointed to read yesterday that Speaker BOEHNER opposes the Employment Non-Discrimination Act because he believes it will result in frivolous lawsuits. But coming from a man whose caucus spent $3 million in taxpayer dollars defending the unconstitutional defense of marriage law in court, that is pretty rich.

Still, I thought it was important to investigate the Speaker's claim that protecting lesbian, gay, bisexual, and transgender Americans from being denied job opportunities, fired or harassed because of their sexual orientation or gender identity, would risk American jobs. To the contrary, according to a study by the U.S. Government Accountability Office—nonpartisan—in 21 States that have some protection against this kind of discrimination, relatively few lawsuits have resulted. Almost every State with an antidiscrimination law that prevents workplace discrimination against lesbian, gay, bisexual, or transgender individuals had fewer than 10 lawsuits filed between 2007 and 2012, according to the study. In fact, the lack of one clear and consistent Federal standard protecting against this harassment actually creates more confusions for businesses and local government.

So I was also stunned when the Speaker said today that he wasn't even going to bring it up for a vote. Yesterday he said he didn't like it. Today he said he was not going to bring it up for a vote. If it came up for a vote in the House, it would pass. We can look at a number of different examples of this litigation aspect he raised.

Take the example of Kile Nave, a veteran police officer who was fired from the Audubon Park Police Department in Louisville, KY, after 3 years of being terrorized by his supervisors. After speaking up against the harassment, he was fired.

Kentucky is 1 of 33 States with no statute preventing discrimination on the basis of sexual orientation or gender identity. But Louisville has a local

nondiscrimination ordinance, and the department had a written policy against sexual harassment, although it did not expressly protect against discrimination based on sexual orientation.

So Officer Nave has filed two separate legal complaints against his former employer. Those complaints are still pending.

If there was one Federal law protecting all Americans from discrimination instead of a patchwork of ineffective and inefficient State and local laws, it would be simpler and less confusing for businesses and employees alike. That is one reason more than 100 of the Nation's largest companies support the Employment Non-Discrimination Act and why most Fortune 500 companies already prohibit persecution based on sexual orientation or gender identity. These companies know that to recruit the best and brightest employees and remain competitive, they must foster an environment where all workers can reach their full potential.

Not only is Speaker BOEHNER's claim that ENDA would hurt business untrue, it is also callous. It fails to take into account the heartbreaking suffering—not to mention lost wages and productivity—that workplace discrimination causes every year.

When Kile Nave was hired by the Audubon Police Department, he already served 20 years—two decades—as a police officer with other departments. This is what Kile said yesterday:

> I've been a law enforcement officer since 1989 and I had never experienced anything like what I experienced with my previous employer. . . . But I wasn't going to let them push me out of a job I loved.

So for 3½ years Kile endured torture at the hands of two of his supervisors, including the chief and the deputy chief. Although coworkers described Officer Nave's on-the-job performance as exemplary, his supervisors called him derogatory names, told gay jokes in front of him and about him, and directed profanity-laced rants toward him. This is the chief and the assistant chief.

This is what Officer Nave remembers about trying to get through the ordeal:

> Each day I kept thinking, 'It's going to get better today.' But it didn't. As a police officer you're supposed to have thick skin. But it never got any better.

Then, last year, 2 weeks after Officer Nave filed a formal complaint with his chief, he was fired based on charges of insubordination—somebody who had basically been a police officer for one-quarter of a century.

For the first time since he was 16 years old, Kile Nave was unemployed, as he is right now. He is still unemployed. Although Kile would love to return to police work and to doing the job he loves—and he did it for a long time—no department will hire him with a termination on his resume.

With one simple Federal law in place, which is the ENDA bill, people such as Kile could go to work without fearing such torment—and it was torment. Every American deserves that right and that protection. Every employee deserves to be judged on the quality of his or her work instead of on their sexual orientation or gender identity.

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

## RIGHT-TO-WORK

Mr. MCCONNELL. Mr. President, almost 1 year ago now, Michigan's Governor Rick Snyder signed historic right-to-work legislation into law. At the time he said he viewed it ''as an opportunity to stand up for Michigan's workers, to be pro-worker.''

The union bosses, the entrenched special interests, and the professional left may have stood in united, militant disagreement, but Michigan's soft-spoken Governor was right. The more venom Big Labor directed at him, the more it seemed to confirm the suspicions of many of the middle-class workers Snyder was trying to help. He was, in fact, on their side.

The truth is, over the years, Big Labor has come to care more about its own perks and power than the workers it was charged with protecting. Snyder knew that and he knew it was time to tip the scales back in favor of workers. He is not alone.

In the Senate, Senator PAUL and I share Governor Snyder's commitment to helping restore worker rights. That is why yesterday we filed an amendment that would enact similar forward-looking reforms at the Federal level.

Our right-to-work amendment is simple enough. It merely calls for repealing the discriminatory clauses in Federal law that allow, as a condition of employment, forcing workers to join a union or forcing workers to pay union dues. In practical terms, here is what that would mean for middle-class folks in Kentucky and across America: If you want to join a union, you can. If you don't want to join a union, you don't have to. That is it. That is all this is about.

This is just common sense. It is basic fairness. According to one survey, about 80 percent of unionized workers agree that employees should be able to decide whether joining a union is for them. But this amendment isn't just about ending institutional discrimination against workers; it is also about job creation, economic growth, and making America more competitive in the 21st century.

Consider the fact that manufacturing employment is one-third higher in States with right-to-work laws or that, according to a recent study, States with right-to-work saw improvements in real personal income and average annual employment compared to what they would have seen without such laws or that many of our Nation's labor laws were passed in an earlier era, in some cases before many folks even had television sets.

America's labor regulations are antiquated and they need to be updated for the modern world. That is what the flextime legislation I introduced last week sought to achieve, and that is what right-to-work seeks to achieve as well.

Protecting the rights of workers, creating jobs, growing the economy, and keeping pace with the modern world is what right-to-work is all about. It is just common sense. If States such as Michigan, with proud traditions of organized labor, can look their problems in the face and act, then it is time for the Federal Government to act too.

I urge my colleagues to join Senator PAUL and me in supporting this important amendment.

## OBAMACARE

Mr. MCCONNELL. Mr. President, I wish to say a word about ObamaCare as well.

I wish to remind my colleagues that the President is absolutely correct. He is correct when he says ObamaCare is about so much more than some flawed Web site. It is about people. People such as the California woman with stage 4 gallbladder cancer whose story we read about in the Wall Street Journal just this past weekend. I will read some of what she wrote:

> I am a determined fighter and extremely lucky. But this luck may have just run out: My affordable, lifesaving medical insurance policy has been canceled effective December 31.

Here are the impossible choices she says she is left with. She can either get coverage through the exchange and lose access to her cancer doctors or she can pay up to 50 percent more for, as she put it, ''the privilege of starting over with an unfamiliar insurance company and impaired benefits.''

That is just not right. It is not what the President promised, and it is not the kind of health care reform Americans asked for.

So we should keep our focus where it belongs—on the real people getting hurt by this law.

But that doesn't mean we should stop asking questions about healthcare.gov too. Because if the government can't even run a Web site that it had 3 years—3 years—and hundreds of millions of dollars to create, can Americans entrust the same bureaucracy with even more power over their health care?

The calamitous rollout reminds us that we do not even know if data being submitted over this Web site is 100 percent secure. In today's age of digital scammers, that is a real concern for our constituents. Identity theft is about the last problem Americans need to be dealing with right now, especially with everything else this economy and this law have been throwing right at them. They are already mad enough

about the President's repeated, unequivocal claims of, ''If you like it, you can keep it.''

The White House keeps trying to message its way out of this whopper, but no matter what they say, the reality remains: People are getting hurt. People are getting hit with premiums they can't afford and millions are losing the coverage they like. In my home State of Kentucky alone, 130,000 individual policies and 150,000 small group policies will be canceled. Remember, the President assured Americans up and down this wasn't going to happen.

I read about one DC woman who just lost her plan. She found something comparable on the exchange, but it cost a lot more than what she had before. Here is what she said: ''[It's] just not fair. [It's] ridiculous.''

She is not alone.

So I will say again it is time for Washington Democrats to work with Republicans to start working for their constituents instead of thinking that their first priority is to protect the President and his namesake legislation.

## RESERVATION OF LEADER TIME

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

## EMPLOYMENT NON-DISCRIMINATION ACT OF 2013—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order the Senate will resume consideration of the motion to proceed to S. 815, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 184, S. 815, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

The PRESIDING OFFICER. The majority whip.

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

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

### UNIONS IN AMERICA

Mr. DURBIN. Mr. President, I will speak as in morning business before addressing the matter that is pending before the Senate. I will speak in morning business on two issues, to respond to the Republican leader who just left the floor, as he spoke on two issues; first is the issue of unions in America. History shows us that after World War II, when labor organizations across the United States were at their peak organizing workers, giving them an opportunity to bargain collectively in the workplace for wages, benefits, safety, retirement, and health care, that was one of the most amazing periods in America history. The growth of the American middle class was unprecedented as men and women—some fresh from serving in the war—came home and had a chance to earn a livelihood, to build a family, to build neighborhoods, communities, and literally build the middle class in America. It is no coincidence that when the workers were given this voice and this strength through the collective bargaining process, they prospered and America prospered.

Today, we are in a much more difficult and challenging situation, when so many workers are living paycheck to paycheck while their productivity gains, when it comes to our economy, are well documented. While the companies they work for are showing unprecedented levels of profit, when the individuals who are managing these companies are being compensated at the highest levels in our history, many of these men and women working every day are falling further and further behind. If we look to the state of unionism, I think the facts speak for themselves. Those in the private sector who are in organized labor—part of a labor union—are in very low percentage.

I think there is a parallel that can be drawn. At a time when workers had a voice in the process, when their rights and their futures were within their control at a bargaining table, they prospered and America prospered. Today, without that strength at the bargaining table, many of these same families are falling further and further behind, despite the profitability of the companies they work for. So those who want to eliminate the opportunity for collective bargaining and make it more difficult for workers to stand and speak for themselves in the workplace, frankly, are going to condemn us to a much slower growing economy and much more injustice when it comes to compensation.

### THE AFFORDABLE CARE ACT

Secondly, the Republican leader spoke to the whole issue of the Affordable Care Act, which is characterized by some as ObamaCare. It is ironic that the Commonwealth of Kentucky is one of the top three States that is the most successful in signing up people for this new approach to health insurance. Some 31,000 people have signed up already through the Affordable Care Act. Governor Beshear was on television just about 10 days ago talking about the opportunities for Kentuckians to finally have an opportunity for affordable health insurance, some of them for the first time in their lives. It is an opportunity which I voted for and I support. I will make no excuses for the dismal rollout of this Web site, and I hope it is fixed soon so people across the country will have ready access to the information they need about their health insurance. But I will not apologize for standing up for 40 or 50 million Americans who have no health insurance today.

Those of us who have gone through life experiences as a father with a sick child and no health insurance will never forget it as long as we live. To sit in a waiting room of a hospital in Washington, DC, with your baby and wonder who is going to walk through the door and take care of her because you do not have insurance—you just have to hope that the charity care being offered in that hospital will be good care—that is a feeling no one should ever have.

I have lived it. I do not want others to have to live it. We have to give to every American family a chance for health insurance.

Let me say a word about this notion of canceled policies. The market of insurance we are talking about here are people who are buying individual health insurance, not the group plans at most places of employment. It is a small segment but an important segment of our population. If you look at the facts you will find that almost two-thirds of the people who are in the individual health insurance market buying their own plans for their family—through a broker, for example—almost two-thirds of those plans are literally changed and canceled every 2 years. There is a lot of flux and change in this market, and prices continue to go up.

At the end of the day, here is what we are facing: Some 2, 3, or 4 million people may find themselves in a more difficult position because the policy they once had does not meet the standards which have now been established in law for minimum health insurance coverage in America.

What are those standards that we say should be in every health insurance policy?

No. 1, you cannot discriminate against people because of a preexisting condition. Is there a person alive in America today—any family who does not have someone with a preexisting condition? It can be something as basic as asthma, diabetes, high blood pressure, cholesterol issues, mental illness. These things literally disqualified people from coverage in health insurance. We have changed that law and said you cannot discriminate based on preexisting conditions. That is basic.

Second, we have said you cannot put a lifetime limit on how much the insurance policy will pay. Who knows—who knows—whether they are one diagnosis or one accident away from needing health insurance that costs way beyond what we can even imagine. Mr. President, $100,000, $200,000 is not an unusual charge for what used to be considered somewhat routine. We say you cannot cap the coverage in a health insurance policy because life is unpredictable and our medical future is unpredictable. That is one of the provisions that has to be built into the policy.

We also say you cannot discriminate against people in selling health insurance because they happen to be women. And there was rank discrimination against women in America when it came to the issuance of health insurance before this new law.

We go on to say that 80 percent of the premiums you collect have to be paid

into medical services, not taken out in profit and marketing.

We also say that if you have a health insurance policy, your son or daughter can stay under it until they reach the age of 26. That is important to every family with a graduating college student or someone looking for a job in the household. They may not find a job, or if they do, it may not have benefits. Don't you want the peace of mind as a parent to know that up to age 26 you can keep them on the family policy?

I have just given you five parts of so-called ObamaCare, five parts that have to be written now into every health insurance policy and five reasons why many companies are saying: We have to cancel the old policy and reissue a new one consistent with these five principles, with these five protections. That is why many of these policies are being rewritten. The President should have been more expansive in his explanation, but the fact is that is the story. That is what the Affordable Care Act does.

I hear the Senator from Kentucky tell us that 120,000 people may face a new policy. I would like to ask, what is the normal turnover in health insurance policies in his State or other States. It happens with some frequency. It is estimated that 17 million Americans are going to have help in paying for their health insurance because of the Affordable Care Act. That means some will qualify for Medicaid. That means others will receive tax credits and tax benefits to help with their health insurance payments.

We are moving toward a society that has health insurance protection for all, and that is good, not just for the peace of mind of each and every individual and family affected by it but also because the system becomes more just, more fair. Uninsured people get sick. They go to the hospital. They go to the doctor. They incur bills, many of which they cannot pay, and that burden is shifted to everyone else in America.

Let's accept the personal responsibility of health insurance. Let's move forward as the Presiding Officer's State of Massachusetts has already done. Some 98 percent, I understand, has health insurance protection in the Commonwealth of Massachusetts, thanks to the leadership of Governor Mitt Romney and the cooperation of both political parties. Massachusetts has shown us the way. Let's follow that now. Let's not turn our back on it.

The last point I will make on this issue is that I keep hearing from the Republican side they have a better idea. What is it? I would like to see the proposal from the Republican side that they would put up against the Affordable Care Act. You will never see it because they basically believe: Let the market work its will. The market working its will has resulted in 40 to 50 million uninsured Americans. The number is growing, and it should not, it will not, under the Affordable Care Act.

Mr. President, I would like to address the business pending before the Senate: the Employment Non-Discrimination Act.

It was about 20 years ago that I first heard the name Margarethe Cammermeyer. I had no idea who she was, but I read about her, and it turned out she was a remarkable woman. She started off during the Vietnam era as a combat nurse in the Air Force. She risked her life in Vietnam to save the lives of those who were in battle and those who were injured and wounded. Then, after the war, she rose through the ranks and became a colonel in the U.S. Air Force.

There came a time when she had to make a disclosure, a regular disclosure, and in that disclosure she said, for the first time publicly, she was gay. Margarethe Cammermeyer, a colonel in the Air Force, conceded she was gay. As a result of that concession and statement, she was discharged from the Air Force. Had she done anything wrong? Not a single thing. She had done everything right, including risking her life as a combat nurse in the Air Force and moving up through the ranks with a stellar record. But her admission that she was gay in those days, 20 years ago, was grounds for her discharge from the U.S. Air Force.

I never met her, but I heard her story and thought: That is just plain wrong. She served our country and served it well, and to discharge her from the military because of this admission is just unfair.

The first time I ever saw her was a few years ago. President Barack Obama was signing into law the repeal of Don't Ask, Don't Tell. I was in the audience when that signing ceremony took place, and they called the name: Margarethe Cammermeyer, for her to come up and lead us in the Pledge of Allegiance. It was the first time I had ever seen her.

I remember that day also because there was a rabbi who gave an invocation. He said in this invocation that if you look into the eyes of another and you do not see the face of God, at least see the face of another human being. How apropos that Margarethe Cammermeyer would lead the Pledge of Allegiance and the rabbi that invocation because it really calls into sharp focus what is pending on the floor of the U.S. Senate.

We waste too many hours and too many days and too many weeks on Capitol Hill with government shutdowns, threats of defaulting on our debt, but every once in a while this Senate and this Congress can rise to the challenge and do something of a historic nature. Yesterday was one of those days. Yesterday, on the floor of the Senate, with 61 votes, we voted to move forward on the Employment Non-Discrimination Act. Here is what it says: that you cannot discriminate against a person because of their sexual orientation or sexual identity.

What I thought was unfair about Margarethe Cammermeyer—dismissing her not for anything she had done but for who she was—can happen now in more than half of the States. In more than half of the States, there is no protection against discrimination based on a person's sexual orientation or sexual identity. It means that in those States, you can literally be fired, denied a promotion, denied a raise, simply because of your sexual orientation. That is not right.

Hiring, promoting and retaining employees based on performance is not only the right thing to do, it helps American business attract and retain the best and brightest employees.

Attracting and keeping the best and the brightest employees is essential to succeeding in a global economy. That is why 88 percent of Fortune 500 companies already have policies preventing discrimination on the basis of sexual orientation.

More than 100 companies have already endorsed this bill, including a number of leading companies in my home State of Illinois such as Motorola, GroupOn, Hyatt Hotels, BP America, Orbitz, Nielsen, Miller Coors, HSBC North America, and others.

It is time that Federal law caught up with the best practices that have already been adopted by leading companies across the country.

Luckily, we had bipartisan support last night. Seven Republicans joined us in voting to move forward on this bill. I came to the floor yesterday to thank one of them who spoke, Senator COLLINS of Maine. Her statement in the CONGRESSIONAL RECORD is an important one for everyone to read.

But I would like to call attention, as well, to my colleague Senator MARK KIRK of Illinois, a Republican, who came to the floor of the U.S. Senate yesterday and gave his first speech on the floor in 2 years. You see, my colleague suffered a stroke, and as a consequence he has gone through a lengthy rehab and hospitalization, and he has really made a remarkable comeback.

I was here on the day when he walked up the steps of the Capitol to the Senate, and there were people of both political parties, Senators cheering him on, as they should. I have watched his progress ever since, and it is remarkable. His determination to serve our State and Nation continues.

Yesterday, he gave his first speech on the floor in 2 years. That speech was brief, but it was important. I would like to quote from my colleague's speech. This is from Senator KIRK's statement yesterday in the CONGRESSIONAL RECORD:

> I think it is particularly appropriate for an Illinois Republican to speak on behalf of this measure—Speaking of the Employment Non-Discrimination Act—in the true tradition of Everett McKinley Dirksen and Abraham Lincoln, men who gave us the 1964 Civil Rights Act and the 13th Amendment to the Constitution.

It was a brief statement but it was important. Senator KIRK joined in a bipartisan effort to move this bill forward. I searched the CONGRESSIONAL

RECORD. I searched the CONGRESSIONAL RECORD of yesterday to look for one statement in opposition to the Employment Non-Discrimination Act. There is not one. There was a specific opportunity given for anyone opposed to that measure to stand and speak. Senator TOM HARKIN of Iowa supported it. He spoke eloquently from this desk yesterday before the vote, and then time was allocated to those in opposition. No one stood to speak. But then 30 voted against it.

So what I would like to do is encourage my colleagues to take, in the spirit of Senator KIRK and Senator COLLINS, this opportunity for us to truly do something in a bipartisan way. Let us move this Employment Non-Discrimination Act forward, and let us do it with dispatch. We know it is the right thing to do. America is not a stronger nation when there is discrimination anywhere—anywhere—including the workplace, and this bill will end that form of discrimination.

There are those who say: Well, you are just wasting your time, Senator, because Speaker JOHN BOEHNER of Ohio has already announced that he not only opposes this, he will not let it see the light of day in the House of Representatives.

The Presiding Officer served there for many years; I did as well. The Speaker has lots of control in the House. He can decide what is going to come to the floor and what will not come to the floor. Unless a majority of the Members of the House overrule him with a discharge petition, he usually has his way. But if we can show a strong bipartisan vote, even beyond the vote yesterday, when seven Republicans joined the Democrats in trying to end this form of discrimination, then perhaps we can prevail on the House of Representatives to move forward in what Senator HARKIN characterized as a historic achievement putting an end to discrimination.

There was a time in our country when it was perfectly acceptable to refuse to hire or even interview someone based solely on the color of their skin, their religion or gender. It wasn't easy, but Congress ultimately corrected this wrong by passing title VII of the Civil Rights Act.

At one time, employers could fire someone solely because of their age. Congress recognized this was wrong and passed the Age Discrimination in Employment Act to put an end to age discrimination.

There was also a time in our country when an employee could be passed over for a promotion solely because they were living with a disability, even if they were the most qualified person for the position. The Americans with Disabilities Act put an end to this type of discrimination.

We now have an opportunity to outlaw one of the last vestiges of discrimination in the workplace. All Americans deserve an equal opportunity to succeed or fail in their jobs based solely on their ability and performance.

This is our opportunity to take a historic stand against discrimination. Passing ENDA is our chance to get on the right side of history and close an embarrassing loophole in our Nation's employment laws.

I urge my colleagues to support the Employment Non-Discrimination Act so that all Americans have an opportunity to excel in the workplace based on their job performance—not who they are or who they love.

We will be a better nation for it. Both political parties should gather together all the political strength and support they have to make this a reality.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

Mr. CORNYN. I see my colleague from Maryland is here. I promise I will not take all of that time.

During the debate over ObamaCare back in 2009 and 2010, the President repeatedly and unequivocally promised his fellow Americans that if they liked their current health care plan, they could keep it. By one account, there were as many as 29 different times where the President was captured on videotape making that same unequivocal commitment. This was not an off-the-cuff remark or a casual throwaway comment, it was essential to the President's entire argument selling ObamaCare.

I heard the distinguished majority whip from Illinois talking about the reasons why ObamaCare was so important, suggesting that you could not cover preexisting conditions or even young adults up to the age of 26 unless you accepted the whole package, the whole enchilada, as we would say in Texas. Well, that is not true. The truth is we are committed to dealing with preexisting conditions, we are committed to helping people be able to buy and afford health care coverage. What the President sold in 2009 and 2010 was basically sold under false pretenses, as it turns out. If Americans had known that ObamaCare would result in them losing their current coverage which they like, it never would have become law. According to one estimate, as many as 3.5 million people will lose their current health insurance coverage.

I have heard the revisionist history here on the floor and elsewhere. They are trying to change the commitment. Rather than: You can keep your current coverage if you like it, period, which is what I know the President said at the American Medical Association and many other times, now they are trying to tweak that and say: If it is not otherwise changed or canceled by our insurance company.

Well, that is not what the President said then. That is not what the American people heard. That is not the basis upon which ObamaCare was sold to the American people in 2009 and 2010. When President Obama campaigned for reelection in 2012, he reiterated his promise from 2009 and 2010, again a remarkably consistent message from the President. He said: If you liked your existing plan and you wanted to keep it, you had nothing to worry about.

Here is the exact statement the President made on June 28, 2012, at a White House press conference. ''If you are one of the more than 250 million Americans who already have health insurance, you will keep your health insurance.'' That is a direct quote, no qualifiers, no caveats—a simple unequivocal promise. However, way back in 2010 we now learn that the Obama administration itself issued the very regulations which have made, keeping this promise impossible. Indeed, the 2010 ObamaCare regulations acknowledged that between 40 to 67 percent of all policies in the individual market would lose their grandfathered status by 2014 and must be required to meet the costly mandates in ObamaCare. In other words, at the same time the President was making the promise, his own administration acknowledged that the regulations they were passing would make it impossible to keep it.

Well, as you can imagine, people are increasingly frustrated by these broken promises.

I recently set up a Web site in my office where my constituents can let me know how their personal health care coverage has been affected by the implementation of ObamaCare. I hope if others who perhaps may hear my comments on the floor this morning have stories they would like for us to be able to tell to explain how these broken promises have resulted in their inability to keep what they have, they will let us know on our Web site. It is cornyn.senate.gov. I plan to forward these stories to the President.

One woman from Livingston, TX, over in East Texas, writes:

> My health insurance is being canceled due to the Affordable Care Act. My insurance company offered a plan . . . that I can keep until 2014. Guess what? It's 19 percent more a month than my current plan and drops coverage for laboratory and imaging studies.

So not only is it more expensive, it actually reduces the coverage. Going on, she said:

> In December 2014, I'll have to change it again. Premiums for myself and my husband at that time will increase 100 percent each, which will equal just about half—50 percent—of our gross monthly income. What exactly are we supposed to do?

Another woman from Pampa, TX, up in the Texas Panhandle, writes that her monthly health insurance premiums have increased by 30 percent already over last year, and now her policy is being canceled altogether because of ObamaCare, so she has to purchase a new health insurance policy that will cost, in her words, ''much more'' than her existing coverage.

As her letter indicates, many of the folks losing their insurance will be forced to buy a new ObamaCare-approved policy from an online exchange which does not even work yet. It is no wonder that a growing number of our friends across the aisle are beginning to wonder: Why did the administration not extend the open enrollment period beyond March 2014? They realize they were marching in lockstep with the President when he made these promises, and the fact that these promises are not being kept is a political liability for them. At the very least it is a hardship for their constituents that they would like to see rectified.

Why is the ObamaCare Web site malfunctioning? It is an important question. But it is again just the tip of the iceberg. Remember, ObamaCare became the law of the land more than 3½ years ago. I think most people are astonished to learn that. Some news reports I have read said that people thought ObamaCare had already been fully implemented, we have been talking about it for so long. But by design, it was created to be implemented over a many-year period of time. I think that was a terrible mistake, because the political accountability that comes with implementing a law and then having to live with the political consequences of not delivering on your promises has now been delayed.

But 3½ years ago the administration should have gotten prepared to roll out its signature legislative achievement. According to CBS News, one of President Obama's top outside health care advisors sent the White House a memo back in May of 2010 warning them that ObamaCare was spiraling out of control. This memo came from Harvard economist David Cutler and reads in part:

> I do not believe the relevant members of the Administration understand the President's vision or have the capability to carry it out. . . . You need to have people who have the understanding of the political process, people who understand how to work within an Administration, and people who understand how to start and to build a business, and unfortunately, nationally they just didn't get all of those people together.

Republicans have for years been warning that this government takeover of one-sixth of our economy, this central planning scheme, social engineering, if you will, would not work. At the very least, the Federal Government has proven itself incompetent on making something this big and this complicated and this expensive work as advertised, it is becoming increasingly clear. We spent years warning that ObamaCare would force many Americans to lose their existing coverage. We spent years warning that ObamaCare would limit patient choices and reduce health options. We have spent years warning that the law itself would prove to be unworkable. Now it appears that many of those warnings have come true. We are reiterating our call to dismantle ObamaCare and to replace it with patient-centered reforms that will help bring down the cost, will not limit patient choices, and which will address most of the biggest problems in our broken health care system.

There are other areas such as preexisting conditions, young adult coverage, that we could readily agree on. Those are not debatable. I think the fact that the distinguished majority whip has suggested you have to have ObamaCare in order to get those is a gross exaggeration.

Remember, ObamaCare was sold as a policy that would expand health care coverage without raising costs, and without disrupting anyone's existing health care arrangement. It has proven to be a false promise on both of those counts. Despite the promises made in 2009 and 2010, promises that were repeated on the campaign trail in 2012, it is becoming increasingly evident that ObamaCare is making it harder for Americans to get or to keep the insurance coverage they already have, and which they want.

By the way, ObamaCare was sold to the American people as a way to get everybody covered with insurance. The Congressional Budget Office has documented that as many as 30 million Americans will remain uncovered even after ObamaCare is fully implemented. So you have not met the goal of universal coverage, the CBO says.

We are finding that rather than your costs going down, they are going up; you are finding that if you like what you have, you cannot keep it. Well, as Republicans have said all along, there are much better ways to expand health insurance coverage. I heard the majority whip this morning say they would like to hear our plan. Well, either their memory is faulty or they just were not listening.

ObamaCare regulations are incompatible with the genuine marketplace in health care insurance. They are incompatible with cost control. I think perhaps the best example I can think of is where the market actually works in conjunction with a government program, such as Medicare prescription drug coverage.

Remember when the Medicare prescription drug coverage plan was adopted, Medicare Part D, true competition in the market was created and vendors competed for the business of beneficiaries when it came to selling them their prescription drug plan. Lo and behold, due to the discipline and the competition, not only did quality of service go up and cost go down, we have seen that actually there is a 40-percent reduction, or I should say the cost of the plan is 40 percent under what was originally projected. That is something we could use with ObamaCare, which has been completely rejected. But that is why we believe we can replace ObamaCare with reforms that will make it easier for people to acquire or keep a health insurance plan that meets their actual individual needs.

My friends across the aisle continue to say we have not offered a practical alternative, but that is not true. Just to remind them, some of the alternatives we offered include equalizing the tax treatment of health care so individuals purchasing insurance on their own are on the same level playing field as those who have employer-provided coverage. We would let Americans buy their health insurance coverage across State lines, something that is now not currently permitted, which would increase competition and increase consumer choice. So if I found a policy I needed from Maryland or Massachusetts or anywhere else around the country, I could buy it. So could my 26 million constituents. We would let individuals in small businesses form risk pools in the individual market, which is the most expensive part of the insurance market, helping to bring costs down. We would make price and quality information more transparent, again to increase that discipline known as market forces, which would help improve consumer choice and, in the process, bring down cost, while improving quality of service.

We would also expand the power of individuals to control their own health care spending through tax-free health savings accounts, which also have the additional benefit of providing skin in the game for consumers. One of the reasons why our health care spending is so high and so worrisome is that for too long our health care coverage was like a credit card that each of us, or many of us—not all of us—85 percent of us had in our pocket, where we could continue to charge and charge, but we would never see the bill. Well, that is a recipe for a runaway system, which is the reason we do need true health insurance reform.

Part of that reform would be to control frivolous malpractice lawsuits that help drive up costs by increasing the incentives for defensive medicine, doctors treating patients not because they think it is called for based on clinical guidelines but, rather in their effort to say: I have conducted every test, I have done everything possible so I cannot get sued successfully. We would use high-risk pools to ensure that people with preexisting conditions could get coverage. We would give the States a lot more flexibility in how to manage Medicaid.

I read with interest that a lot of the increased coverage since ObamaCare passed is not in the exchanges but it is Medicaid, the Medicaid expansion. Well, in my State, Medicaid pays a doctor about 50 cents on the dollar for what private insurance pays that doctor. So only about one-third of doctors will actually see a new Medicaid patient, because the cost of doing so eats into their profit, and, indeed, may make their doing so completely unprofitable and nonviable. But we could improve Medicaid by creating more flexibility in the States to manage that beneficiary population and to expand coverage.

Then we would expand provider competition and patient choice and Medicare.

Those are nine different reform proposals we have been making since 2009 when ObamaCare was first being debated, but it is clear our colleagues across the aisle were so concentrated on this huge takeover of our health care system—one-sixth of our economy, in a way that we now know is not going to work—that they weren't even listening. I hope they will now.

While the reforms I have described enjoy broad support among Republicans on Capitol Hill, my hope is whether you were a critic of ObamaCare, as I was, or you were a skeptic and thought, well, maybe it will work but I am not sure it will, or whether you were one of its biggest cheerleaders—now that we are seeing these promises that were made by the President and others in order to sell this to the American people are not true, I am hopeful Democrats and Republicans can come together to try to fix our broken health care system. After witnessing ObamaCare's disastrous rollout and its long trail of broken promises, I think most Americans would agree it is time for something different.

I have read that the definition of insanity is doing the same thing over and over and expecting different results. ObamaCare is not going to get any better by continuing to do the same thing over and over. I hope we will learn from our mistakes, and we will work together to improve access and the price of health care to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, the legislation that is currently pending before this body, the Employment Non-Discrimination Act, S. 815, provides a historic opportunity for us to advance civil rights in this country and end employment discrimination against lesbians, gays, bisexuals, and transgenders, the LGBT community.

The United States has shown international leadership against discrimination, promoting better understanding and tolerance around the globe. That has made the security of countries better. It has provided opportunities for minority communities. The United States has been in the forefront of those efforts. We have shown leadership internationally and we have done that because we have taken action in our own country to protect against discrimination. Action at home helps us provide that credibility for our international leadership. Passage of S. 815, the Employment Non-Discrimination Act, would demonstrate that action, that we have taken the right action at home and, therefore, we have the standing to promote better understanding globally.

The U.S. leadership has been shown in many different ways. I am very proud that one of the primary organizations the United States has participated in that has advanced human rights is the Organization for Security and Co-operation in Europe. Our local arm in participating is the Helsinki Commission. I have the honor of chairing the Helsinki Commission, which includes Members of both the House and the Senate, along with members of the administration. We have used that role in the Helsinki Commission to promote an international agenda to deal with best practices to end discrimination on ethnic communities, religious communities, and racial discrimination. As a result of U.S. leadership, we have made a difference. We made a difference in Europe, we made a difference in North America, and we made a difference around the world.

Today there are special representatives under the OSCE to promote tolerance in regard to minority communities on race, the Muslim community, and Jewish communities. We have made a difference in the Roma population in Europe, which has been badly discriminated against. We have had conferences to deal with anti-Semitism to help the Jewish communities of Europe, and we have helped religious minorities around the region.

U.S. leadership is needed to help the LGBT community. We have seen countries in Europe take discriminatory actions to marginalize lesbians, gays, and those who, because of their sexual orientation or gender identity, have been discriminated against. In order to do that, we need to pass the legislation before us to give us the moral ground and to promote the core values of our country. America's core values are based upon equal rights for all citizens, and that is what we need to promote by the passage of this legislation.

I must tell you it also is important for economic advancements. If we are going to be able to adequately compete globally, we need to empower all of the people of this country. We can't leave anyone behind.

I am proud of what has happened in my own State of Maryland. Maryland has had a proud history of advancing civil rights for all of its citizens. Two weekends ago I had the opportunity to join in the 25th anniversary of Equality Maryland. In 25 years, they have changed the landscape in regard to the LGBT community in my State of Maryland. We passed many laws that have advanced protection for all of our citizens in our State.

The State of Maryland has passed laws. We have had local governments pass law. Baltimore City has passed a law, Baltimore County, Montgomery County, Howard County, and the list goes on. In Maryland, not only did our legislature pass marriage equality, it was a petition to referendum and the voters of Maryland approved marriage equality. We have taken steps in our State to advance the rights of all of our citizens, including the LGBT community.

It has been nearly half a century since we passed the Civil Rights Act of 1964. The Civil Rights Act of 1964 prevents discrimination in employment based on race, color, religion, sex, or national origin. That has been our law for almost half a century. ENDA, the legislation before us, would expand that to sexual orientation and gender identity.

The Civil Rights Act of 1964 has worked. It has worked. It has provided enforcement mechanisms for those who have been discriminated against in their employment because of their race or because of their religion or because of their national origin or because of their sex. It has worked. ENDA would expand that protection for sexual orientation and gender identity. It is time we do this. Twenty-one States have already acted, including my State of Maryland. We have passed laws. Seventeen States include gender identity. Federalism has worked.

What do I mean by that? We have seen that there is a national law. The law is the Civil Rights Act of 1964. It set up the framework so that everyone understands we won't tolerate discrimination in the workplace. It has had a workable way where those who are victimized can get remedy, but the real remedy we want is equal employment opportunity for all the citizens of this country. It has worked.

Our States have said we can go farther, we can protect the LGBT community. They have and it has worked. Those who have said: Look, we are going to have problems because of religious organizations or we are going to have problems because of this group—that has not been the case.

Federalism has demonstrated it is now time to pass a national law to protect against those who discriminate in employment on a person's sexual orientation or gender identity. We need a national law.

I can give you many specific examples that have been shared with us. We could talk the numbers. We know the numbers. I want to speak about specific cases and to mention two people.

Kimya has a master's degree in social work and nearly two decades of experience in the field. She was the manager of a unit of a long-term care facility for those suffering from Alzheimer's and dementia. She enjoyed her job and was good at it but suffered through nearly a year of threatening messages, vandalism to her car, and slurs uttered in the halls. In 2003, she was fired, her supervisors telling her: ''This would not be happening if you were not a lesbian.''

Next is the case of Linda. Linda is an attorney who relocated to this region when her partner accepted a faculty position with a local university. Linda was invited for a second interview with a local law firm. During the interview, Linda was asked why she was moving to this region, and she replied that her spouse had taken a position at a local university. The law firm asked Linda

to come back for a final interview, which would include a dinner with all the partners and their spouses ''to make sure we all got along.'' At that point, Linda told one of the partners at the law firm that her spouse was a woman. Soon after, Linda was told that the firm would not hire a lesbian and she should not bother coming in for the third interview.

In Kimya's and Linda's cases, they live in States that do not have protection for the LGBT community, and therefore there was no way to address this wrong.

The legislation before us has been endorsed by the Leadership Conference on Civil and Human Rights that represents over 200 civil rights, religious, labor, and women's rights organizations. It has broad support. It is supported by the American people. It is the right thing to do. It represents our core values.

Our former colleague Senator Ted Kennedy said civil rights was the great unfinished business of America. We are on that path. The passage of the Employment Non-Discrimination Act would be a major step forward to making us a more perfect union.

I urge my colleagues to support the legislation.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Oregon.

Mr. MERKLEY. I appreciate the comments of my colleague from Maryland, who has argued so well that the time has come to take a bold step in favor of equality, in favor of fairness in passing employment nondiscrimination. I too rise to speak to the importance of this action.

The Declaration of Independence in its second paragraph says, in words that are famous and well-known to all Americans:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.

Certainly that vision of life, liberty, and pursuit of happiness is infused into everything we pursue in this Nation in the success of individuals, the success of our families, the success of our communities, and the success of our Nation. The debate on which we are about to embark is deeply connected to this issue because certainly the ability to be free from discrimination in the pursuit of a job and to be free from discrimination in the course of employment is central to that pursuit of happiness. It is central to the issue of liberty.

I rise today to say how important and vital this is to millions of Americans for whom discrimination has blocked and compromised the vision laid out in the Declaration of Independence. This bill, this framework for ending discrimination in employment, S. 815, is born with a lot of bipartisan partners whom I wish to thank at this moment.

It was back in 2009, my first year in the Senate, that Senator Kennedy and his team asked me to take the leadership of this bill that he had held near and dear to his heart and to carry the torch forward in fighting for fairness in employment, fighting for an end to discrimination. Since that time, many have stepped forward to be partners in this journey.

Senator COLLINS was the first chief cosponsor on the Republican side, stepping forward and taking her voice, her energy, her experience, and her insight in bringing that to bear. After 2 years, she passed the baton to Senator MARK KIRK, who had been a long-time champion of the vision of fairness and equality for all Americans. Both of them have done an outstanding and extraordinary job in forwarding this dialogue.

On the Democratic side we have, first and foremost Senator Kennedy, who carried the leadership for many years, including back in 1996 when we had this on the floor of the Senate—and I will return to that in due course. He was a champion for civil rights in many different parts of our world, including race discrimination, gender discrimination, and discrimination against the LGBT community.

Senator HARKIN, who chairs the Health, Education, Labor, and Pensions Committee, carried this bill forward through two hearings in 2009 and 2012, and then brought it to markup this past year and is prepared to send it to the floor. So I thank Senator HARKIN for his leadership.

Senator TAMMY BALDWIN, who came to us with her own personal story and her experience with leadership in the House, has extended the conversation here in the Senate and has carried on so many individual meetings to speak to these core issues of equality, fairness, and opportunity.

So I thank all the bipartisan sponsors, and I thank all of those who last night said, yes, we should debate this issue. We should debate this issue of discrimination and blocking full opportunity for millions of Americans. So shortly we will be engaged in that debate.

After the Declaration of Independence, we had the preamble to the Constitution. This also is well known to Americans across our land.

> We, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish the Constitution of the United States of America.

So here we have this core concept of justice and the blessings of liberty for that generation and the generations that would follow. But what exactly is liberty? What is freedom?

President Johnson, in 1965, at a commencement address at Howard University, said:

> Freedom is the right to share, share fully and equally, in American society—to vote, to hold a job, to enter a public place, to go to a school. It is the right to be treated in every part of our national life as a person equal in dignity and promise to all others.

I think that is a pretty good description of what liberty and freedom mean—a right to participate fully in American society in every respect: at the voting booth, in the job place, and in the public square, as you would choose to participate.

So the Employment Non-Discrimination Act, which ends discrimination against our LGBT community, is rooted in the best of American values. It is rooted in the concepts of liberty and freedom in our founding documents and in our founding vision. It is rooted in the concept of fundamental fairness.

How unfair is it if an individual who is seeking to apply for a job cannot have the full opportunity for that job, the full opportunity to thrive because of discrimination? How fair is it that because of who you are outside of the workplace you are fired from the workplace?

Let us think of the Golden Rule. We all learned this early in life—that we should treat others according to how we would want to be treated. And we all want to be treated with the respect and dignity President Johnson referred to.

It is the vision of equality that was in the Declaration of Independence, and it is the vision of opportunity that is rooted so deeply in the American Dream—the idea that in America, if you work and study hard, you can do just about anything. That is the vision my father gave me when he took me to the schoolhouse doors when I was small and said: If you go through those doors and you study hard, here in America you can do just about anything.

But discrimination takes away from that vision of opportunity. It says: If you study hard, here in America you can do just about anything, unless you have a certain color of skin, unless you are a certain gender, unless you have a certain gender identity or sexual orientation.

We have struck down many of those barriers. We have advanced on this vision of equality, but we have further to go. That is what this debate is about. In 29 States, an individual can still be fired from their job, they can still be told not to apply in the first place because of their sexual orientation or their gender identity—in 29 States. It should not be the case that the vision of equality and fairness and opportunity happens to occur on one side of a State line but it is destroyed if you cross that State line. This vision of opportunity and fairness and equality in the Constitution and in the Declaration of Independence didn't say the vision is only if you live in particular States, only if you live in the 21 States that have protections for our lesbian, gay, and bisexual community; only if you live in the 17 States that have employment protection for our transgender community.

The journey of this legislation began in 1974. It was a year after Stonewall. It was 39 years ago that Bella Abzug and Ed Koch introduced in the House of Representatives legislation that would ban job discrimination. It took another 19 years before such legislation was introduced here in the Senate and where hearings were held in the Labor and Human Resources Committee in 1994. It was 2 years later the bill was debated here in this Chamber—right here in this very room. The outcome was 49 for and 50 against, with Vice President Gore sitting in the presiding chair where the Senator from Hawaii now sits.

Vice President Gore had already clarified where he stood, so we were missing one Senator and one vote, and the result was that it took 17 years to again hold this conversation in this Chamber—17 years of discrimination in so many States across America. It is time to end that discrimination and enhance the vision of equality and fairness.

Today, we have a bill before us with 55 cosponsors. When we think about that 49–50 vote 17 years ago, we might think: Well, isn't this a done deal? There are 55 cosponsors and you only need 51 or 50 plus the Vice President to pass a bill in the Senate. But it is not a done deal. Because in the last decade and a half, the Senate has gone from being a simple majority Chamber, as envisioned in the Constitution, to being a Chamber where every action takes a supermajority vote.

We needed a supermajority of 60 to get on to the bill last night, and everyone anticipates we will need 60 votes to get off the bill; that is, to close debate and have a final vote. That is not the Senate of the past 200 years, but it is the Senate of the last 10 years, where the courtesy of extended debate has been turned into the veto of a supermajority. That is where we stand right now. Therefore, we need 60 votes.

We had 61 votes last night to get onto this debate, and I thank every one of those 61 Senators who stood up and said: Yes, after 17 years it is time to debate this issue; yes, it is right to consider the core issue of fairness to millions of Americans; yes, it is right to recognize that we should have a debate about the impact of discrimination on the ability of the individual to have full opportunity in our Nation.

Have no doubt. Discrimination is alive and well. I will share with you the story of Laura from Portland, OR, before Oregon had nondiscrimination clauses, which we adopted in 2007. Laura wrote that from 1980 to 1996 she worked for the Josephine County Sheriff's Office in Grants Pass, OR. She had the rank of sergeant. She was promoted often. She worked in a variety of capacities, including as a SWAT team commander, as a detective of the major crimes unit, and in the narcotics task force. During her 16 years, she says: I received numerous commendations, including commendations for removing an automobile accident victim from a burning vehicle, delivering a baby alongside a roadside, and disarming an armed man intent on harming himself. She was awarded for her expertise and diligence shown in a number of complicated criminal cases. She was named Deputy of the Year in 1994. She taught law enforcement classes at Rogue Community College and at the Oregon Police Academy. She had a distinguished employment record.

On Labor Day 1995, Laura was in a remote area when a police dog attacked her and did some damage to her leg and she was put on administrative leave. During the month that followed, her storage unit was broken into. Out of that break-in of her storage unit came information she was a transgender individual, and because of that she was fired. She had a stellar career in every aspect, but a break-in into her storage unit, plus discrimination, ended that career.

She ends her commentary by saying: Had employment nondiscrimination laws been in effect, I likely would have continued serving the citizens of Josephine County to this day.

We know from her employment record she would have served well. But that was before Oregon adopted anti-discrimination legislation.

Many people have written to share their stories. Terri from Aloha wrote:

> Thank you for continuing the fight against discrimination. I am retired now, but I did lose a job when I was young, for being a lesbian. Until later in life, I stayed deep in the closet after that to keep from losing another job. All of the non-discrimination bills help us define who we are as a people and underscores our belief in life, liberty, and the pursuit of happiness for every American.

By one survey, far more than a third of LGBT individuals have experienced some form of harassment or discrimination in the workplace. That has a tremendous impact on the pursuit of happiness. That is a tremendous shrinking of freedom and liberty as envisioned in our founding documents, our vision for this Nation.

There are a number of issues which have been raised as colleagues have talked about this bill before it comes to the floor, and I wish to address some of them.

First, this bill is fully inclusive. It includes the lesbian, gay, bisexual, and transgender community. It should be fully inclusive because discrimination is wrong. Discrimination shrinks opportunity. Discrimination is an offense against liberty and freedom in our Nation and full participation in society. So of course this bill should be fully inclusive, as it is in 17 of the 21 States that have laws on their books right now.

A second issue has been concern about lawsuits. We heard this yesterday from the Speaker of the House. But we have all of these pilots, if you will, with 21 States with measures on the books with all kinds of experience. So I asked the General Accounting Office to do an updated study on the issue of lawsuits, and what did we find? There has been no abuse. There has been no extraordinary stream of unfounded lawsuits against businesses, no damage to business, none at all.

In Oregon, LGBT discrimination claims are less than 2 percent of the total number of employment discrimination claims. That is less than 1 out of 50. In other States it has ranged from 2 to 6 percent. That is a small number, and that is why the business community has remained so supportive. In fact, close to 90 percent of the Fortune 500 companies have nondiscrimination practices they have adopted on their own. They have adopted them because it is good business.

Nike, in my home State of Oregon, says that ''ENDA is good for business, for our employees, and for our communities.''

The Nike statement continues: Inclusive, nondiscrimination policies ''enable us to attract and retain the best and brightest people around the world.''

That is why Fortune 500 companies have lined up to adopt nondiscrimination provisions—because what is good for liberty and what is good for opportunity is good for business. And the GAO study shows that any claim that there has been a problem with excessive lawsuits is simply false.

A third concern is about the religious exemption. The religious exemption in this bill is deeply founded on title VII of the Civil Rights Act, so there is a whole history of interpretation and understanding exactly where the boundaries are. This is the same religious exemption that was voted in favor of in the U.S. House of Representatives by a measure of 420 to 25. Mr. President, 420 to 25 said this is the right foundation to make sure we create the balance for religious organizations.

There are others who are concerned that, simply, the American people are not ready for this discussion—despite the fact that it has been adopted in 21 States, despite the fact that we have had many related issues before the American public up for discussion, including hate crimes. We have the Matthew Shepard hate crimes act; we had don't ask, don't tell; we had a Supreme Court discussion about marriage equality. Certainly Americans are well familiar with this. In fact, 80 percent of Americans think we have already done this.

I was explaining to my daughter Brynne about this bill, this fight against discrimination and its terrible impacts on liberty, freedom, and opportunity.

She said: But, Dad, people can't fire others because they are lesbian or gay, right? That is not possible.

I said: Sweetie, it was possible right here in Oregon until a couple years ago when in 2007 we adopted nondiscrimination policies and nondiscrimination statutes for our State.

She just shook her head.

It took me back to when I was in high school and I was hearing about

Jim Crow and discrimination against those with dark skin instead of lighter skin, and I thought that is not possible, not under our vision of opportunity and equality in our Constitution and our pursuit of happiness. It is not possible.

But it was possible, and it was very real well after I was born. But we ended that discrimination, and it is time to end this discrimination.

This is about the individual, but it is about our Nation as well. It is certainly about the vision of the Declaration of Independence, which has the promise of life, liberty, and the pursuit of happiness as the founding motivation. It certainly is about our Constitution, which says that the core purpose is to secure the blessings of liberty because certainly you do not have liberty if you do not have the full opportunity to participate in the workplace across America.

Senator Ted Kennedy carried this battle until days before his death. The quote I am about to share is from August 5, 2009. He died just 20 days later. This may well have been one of his last public comments and introducing the 2009 bill may well have been one of his last legislative acts. He said:

> The promise of America will never be fulfilled as long as justice is denied to even one among us.

I urge my colleagues, take a stand for equality. Take a stand for fundamental fairness. Take a stand for the vision of the pursuit of happiness embedded in our Constitution. Take a stand for justice for all. Support this bill.

The PRESIDING OFFICER. the Senator from Indiana.

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

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

OBAMACARE

Mr. COATS. Mr. President, among the many promises the President made when he and congressional Democrats enacted their unpopular health care law nearly 4 years ago—which, by the way, was enacted without any bipartisan input or support—there is one thing in particular Americans definitely have not forgotten. It was the promise President Obama repeated over and over again to the American people at rally after rally. You can't turn on the TV or radio or pick up a newspaper these days without this promise the President made so definitively being played over and over again because it was so ingrained in the thoughts of the American people:

> If you like your health care plan, you'll be able to keep your health care plan, period.

By saying ''period'' behind it, it is like he puts a stamp on it: That is it. No disagreement.

> If you like your health care plan, you'll be able to keep it. Period.

Well, here are the facts. The ObamaCare online marketplace has been in place for 1 month and a couple of days. Already, at least 3.5 million Americans have received cancellation notices from their insurance companies. Lord knows how many more letters are in the mail or will be in the mail, arriving in Americans' mailboxes in the coming weeks and months ahead. So when the President says: If you like your health care plan, you can keep it—already 3.5 million Americans have been told: No, actually you can't keep your health care plan.

Thousands of Hoosiers are receiving those letters, and many more will receive them as well.

Rebecca from Muncie received a letter saying that her individual health care plan will be canceled. She also learned that the premiums in the government-approved plans are double and triple what she is paying now. Do you remember when the administration said ''This won't cost one penny more''?

Dwight from Indianapolis wrote to me and shared a similar story. Dwight also received notice in the mail that his health care plan is being terminated. When he started looking for an alternative government-approved plan he experienced sticker shock: dramatic increases in the premiums he would have to pay for having to buy an ObamaCare plan now that his plan has been terminated.

That sticker shock was felt by Garth in Marion, IN, as well. Garth told me his family's health insurance costs will be more than three times as much under ObamaCare as they are paying now.

Rebecca, Dwight, Garth, and tens of thousands of other Hoosiers now have found out that the promise the President made is a broken promise.

But despite the repeated promise by the President for several years to the American people—that you can keep your health care plan if you like it, period—we have now learned the administration knew all along this wasn't true. For at least the past 3 years the administration has known that millions of Americans would receive cancellation notices and lose their current health care coverage. Yet the President has continued to package this flawed product with false advertising and apparently deliberate dishonesty to sell it to the American people. We wonder why Americans are losing confidence in their government? We wonder why there is such an alarming trust deficit in the country today?

As Washington Post writer Chris Cillizza wrote recently, ''When you're the President, words matter.''

Mr. President, words matter. Your words were: If you like your health care plan, you can keep it, period. Mr. President, that was a false promise, and it has undermined the confidence and trust of the American people in this President and in this government.

The fact is that you can only keep your health care plan if the Obama administration likes that plan, and apparently there are millions of plans already that they don't like. The ones they do like are their own creation, with multiple doubles and triples of premium costs.

In 2009 the President also said:

> We will keep this promise: If you like your doctor, you'll be able to keep your doctor, period.

The President keeps enunciating his promises with a period. That means that is it, final, nothing else to say about it. The fact is that under ObamaCare many individuals are not going to have access to the doctors they have trusted for years. If the White House had been honest with Americans, would the administration have promised people could keep doctors they like?

Many individuals and families are seeing higher premiums, higher copays, and higher deductibles under ObamaCare. If the White House had been honest with Americans, would it have told the public the health care law would save families up to $2,500? We haven't seen any of those stories yet.

What is the President's response to all of this and to the millions of Americans who have had their insurance coverage canceled? He says: Just shop around.

Well, first of all, maybe the President has forgotten that Americans can't even shop around because his Web site doesn't work. Maybe the President hasn't tried shopping around himself because he and his political appointees are not required to join ObamaCare. That is right. Everybody else is forced into ObamaCare but not the President nor his appointees and his team. They think it is good enough for the American people, but they are not going to be forced to join it as the rest of us are—including Members of Congress. Congress and the administration should be forced to join ObamaCare because if we are going to impose this on the American people, it needs to be imposed on us so that we feel the pain just as they are feeling the pain. But the President? He exempted himself. The President's appointees? Exempted. What kind of leadership is that?

Individuals and families who have been able to shop around are finding that many of the Obama-approved health care policies are going to cost them more money, not less. Middle-class families are getting hit with massive premium increases and outrageous deductibles. Remember, the point of health care reform was to lower the cost of health care and increase access, but we are seeing just the opposite of what the President promised. I think it is now clear that if the White House had been honest with the American people, this law would never have been passed in the first place.

It was Abraham Lincoln who said:

> If you once forfeit the confidence of your fellow citizens, you can never regain their respect and esteem. It is true that you may fool all of the people some of the time; you can even fool some of the people all of the

time; but you cannot fool all of the people all of the time.

Unfortunately, today many Americans believe they have been fooled by a series of promises by this administration and its supporters that were simply not true. Given the many problems and broken promises with ObamaCare, given the law's negative impact on American families, the sensible course of action at this time is to take a timeout from implementation of this law. Recent polling shows that nearly three in four American voters now support delaying ObamaCare's individual mandate. In September I introduced a bill to delay that mandate for 1 year. The House has already passed similar legislation offered by my Indiana colleague, TODD YOUNG, to delay both the employer—and the individual—mandate. By the way, 22 House Democrats supported it.

The first step we should take today is to pass this legislation to delay the ObamaCare mandates and put people over politics. There is a lot of work ahead to deliver real health care reform. We need to bring down the cost of health care, not raise it. We need to put patients in control of their health care decisions, not Washington bureaucrats. We need to increase competition, reform medical malpractice, allow people to buy insurance across State lines, create risk pools, and a number of other initiatives that have been put forward that would make it an affordable health care reform and not the unaffordable, overpromised and underdelivered health care plan that the American people got from this administration.

Delaying the individual mandate will give the American people an opportunity to voice their displeasure over this false information by the President and the chance to start over with a real, honest approach to health care reform. It is time to start now.

I yield the floor.

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

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

Mr. THUNE. Mr. President, I ask consent to speak for up to 15 minutes.

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

Mr. THUNE. Mr. President, recently, President Obama made the comment that ObamaCare is not just a web site, it is much more. I could not agree more with that statement. His health care law is also a list of broken promises that harm middle-class Americans. While he was trying to sell ObamaCare to the American people, President Obama repeatedly stated that ''if you like your health care plan, you'll be able to keep your health care plan, period.''

He did not say that if you like your health care plan, you can keep your health care plan unless your health care plan changes or if you like your health care plan, you can keep your health care plan unless your health care plan gets canceled. He didn't say that you can only keep your health care plan if the White House likes your health care plan. He said, ''If you like your health care plan, you'll be able to keep your health care plan, period.''

It is pretty emphatic, I would argue, when the President of the United States says something such as that. Yet just 1 month after the ObamaCare exchange rollout, at least 3.5 million Americans have received insurance cancellation notices, according to the Associated Press. That number just reflects the number of dropped plans in about 25 States. There are about 25 other States that have not reported their numbers yet.

A report by the American Action Forum cites that this number is expected to dramatically increase in the coming months. On Sunday, former White House Press Secretary Robert Gibbs conceded that it was certainly wrong for the President to claim that ''if you like your plan, you can keep it.''

The Washington Post fact checker even gave the President four Pinocchios for his oft-repeated pledge that no one will ever take away your health care plan. We are now learning it is actually only if the White House likes your plan that you are going to be able to keep your plan.

We are also learning the White House knew people would be losing their coverage. After ObamaCare was signed into law, the President's administration released regulations that would invalidate grandfathered health care plans if they made routine changes. This information was buried in 2010 regulation and, despite the fact that the administration had posted this regulation, the President continued to state, ''If you like your health care plan, you'll be able to keep your health care plan.''

At the time this regulation was released, the administration issued estimates stating that 40 to 67 percent of Americans who purchased insurance in the individual market would lose their coverage. The administration also stated in that regulation that by the year 2013, 39 to 69 percent of businesses, large and small, would lose their grandfathered plans.

What the President blatantly left out of his promise was the caveat that if the Federal Government approves of your health care plan, then you can keep it—not if you like it you can keep it, but if the Federal Government likes it, then you can keep it. But what we are finding is the opposite is true. It is a completely broken promise—completely. What makes this issue even more startling is that in 2010 Senate Democrats voted along party lines to reaffirm that those Americans who like their plan can only keep it if it receives a government seal of approval.

In September of 2010, Senator MIKE ENZI from Wyoming proposed a resolution to block the way the administration was planning to handle plan cancellations. On a party-line vote, Democrats killed the resolution, effectively endorsing the administration's proposal to cancel plans individuals have and like. After breaking his oft-repeated promise, the President is now telling millions of Americans who had their insurance canceled that they should just shop around for policies that can be more costly on a Web site that does not function.

It is clear the administration has mislead Americans with their promises. Jerry Buckley of Marion, AR, says he did not pay attention to any of that because the President kept telling you this will not affect you if you like what you have. Despite being assured he could keep his plan, Mr. Buckley received a letter from Arkansas Blue Cross Blue Shield saying his policy did not comply with the new regulations under ObamaCare. A comparable plan has a higher premium, higher out-of-pocket costs, and less coverage.

As the leader of our country, the President's words matter. He needs to be held accountable for these millions of insurance plans he promised the American people they could keep. Simply having administration officials apologize for a broken Web site is not a solution. The issues run much deeper than anything any IT expert can fix. This is fundamentally about the flaws in this law. That is why the cancellation notices continue to go out despite the President's assertions and promises that if you like your plan, you can keep it.

In addition to the cancellation notices, consumers are experiencing sticker shock when they see what plans are available to them this next year. Forbes reports that premiums in 41 States are going to increase under ObamaCare. My home State of South Dakota ranks seventh on that list, with premiums rising 77 percent, on average. In four States, insurance premiums are expected to rise over 100 percent. A Washington Post headline from the weekend reads:

For consumers whose health premiums will go up under the new law, sticker shock leads to anger.

The article cites an anecdote by an area lawyer, Deborah Persico. Ms. Persico recently found out her insurance is being canceled due to ObamaCare. Under a comparable plan with the new law, her premium is going to increase by 55 percent and her deductible will double. She expects this new plan will cost her at least $5,000 a year more than she pays under her current plan.

There are millions of middle-class Americans just like Deborah whose health care costs are skyrocketing under ObamaCare. The rising premiums are affecting both Americans

who buy their insurance in the individual market and those who have employer-provided health care as well. In an effort to avoid these higher costs, small businesses are renewing their plans early to avoid requirements imposed by ObamaCare. Insurance brokers told USA Today that 60 to 80 percent of small businesses with less than 50 employees are scrambling to renew their policies before the year's end to avoid paying the ObamaCare prices for 1 more year.

With our still sluggish economy and unacceptably high unemployment rate, Americans cannot afford ObamaCare. This catastrophic law is leading to canceled policies, higher costs, and less coverage.

Senate Republicans want to hear your stories. If you had a plan of your choice canceled, visit Republicans.senate.gov/yourstory.

It is now evident that after supporting the rule that led to insurance cancellations, nervous Democrats are beginning to recommend a delay in the individual mandate. It is clear that even those who supported this law in 2009 and 2010 are having second thoughts, but second thoughts are not enough. We need to work together to repeal this law and replace it with policies that actually lower the cost of care and allow individuals to keep the plans and the doctors they like.

Republicans will continue to fight to protect as many Americans as possible from this train wreck, and we hope the Democrats in the Senate will work with us.

Over the weekend we saw more examples, including a story in the Wall Street Journal from yesterday, about a lady who lost her coverage and can't use her doctors. She is a stage 4 cancer survivor, and she has used health care facilities in her own State of California that have done wonderful things for her in treating her illness. Yet under the ObamaCare policies that are currently in place, she is losing that coverage and losing access to her doctor.

The promise that ''you can keep your plan if you like it'' and the promise that ''you can keep your doctor if you like your doctor'' are broken promises that cannot be fulfilled. The President of the United States, over and over, said, ''If you like your health care plan, you can keep it.'' We know that is not true, and we know it is never going to be true. We know now, going back to 2010, they knew it wasn't going to be true. They were predicting that there were going to be cancellations and sticker shock. Yet never once did the President modify his statement. He consistently said, ''If you like your health care plan today, you can keep it, period''—completely misleading. Millions of Americans who have received cancellation notices and who are seeing skyrocketing premiums are in peril in their ability to cover themselves and their family.

There is a better way. There was a better way back then and there is a better way today of bringing down health care costs and making it more affordable for more Americans, allowing them to have access to the health care plan they like and the doctor they choose. Yet if we stay on this current path, we are headed for a train wreck. We have time to turn the train around before this is fully implemented, and I hope to find bipartisan cooperation because health care is an important issue to millions of Americans. It is a pocketbook issue that affects so many families across this country, and their ability to provide affordable coverage for themselves and their families is an economic issue and something everybody talks about at the kitchen table.

We can come up with a better solution. We should come up with a better solution. If we don't, not only will we see millions of Americans with canceled coverage and millions of Americans with dramatic increases in the amount they are paying for health insurance coverage today, we will also see the impact this will have on jobs as more and more employers find it more difficult to retain their employees and hire more workers. The chronically high unemployment rate we see today, as well as the historically low labor participation rate, the reduced take-home pay we have seen for middle-class Americans, those will become a permanent state for the American people. I think the American people want to see us work on policies that will improve their standard of living, improve their quality of life, get more Americans back to work, and increase take-home pay for middle-class Americans.

This policy takes us backward. This policy takes us down a track that leads to broken promises and unfulfilled expectations for the American people. It is high time we change that. We can do that. I hope we will find the bipartisan cooperation here and hopefully the engagement of the President of the United States who, after all, made the promise that ''if you like your plan, you can keep it, period,'' repeatedly, over and over—a broken promise. It is not too late to do the right thing. I hope we will be able to find the bipartisan cooperation to do that.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. ISAKSON. Madam President, I ask unanimous consent to address the Senate as in morning business.

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

HONORING SENIOR PASTOR JASPER W. WILLIAMS, JR.

Mr. ISAKSON. Madam President, we get to do a lot as Members of the Senate on the floor of this great body. We make great speeches and we have great debates. Periodically, from time to time, we pay tribute to someone in our State who has done great work for many people. I take this opportunity to do exactly that on the floor of the Senate.

This Sunday night, at 5 p.m., at the Salem Baptist Church in Atlanta, GA, the Reverend Jasper W. Williams will be honored for his 50th year of continued service at the Salem Baptist Church. I have been privileged to know Jasper for 20 of those 50 years. I have been a member of that church and I heard his sermons. I have heard him preach the Gospel. I have seen him teach others and I have seen him save people's lives. I have heard and I have seen him reach out into the community to bring children together for daycare, to watch him help to mend the sick and the poor, and doing everything that is expected of a church and doing so without any expectation of benefit to himself, except for the self-satisfaction of serving the Lord and serving his church.

He has a great church at Salem Baptist. They have two sites, as a matter of fact, and two large congregations.

He succeeded his father as a minister and learned the ministry from his father. He went to Salem Baptist Church to preach as a guest on Easter Sunday in 1963. And in November of that year, at the age of 19, that church offered Jasper the pastorship of Salem Baptist, and he has been there every day since.

His two sons also preach in the Salem Baptist Church community to carry on the tradition of the Jasper Williams family.

He is a graduate of Morehouse College, the leading Black institution in Atlanta at the Atlanta University complex. He is a great citizen of our city, a great citizen of our State, and a great citizen of our country.

So I take a privilege at this time on the floor of the U.S. Senate to pay tribute to my friend, Jasper W. Williams, Jr., to thank him and to thank the Lord for his service to the people of Atlanta, GA, and to the Baptist Church.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. MARKEY. Madam President, I ask to be recognized to speak on behalf of the passage of ENDA.

The PRESIDING OFFICER. The Senator is recognized.

Mr. MARKEY. Madam President, I rise today in support of equal treatment for all Americans. The Employment Non-Discrimination Act, or ENDA, is aimed at protecting all lesbian, gay, bisexual, and transgender

Americans from workplace discrimination based on their sexual orientation or gender identity. All Americans deserve to be free from discrimination in the workplace, and ENDA is a crucial step to ensuring equal treatment.

I have been a cosponsor of the Employment Non-Discrimination Act every time it was introduced in Congress since the bill was first drafted in 1994. Two years later, in 1996, I was one of only 67 Members of the House of Representatives to vote against the Defense of Marriage Act. That seems like ancient history now—so long ago.

I am proud to say that the Employment Non-Discrimination Act has its roots in my home State of Massachusetts. Back in 1994, it was originally written by two titans of Massachusetts politics: Congressman Gerry Studds in the House of Representatives and Senator Ted Kennedy here in the U.S. Senate. We are coming up now close to 20 years since those bills were introduced first in the House and in the Senate.

While neither of these visionary leaders is with us today, their tireless work for equality lives on. They helped pave the way for this debate by challenging the pervasive view that LGBT people do not need or deserve the same legal rights and protections as everyone else.

We began debating this actually in the Massachusetts State legislature in the mid-1970s. In Massachusetts, in the 1970s, a law like this could not pass. But in 1989 Massachusetts became the second State in the Nation to adopt a law prohibiting discrimination based on sexual orientation in employment, public accommodation, housing, and credit services.

In 2004 Massachusetts became the first State in the Nation to extend marriage equality to same-sex couples. Massachusetts is again paving the way with the passage of one of the first transgender equal rights laws in the Nation.

The people of Massachusetts know that when some of our citizens are being discriminated against, the liberty of all people is diminished.

From schoolrooms to boardrooms, members of the Massachusetts LGBT community have made stunning progress toward full legal equality. Simply put, equality works in Massachusetts, and it works for Massachusetts. By ensuring that LGBT individuals have the same employment protections as everyone else, we have made the light of liberty in our State burn even more brightly.

The same basic civil rights protections that have been extended to LGBT residents of Massachusetts should be extended to LGBT people across the entire Nation.

For the last two decades, the people of Massachusetts have supported a national employment nondiscrimination law because we cannot allow our Nation to have one standard in States that pass laws that protect people from discrimination and have other States that do not. We cannot have the careers of people, the dreams of people, to be in fear of prosecution as people move from State to State. There should be a national standard which we establish—a standard that ensures that every person knows that wherever they are in the United States of America, they are going to be protected, that they were created by God, and they have a right to these protections in every State in our country.

Today the number of States that have adopted their own antidiscrimination laws is basically increasing. I applaud the progress that has been made to advance the cause of equality on the State level. However, 29 States still do not have these critical protections in place. That is 29 States too many that still refuse to provide those protections.

In the end, it comes down to this: We should treat others as we would like to be treated ourselves. The LGBT community is made up of our friends, our neighbors, our coworkers, and our families. We all deserve the same rights regardless of who we are, regardless of where we live in our great Nation. That is what is truly exceptional about America. Despite our challenges, we remain the brightest beacon of freedom, opportunity, and equality in the world.

I have a great deal of pride in our Nation and our people. I truly believe that despite our differences, we can come together with one voice to say that discrimination is wrong. So let's here, this week, all stand together for a future without discrimination in the workplace. It will make America more productive. It will make us more wealthy but, most importantly, it will ensure that we have removed that stigma of discrimination that puts fear into the hearts of American citizens unnecessarily. This is a huge, historic week that we are about to see unfold in our Nation's capital. I pray we can pass this bill and send it over to the House of Representatives so we can have this full debate in our Nation for equality for every person who lives within our boundaries.

I yield the floor.

## RECESS

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

Thereupon, the Senate, at 12:31 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

## EMPLOYMENT NON-DISCRIMINATION ACT OF 2013—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I ask to be allowed to address the Senate for a brief period of time.

The PRESIDING OFFICER. The Senator is recognized.

### BALANCING THE BUDGET

Mr. SANDERS. This afternoon I wish to touch on two issues. One is the issue of Social Security, which is life-and-death for many millions of Americans, and the other is the issue of Medicare and Medicaid.

The main point I would like to make—and I make this as a member of the budget conference committee—is that the American people, regardless of their political persuasion—Democratic, Republican, Independent, conservative, progressive, whatever—are quite united in stating they do not want cuts to Social Security, Medicare, and Medicaid and they do not believe we should balance the budget on the backs of some of the most vulnerable people in this country.

According to the latest National Journal/United Technologies poll, 81 percent of the American people do not want to cut Medicare benefits at all, 76 percent of the American people do not want to cut Social Security benefits at all, and 60 percent of the American people do not want to cut Medicaid benefits at all. This is only one of many polls that are out.

What the American people understand is that millions of people are hurting in today's economy. The number of people living in poverty is at an alltime high, and median family income is going down. Unemployment is much too high. People are hurting, and we cannot make devastating cuts to the social safety net that is literally life-and-death for so many of our people.

I did want to mention that I worked on a petition drive with a number of grassroots organizations throughout this country. They include CREDO, Daily Kos, Campaign for America's Future, Social Security Works, Democracy for America, Progressives United, MoveOn, Other98, USAction, and the Alliance for Retired Americans. In a pretty short time—less than 1 week—we received over 500,000 names on a petition that says very clearly: Do not cut Social Security, Medicare, and Medicaid. Do not balance the budget on the backs of some of the most vulnerable people in this country.

The other point I would make when we talk about the budget is that at the end of the day people do believe the deficit is too high. We should be proud, by the way, that in the last 4 years we have cut the deficit in half, but it is too high. But what the American people also say is that what is much more significant to them is the economy and the fact that we have so many people who are unemployed.

I would point out, as somebody who believes very strongly—and I speak as a former mayor of Burlington, VT—who believes absolutely that when your infrastructure—your roads, bridges, and rail system—is in need of enormous investment, where we can create millions of decent-paying jobs rebuilding our crumbling infrastructure, what the American people are saying is, yes,

we have to create jobs. According to a March 3, 2013, Gallup poll, 75 percent of the American people—including 56 percent of Republicans, 74 percent of Independents, and 93 percent of Democrats—support ''a federal jobs creation law'' that would spend government money for a program ''designed to create more than 1 million new jobs.''

Again, of course, people say we are divided in America. In many ways we are not quite so divided. The American people say don't cut Social Security, Medicare, and Medicaid. The American people say the most important issue facing our country is creating jobs. They want the Federal Government to do that. In this body we are divided, but among the American people, on these issues, Republicans, Democrats, and Independents are not quite so divided.

When we talk about unemployment, an issue that does not get anywhere near the kind of discussion we need is youth unemployment in America. As horrendous as unemployment is for anybody of any age, it is terrible for the young people who are graduating high school and graduating college. All of us say to the young people in this country: Don't stand on street corners. Don't do drugs. Go out and get a job, create a career, and make it into the middle class.

Yet real unemployment for young people in this country, for youth in this country, is somewhere around 20 percent. Among African-American young people it is over 40 percent. I don't hear the discussion in the Senate about the need to create the millions of jobs our young people desperately need so when they leave school they can go out and create a career for themselves and make it into the middle class. I worry very much about those young people who don't have that opportunity.

In an interview published October 1, 2013, Pope Francis said:

> The most serious of the evils that afflict the world these days are youth unemployment and the loneliness of the old.

He is not, of course, only talking about America; he is talking about what is going on throughout the world.

Continuing:

> The old need care and companionship; the young need work and hope but have neither one nor the other, and the problem is they don't even look for them anymore.

I couldn't agree more.

We cannot turn our backs on the elderly. We cannot cut Social Security and Medicare. We cannot turn our backs on the young people. They need to be given the opportunity to have decent jobs and make a life for themselves.

OLDER AMERICANS ACT

I would also like to say a few words about a piece of legislation that just passed the Health, Education, Labor and Pensions Committee. I am the chairperson of the Subcommittee on Primary Health and Aging. I thank Chairman HARKIN and Ranking Member ALEXANDER, who are cosponsors of the Older Americans Act legislation that only last week came out of committee. This is a bill some of us have been working on for several years.

The Older Americans Act is an enormously important piece of legislation for senior citizens all over this country. The bill that came out of committee in a very strong bipartisan way has the strong support of over 50 national organizations representing tens of millions of Americans, including AARP, the National Committee to Preserve Social Security and Medicare, the National Council on Aging, the Alzheimer's Association, and the Meals On Wheels Association of America.

I won't go into all of what this bill does, as I don't have the time do that, but it deals with the very important issue of elder abuse and making sure that seniors in nursing homes get the care and respect to which they are entitled. It deals with the Long-Term Care Ombudsman Program. It places an increased emphasis on evidence-based programs. It addresses the changing nature of senior centers in America, prevents fraud and abuse, and it focuses on home care and nutrition services. There is a lot in this bill that I believe is quite good, and it is a step forward.

One of the problems we have—Senator BURR of North Carolina raised it, and appropriately so—the issue is that we are seeing in this country in general a migration of folks from northern parts of the country to the South—this is not a new issue—including many seniors. What Senator BURR was arguing is that he thinks the current formula is unfair and that it does not take into account that kind of migration. I think he has a valid point, which we want to address.

The other point and the most important point is that since 2006—the last year in which the Older Americans Act was authorized—the U.S. elder population has grown by over 20 percent. As the baby boomers age, every single State in this country has seen its senior population grow. The important point is that Federal funding for this legislation is the same today as it was in 2006—$1.8 billion. Funding for the act in terms of real inflation-accounted-for dollars has decreased by more than $250 million during that period of time.

We have a growth in the senior population and a decline in real dollars going into the needs of seniors through the Older Americans Act, and this is a very serious problem. We compound that problem with the migration from the North in some States to the South.

What is the solution? I believe the solution is very simple. If we understand that the Older Americans Act is an enormously cost-effective act—one doesn't need to be a gerontologist or a physician who deals with senior citizens to understand that when a senior is malnourished and doesn't get the nutrition he or she needs, that senior is more likely to break a hip by falling, that senior is more likely to get sick, go to the emergency room, and go to the hospital at great cost. Everybody knows that. There is no debate about that. When seniors have the companionship and the nutrition they need, they are less likely to go to the emergency room, they are less likely to go to the hospital, and we can save money.

Study after study shows that investing in programs such as the Older Americans Act—that is, the Meals On Wheels program, the congregate meal program, employment opportunities for seniors, dealing with elder abuse—when we invest in those programs, we save money. We not only from a moral perspective make life better for seniors, we actually save Federal money by preventing other bad things from happening.

I hope our committee and Members of the Senate can work together to say that increasing funding for the Older Americans Act is not only the right thing to do for millions of Americans, it is also the cost-effective way to go. If we can increase funding, we can deal with some of the issues Senator BURR has raised.

What I will not support is making drastic cuts in certain States, such as Iowa, New York, or Massachusetts, in order to increase funding in other States. We have to protect every State in this country because there is no State in which programs like the Meals On Wheels program don't already have long waiting lines. What we need to do is invest in these programs. When we do, we will have done something that is very important for seniors all over this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. I ask unanimous consent to speak as in morning business for 10 minutes.

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

HEALTH CARE

Mr. JOHANNS. Madam President, I come to the floor today to talk about the health care law. We have reached the 1-month milestone of the embarrassing rollout of healthcare.gov, and it doesn't work. There is no shortage of headlines about the issues.

CNBC: ''99 percent of Obamacare applications hit a wall.''

Bloomberg: ''Insurers Getting Faulty Data From U.S. Health Exchanges.''

Consumer Reports: ''Stay away from HealthCare.gov for at least another month if you can.''

Forbes: ''Now She Tells Us: Sebelius Says Obamacare's Exchange Website Needed Six Years of Development, Instead Of Two.''

The Associated Press: '' . . . government memo shows . . . a lack of testing posed a high security risk . . . ''

Nebraskans have relayed the same frustrating messages to me and to my office. One Nebraskan from Ogallala

shared that she was on the Web site from 9 a.m. until 3 p.m. and was not able to set up an account. She said that after 6 hours the Web site screen read: ''The account couldn't be created at this time.'' Another Nebraskan from Norfolk said he couldn't get the Web site to work, so he contacted a Web site official, who actually said he could not help him. Instead, the official directed him back to the nonworking Web site.

The accounts from people who have experienced page crashes, hours and hours of slow service, no service, and information errors goes on and on. Yesterday, I launched a page on my Web site for Nebraskans to share their ObamaCare stories. In just the first 24 hours, nearly all of the stories I have received are heart-wrenching accounts about the law's negative impact.

Despite the headlines and stories flooding in across the country, the President continues his all-too-familiar cheerleading act. Rather than offering Americans the accountability and the transparency they deserve, the President claims, ''the product is working; it's really good.''

Top HHS officials reflected the President's poor leadership in their hearings today and last week. They dodged questions, they withheld critical information, and they delivered more promises that won't be kept. Strikingly, the ObamaCare enrollment site was actually down as the HHS Secretary testified for the first time about the Web site's troubled rollout and even assured Americans the Web site is working and that it is just slow and unreliable.

Americans are understandably frustrated with this failed effort and, most importantly, this failed law. Last week I cosponsored legislation that requires HHS to provide weekly reports to Congress and to the public about healthcare.gov. This ensures Americans, who have paid over $400 million for this exchange, will actually receive the transparency they deserve. While enacting this bill is one worthwhile step, the issues with this law aren't just about the Web site. The reality is there are much larger issues—issues that no fix to the Web site can solve.

Not surprisingly, the law's botched implementation is mimicking the clumsy passage. I was here. I saw it—2,700 pages written behind closed doors, passed on party-line votes, full of unrealistic promises and filled with pork. It indeed has been a recipe for disaster since day 1. We received clear warnings in 2009 that a lack of transparency, missed deadlines, and broken promises were to be the legacy of this law. And now, almost 4 years later, we are seeing just the start of the real-life consequences of this irresponsible process and policy.

A number of stories I have heard from Nebraskans reflect what is happening on a large-scale basis across this great country. A widowed mother from Kearney pays for her family's health insurance out of her own wages. She is extremely disappointed because her existing plan won't be offered next year. The President's repeated promise to her and to others that ''if you like your plan, you can keep it'' is not true for that mother in Kearney or for millions of Americans.

So this Nebraskan is stuck with two options: She can choose a plan with a similar premium, but her coinsurance will go up, her deductible will increase to $1,500, and her family out-of-pocket limit will increase to $9,700. Her second option is to select a plan with similar coverage that costs an additional $200 per month. That is $2,400 more per year. She said in her letter:

> I don't find this to be affordable health care. I had affordable health care.

This woman is not alone, according to figures released by the Nebraska Department of Insurance about the exchange in our State. Nebraska's insurance director said:

> Basically, the rates are going up.

Family coverage for a single mom with 3 children in Hastings, NE, will increase 21 percent. A single male in Lincoln will see a 144 percent increase. Let me repeat that—a 144 percent increase.

A Manhattan Institute study found that Nebraska would be one of the worst-hit States for rate hikes, specifically citing young males and middle-aged women.

A practicing physician in Nebraska wrote to me saying Obamacare will ''destroy'' our health care system. She says the law means ''more paperwork, less time with patients, doctors outright quitting or retiring early, and fewer students willing to invest time and money to become doctors.''

This fall Nebraska grocers came to my office to discuss ObamaCare. They shared that small grocery stores are hiring fewer people and are cutting back hours. As we all know, the employer mandate requires businesses with over 50 employees to provide coverage for all of their employees or pay a $2,000 penalty for each employee. Even though the mandate was delayed, grocers shared, ''The labor force is fundamentally changing already.'' I might add, not for the better.

I find it amazingly contradictory that the Obama administration is granting a delay that provides private businesses temporary relief from an employer mandate. Yet American families will be subject to the individual mandate. It is even more inconsistent and unfair to punish American families by imposing a penalty for not enrolling on a Web site that isn't working.

Last week I signed on to legislation to delay the individual mandate until 6 months after the Web site is verifiably fixed. I have also signed on to a bill that delays the mandate for 1 year and another bill that would repeal it entirely. I firmly oppose the mandate. I hope to repeal it. But at the very least, I believe the American people should have the same protection our Nation's businesses have been promised. Because the reality is this law has put goodwill and hardworking Americans, who are playing by the rules, in the most frustrating and heartbreaking situations.

When it comes to this law, I have already said I believe the people of Nebraska and the citizens of our great country deserve so much better. They deserve a law that addresses the rising cost of care. They deserve a government that fosters economic growth so that families can confidently make a downpayment on a house, send their kids to college, grow their businesses or start a new one. Instead, because of their government, Americans are more uncertain than ever. They simply can't make sense of the 2,700-page law or its 20,000 pages of regulations and what that means for their families. You would need a cadre of lawyers to figure that out.

The administration's failed Web site launch only deepens Americans' concern about what more could come. ObamaCare was never ready for prime time. It wasn't ready that Christmas Eve when it was passed on a pure party-line vote. Sadly, we all knew this when it passed, but now we are beginning to see that you reap what you sew.

Today we find ourselves at a crossroads, and it is time to listen to the American people and repeal the law. That would deliver the single biggest solution to removing the uncertainty, anxiety, and burden upon our economy. History will harshly judge those who defend, for political reasons, a law that is so clearly inflicting so much harm.

Lately, a few of my colleagues from the other side of the aisle have begun to admit the problems and admit they are real and substantial. There is tremendous pressure on them not to break ranks. Yet several are beginning to speak for the people instead of the party. Some are rightly beginning to refuse to defend promises that have now proven to be lies. Most importantly, some are now signaling a willingness to support legislative solutions.

Maybe there is a crack in the armor, but we need more than the current few to stand with the American people. We need 15 Democrats to join our 45 Republican Senators to actually repeal or amend any section of this ill-advised law. It is a worthwhile endeavor, and it is one we must pursue.

I believe that, ultimately, history will commend those who rise above the political fray to recognize that at this moment in time true statesmen, true public servants must stand with the American people.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Connecticut.

Mr. BLUMENTHAL. 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. BLUMENTHAL. Mr. President, I wish to begin by thanking a number of my colleagues for their leadership, including Senators MERKLEY and HARKIN and others in this body who have championed the Employment Non-Discrimination Act, known as ENDA, over many years with great passion and constancy. Now we are literally on the verge of approving this historic measure in this body and hopefully in the House of Representatives.

I have heard from numerous organizations that represent America's workforce, such as the Service Employees International Union and the United Auto Workers Union, that—and I am quoting the UAW—''this legislation represents a step in the right direction toward providing equal opportunity for all Americans.'' That message is also carried on by America's faith leaders, our business community, generally, and many others who have fought over the years for civil rights and civil liberties. It is one of the paramount civil rights issues of our time and I am proud to be fighting for it.

I wish to mention some of the American businesses that have stepped forward to endorse this legislation: Boehringer Ingelheim Pharmaceuticals of Ridgefield, CT; Diageo North America of Norwalk, CT; UBS AG of Stamford, CT; and Xerox Corporation, also of Stamford, CT. There are many others around Connecticut, big and small.

The reason the business community is steadfastly and strongly behind this bill is that it is good for America's working men and women and it is good for the business community. It has attracted bipartisan support in this body and around the Nation. America is moving toward this kind of guarantee against discrimination.

This bill is many years in the making. The last time the Senate voted on this issue in 1995 the bill couldn't even attain 50 votes. Our Nation has made tremendous progress since then, of course—not only on this bill but on a range of LGBT civil rights issues. This bill is important because it is inclusive. ''Inclusive'' is the word that ought to characterize our society.

In the 18 years since the Senate last voted on ENDA, 14 States, which together are home to almost one-third of the Nation's population, have come to recognize same-sex marriage. This is, of course, an increase from zero in 1995.

Over the past two decades, we have seen a string of landmark Supreme Court cases, from Romer v. Evans to Lawrence v. Texas, to this year's hugely important and inspirational ruling in Windsor v. United States. But this issue is about more than just legal reasoning and rulings. It is about real people. It is about members—millions of them—of the LGBT community who are now just beginning to enjoy full freedom and equality that is guaranteed to them by our Constitution as citizens. It is about their moms and dads, brothers and sisters, sons and daughters, members of their families from all over, as well as their coworkers in the places where discrimination will be banned and who are supporting this legislation. They deserve nothing less than full equality, which is what this bill would give to them. They should not be victims of discrimination because of whom they love. That is the simple idea behind this historical potential law.

Still, we have a lot more work to do on this bill. The House certainly will not be an easy battle. We need to make sure, very simply, that the House is given an opportunity to vote. Because if it is given that opportunity—if the House votes—it will approve this bill, just as it did the Violence Against Women Act, after the Speaker initially denied that opportunity. The last time this bill came to a vote in the House was in 2007, when 35 Republicans joined Democrats to pass the bill, but it did not pass the Senate.

I understand Speaker BOEHNER may have reservations. He has expressed them already. I understand the politics for other Members may be difficult. But this vote is about the future of our Nation, about what kind of America we are going to be. It transcends in importance a lot of the measures we undertake. It is about real people's lives in the workplace, in their homes, and what kind of life they have, what kind of opportunities they have to fulfill all of their potential as human beings. That is why America is so special. It guarantees people an equal opportunity.

In 29 States, LGBT Americans live without any protections against discrimination in private sector employment. They have those protections in 21 States across the country. Between 15 percent and 43 percent of all LGBT Americans have experienced discrimination or harassment in their workplaces because of their sexual orientation or gender identity, and that number rises to a staggering 90 percent for transgendered Americans in particular, with more than one-quarter—25 percent—reporting they have been fired. These kinds of troubling statistics have no place in the America of the 21st century.

We have an opportunity in this same bill to ban discrimination against our veterans. I would suggest—and I will propose it in an amendment—that similar protections be afforded to them. Hiring a veteran is a good investment for any business. Veterans have unique qualities, including dedication and discipline, which make them qualified for many civilian jobs. Unfortunately, too many veterans are unable to find work today, most especially our younger veterans who experience higher unemployment rates than their contemporaries who have not made the sacrifice and have not given the service they have in uniform. For them to be unemployed at higher rates is a disgrace. It is an outrage that the greatest Nation in the history of the world whose citizens volunteer to serve and sacrifice, preserving our freedom, have higher unemployment rates when they come home than others.

The evidence is—and I have heard it and seen it from veterans as well as others—that they are sometimes victims of discrimination. That ought to be outlawed. That is what I believe this law can do, in addition to seeking equality and opportunity for all Americans and banning discrimination based on sexual orientation or gender identity.

I wish to express my gratitude to AMVETS, Veterans of Foreign Wars, and the National Guard Association of the United States, which have supported this initiative prohibiting discrimination against veterans. When I introduced S. 1281, the Veterans and Servicemembers Employment Rights and Housing Act of 2013, they supported it, and I am grateful to them. I think this kind of amendment would be a welcome companion to ENDA, the landmark legislation the Senate is moving forward toward passing.

MANUFACTURING REINVESTMENT ACCOUNT ACT

When it comes to the workplace—on a separate, unrelated piece of legislation—I wish to thank Senator COONS for his leadership in the manufacturing initiative area he has spearheaded and speak on a particular measure that will help manufacturers grow and invest, the Manufacturing Reinvestment Account Act. This legislation was cosponsored by my colleague from Connecticut, Senator MURPHY, as well as sponsored in the House by another Connecticut colleague, ROSA DELAURO, to create a new type of an account that manufacturers can use to help save and eventually make investments in their businesses.

I am proud the Manufacturing Reinvestment Account Act is part of the Senate's manufacturing American jobs agenda led by Senator COONS. Under this initiative, several of my colleagues have come together to make sure we move away from manufacturing crises and toward manufacturing jobs. That is what we should be doing, helping to create jobs, not create crises, especially when they result in self-inflicted wounds.

This bill will allow manufacturers to put up to $500,000 a year in these special manufacturing reinvestment accounts, much like people put away money in IRAs. It would give them 7 years to use the money they deposit for qualified manufacturing expenses. Essentially, these manufacturers can use these funds for investments in physical capital such as equipment and new facilities or human capital such as job training and workforce development. They then would be able to withdraw the funds from their accounts at a low 15-percent tax rate.

This bill is a Connecticut original. I am very proud I sponsored it last session and I am proud to do so again now. I wish to thank in particular Jamie Scott of Air Handling Systems in Woodbridge, CT, for the key role he played in developing this idea. He came to me with the basic concept and we developed it into a bill which is so eminently qualified for support. It makes such clear common sense, and it shows what happens when industry leaders and their elected representatives work together to devise innovative ideas to grow the economy. We not only produce in Connecticut and make the best manufactured products in the world, but we also make ideas, which is why this Yankee ingenuity has produced a bill that favors reinvestment accounts to enable investment at low tax rates and spur and incentivize job creation.

With the support of Mr. Scott and Congresswoman DELAURO, it has been reintroduced on the House side. I have been happy to introduce this legislation in the Senate. I hope it will provide real encouragement for manufacturers to grow and invest and expand job training, taking this money from profits and putting it away so it can be saved without taxation, and then using it at lower rates of taxation is a basic principle that makes eminent good sense. I think it comes at an important time as we all grapple—economists, experts, businesspeople—with how to recognize and spur a manufacturing renaissance throughout the United States. What is needed is dollars and capital and the commitment to make sure we create jobs and use people for those jobs who are not only willing but eager to work.

I also thank our community colleges, such as Asnuntuck and others around the State, that have done so much to provide job training in the skills that are needed, matching skills to jobs that exist and jobs that will be created. Asnuntuck Community College's manufacturing technology program is just one example among all of our community colleges which have trained more than 1,000 students who have transitioned successfully to private sector jobs that make use of the cutting-edge skills they learned on machinery, often donated by businesses, so Asnuntuck can teach those students so they can be matched to those businesses' needs. I have seen those students in action during my visits to Delta Industries in East Granby and ATI Stowe Machining in Windsor. Both of these companies have hired many students from Asnuntuck and are looking to hire more as they grow and expand in Connecticut.

So these programs serve a profoundly important public good for our whole country that should bring us together on a bipartisan basis. We want to work together, not divide ourselves over false crises and unnecessary partisan division. I am confident, if we pass this legislation, our manufacturers will use this innovative tool and the manufacturing reinvestment account will help us to double down on growing America.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, I ask unanimous consent that I be allowed to speak for 10 minutes as in morning business.

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

BUDGET CONFERENCE

Mrs. MURRAY. Mr. President, earlier this year, a man named William, who is from Gig Harbor, WA, wrote to me to express his frustration with what he saw happening here in Congress. William served in the Navy. He now works for a tech company that supports Navy communications in the Pacific Northwest.

Like so many Americans in recent years, he has witnessed hiring freezes and cutbacks and furloughs and layoffs. He said a couple of years ago he was hoping for a promotion, but now he considers himself just lucky to have a job. He is not even sure how long he can count on that.

Well, William is not alone. The partisanship and the gridlock here in Washington, DC, have been devastating for families such as his in my home State of Washington and across the country.

The government shutdown and the debt limit brinkmanship last month were just the latest examples. But Congress has been lurching from crisis to crisis to crisis for years and it has got to end. So today I am going to share a few stories from families who have been paying the price for the dysfunction here in Congress. I have worked very hard to make sure that voices such as theirs are heard loudly and clearly in the budget process. I am going to keep fighting to make sure their interests are represented every day as we work now toward a balanced and bipartisan budget agreement.

Seven months ago the House and the Senate each passed their budget. The Senate budget that we passed here was built on three principles. First of all, our highest priority was investing in jobs and economic growth and prosperity that is built from the middle out, not from the top down.

Secondly, the deficit has been now cut in half and we built on the $2½ trillion in deficit reduction we have passed now since 2011 to continue to tackle this challenge fairly and responsibly.

Third, our budget keeps the promises that we have made to our seniors and our families and our communities.

The budget that passed the House reflects different values and priorities. But it was our job to get in a room, make some compromises with them, and find a way to bring those two budgets together. Although I had hoped we could start this bipartisan budget negotiation far sooner and avoided last month's crisis, the budget conference has now begun—started last week—and offers us now the opportunity to break this cycle of gridlock and dysfunction and start moving our country back in the right direction. We have a chance now to turn our attention back to where it belongs, strengthening our economy and creating jobs, continue making responsible spending cuts while closing wasteful tax loopholes that are used by the wealthiest Americans and biggest corporations, and to finally show the American people that Congress can work together. We can compromise and alleviate the uncertainty and the pain that families across the country are facing.

The effect of these years of gridlock is clear in places such as the Denise Louie Education Center in Seattle. I visited that Head Start Program earlier this year where pre-K students from low-income families can learn their ABCs and take part in story time and benefit from health and nutrition programs. Even before the major cuts to Head Start that took effect last month, that center had a waiting list. Now the director of the school has had to drop kids from that program because of these tight budget constraints.

They are far from alone. Another Head Start in Everett, WA, a program that has served needy kids since the 1970s, had to completely shut its doors this summer because Congress could not work together. That one facility alone was helping 40 kids prepare for kindergarten. Nationwide, these cuts have forced tens of thousands of children out of Head Start as well.

That is not all. The senseless cuts for sequestration have impacted education programs all across the country. Researchers and scientists who are working on cures for cancer and other diseases have lost their jobs. Programs such as Meals on Wheels that deliver food to seniors have been cut.

There is so much more. The ripples from the so-called sequester have been felt in our homes and in our businesses and across our fragile economy.

The across-the-board cuts have also had, of course, serious impact on defense programs and workers. Earlier this year I heard from one of my constituents whose family was impacted by this very directly. His name is Bob. He is from Bremerton, WA, and is an engineer at the Puget Sound Naval Shipyard. He told me every day highly skilled employees come into his office, often in tears, and tell him they do not know how they are going to manage to make ends meet if they are furloughed or laid off. They are worried now. They have felt the pain for months. They know it could get worse. Because if these automatic cuts are not replaced in a bipartisan deal, another $20 billion

is scheduled to be cut from defense spending in January, just a few short months from now. That would make more furloughs and layoffs much more likely. It would mean continued and deeper cuts to combat training.

It does not have to be this way, because something both Democrats and Republicans agree on is that the very least this budget conference should be able to accomplish, at an absolute minimum, is finding a path to replace these terrible sequester cuts and set a budget level for at least the short term.

Republican Congressman HAL ROGERS, the House Appropriations Committee chairman, said, ''Sequestration—and its unrealistic and ill-conceived discretionary cuts—must be brought to an end.''

Even House Speaker JOHN BOEHNER said the cuts would ''hollow out'' our military.

Just recently the House Armed Service Committee Republicans sent me and Chairman RYAN a letter urging us to replace the sequester, saying it was ''never intended to be policy.''

That is exactly right. Sequester was intended to be so bad it would drive both sides to the table to be willing to make some compromises, to replace it with smarter savings. I am very glad that more and more of our colleagues from both sides of the aisle are stepping up to try and find a solution. So the question now is not whether we should replace the across-the-board sequester cuts, but how we do it.

The House and the Senate budgets both deal with sequester, just in different ways. The House budget fully replaces the defense cuts and lifts the BCA cap. It pays for that by cutting even more deeply into key domestic investments. Our Senate budget, on the other hand, replaces all of the automatic cuts and pays for it with an equal mix of responsible spending cuts and revenue that we raise by closing wasteful tax loopholes.

Finding a bipartisan solution will not be easy. We all know that. It will require compromise from both sides. As I mentioned at our first budget committee conference last week, I am going into this process ready to offer some tough spending cuts that, unlike the sequester caps that disappear in 2022, would be permanently locked into law. I know there are many Republicans who would be very interested in swapping some of the inefficient and damaging cuts in the sequester with structural changes to programs that would save many multiples of the cuts to be replaced in the coming decades.

In short, I am willing to compromise. I am ready to listen to Republican ideas, as long as their proposals are fair for seniors and families. I am prepared to make some tough concessions to get this deal done. But I cannot negotiate by myself. Compromise has to run both ways. That means in addition to the responsible spending cuts, Republicans need to work with us to close wasteful tax loopholes and special-interest subsidies, because it would be unfair and unacceptable to put the entire burden of deficit reduction on the backs of our seniors and our families. It should not be difficult for Republicans to agree to put just a few of the most egregious, wasteful loopholes and special-interest carveouts on the table to get a balanced and bipartisan deal.

If the choice is between closing a wasteful loophole and lurching to another crisis, I hope every one of my colleagues will put their constituents before special interests. Over the last few years people across the country have lost a great deal of confidence in Congress's ability to work together for the good of our Nation, people such as Naani King, who, as the New York Times recently reported, serves as a registered nurse at Madigan Army Medical Center in my home State of Washington. During the shutdown last month, she worked without pay. Without a paycheck, she had to dip into her retirement account to make her monthly mortgage payment. Now, even though the shutdown is over, her family cannot take any chances. She told the Times, ''We just have too much to lose.''

We here in Congress owe it to her family and to families all over this country to work to find a path forward. So let's put an end to this gridlock. Let's put an end to these crises. Let's show the American people we are listening to them. In fact, let's show them that their stories are more important than sticking to party lines or staying in ideological corners.

We have got to rebuild some trust and we can do that. We need to find a path to compromise. We need to work together to strengthen our economy and create jobs. I am ready to do that in this budget conference. I am hopeful that over the coming weeks every one of my colleagues on that committee will make it clear that they are as well.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MURPHY. 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. MURPHY. Mr. President, I am very proud to be here today speaking in support of historic legislation that will move us one step closer to the day when who you love has absolutely nothing to do with the rights that you are afforded as a citizen of the greatest country in the world.

Frankly, the passage of the Employment Non-Discrimination Act is embarrassingly long overdue. In my State of Connecticut we have had anti-discrimination laws on the books for over 20 years. In 1991, Connecticut became the fourth State to formally protect LGBT workplace rights, and in 2011 we became the 15th State to offer similar protections to our transgender citizens.

So it is funny, because my constituents assume that all across this country it is already illegal to fire somebody for whom they love and for who they are. But, of course, as we know, that is just not the case across most of the country.

Right now, in some States, you can be fired from your job simply because of having a little photograph of your partner on your desk at work. While ENDA has been a commonly accepted civil rights protection in my State, you may hear some express opposition to this legislation on this floor by vaguely citing what are commonly referred to as the ''concerns of the business community.'' I am not sure what businesses they are referring to, because in my State we have some of the biggest and most successful multistate and multinational businesses in the world; and they know that nondiscrimination isn't just the right thing to do, it is also really good for business.

Companies such as United Technologies, General Electric, and Xerox want the best and the brightest people to work in an inclusive team environment—not having their employees hiding from each other who they really are. Companies such as BI Pharmaceuticals and Aetna haven't folded under the weight of having these State-based workplace protections. In fact, they are thriving in Connecticut, across the country, and all around the world.

So in speaking with companies from all over Connecticut, none, to me, has ever argued that equal protection in Connecticut is something that is holding their businesses back. They have been living under this law for decades now. And it is not just Connecticut's largest employers. Connecticut's law actually goes further than ENDA does in prohibiting discrimination even among businesses with fewer than 15 employees. Our small business community understands that, far from inhibiting commerce, nondiscrimination policies actually help make our companies—big and small—stronger.

So even though a majority of American businesses oppose employment discrimination, some argue this legislation is going to harm businesses whose leaders have very strong religious beliefs. However, I think it is important to note the religious exemption in this legislation is even broader—remarkably broader, I would argue—than the exemption that is in Title VII of the Civil Rights Act, and it represents a compromise that doesn't go as far as some Members of this body, including myself, would like.

In an op-ed that was published this summer, the former head of the NAACP, Julian Bond, equated these religious concerns with the arguments he heard from opponents of the civil rights movement in the 1960s. Here is what Bond wrote.

In response to the historic gains of the Civil Rights movement in the 1960s, opponents argued that their religious beliefs prohibited integration. To be true to their religious beliefs, they argued they couldn't serve African-Americans in their restaurants or accept interracial marriages.

It would be shocking to hear somebody make a similar argument today about the treatment of African-Americans in our society. Frankly, I think it will be just as shocking 40 or 50 years from now for people to read that this argument is being made today about the treatment of LGBT Americans. There are, in fact—interesting to point out—numerous Christian and Jewish organizations and denominations that have taken a strong stand in favor of this legislation because they understand that unequal treatment under the law is at odds with their faith.

Others on this floor have made the argument that passage of ENDA will lead to frivolous lawsuits from fired workers. So let me give my State's perspective on this. Again, we have been living under this law since 1991. We have had protections that we are debating today for two decades and we simply haven't seen frivolous lawsuits. And again, we have big companies that employ thousands of people across the State and across the Nation. Let me cite the statistics from 2009 to 2010, which is the most recent year for which we have data available.

Out of a total of 1,740 employment-based discrimination complaints that were filed in the State that year, only 53 were based on sexual orientation discrimination. Just as a means of comparison, 464 complaints were filed based on age discrimination. We went back a number of years, and in not a single year over the last half decade that we looked at were there more than about 40 or 50 complaints.

My State has been a test case for these protections for sexual orientation and gender identity. The parade of horrible consequences opponents of this bill say will happen just have not happened in Connecticut.

What we are doing here is pretty simple. We are not trampling on the First Amendment. We are not dictating morality. We are not harming the economy. We are not undermining the religious community. We are just saying that you can't discriminate against people in the workplace because of whom they choose to love or who they are inside.

The simplicity of this bill is why two-thirds of the American public support it, and it is why I believe that 50 years from now history is going to judge no less harshly those who vote against this act as it now judges those who voted against some of the civil rights acts of the 1950s and 1960s. Whom you love, who you are inside, and what you feel should never, ever be a reason for discrimination.

I was on the House floor 6 years ago when the House passed ENDA, and I still remember listening to Congressman Barney Frank's closing argument. He welled up as he was giving it, and there were a lot of tears shed on the floor as well. I just want to close by quoting what he said, and I won't try to do his accent. Barney Frank said:

I used to be someone subject to this prejudice. And through luck and circumstance, I got to be a big shot. I am now above that prejudice. But I feel an obligation to 15-year-olds dreading to go to school because of the torment they endure, to people who fear they will lose their job at a gas station if somebody finds out whom they love. I feel an obligation to use the status that I have been lucky enough to get to help them. I make a personal appeal to my colleagues, please don't turn your back on them.

We are all big shots here. We have been lucky enough to get elected to the greatest deliberative body in the world, and there is an obligation and a responsibility that comes with the job we have to stick up for people who are being discriminated against because of who they are. The greatest moments of this body have been when we have joined together, Republican and Democrat, to stand against that kind of discrimination.

Our ability to rise to Congressman Frank's challenge—''please, don't turn your back on them''—can be this week, another great chapter in the history of this great body.

I yield the floor, and 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. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Ms. MIKULSKI. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. We are on the motion to proceed to S. 815.

Ms. MIKULSKI. Mr. President, I ask unanimous consent to speak 10 minutes as in morning business.

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

THE BUDGET

Ms. MIKULSKI. Mr. President, I come to the floor to speak about how we can avoid another shutdown of our government and also, even more important, avoid another shutdown or slowdown of our economy. That is how we in the Congress, both sides of the aisle, both sides of the dome, need to work to arrive at a budget agreement and then an appropriations agreement for the rest of the fiscal year.

Earlier today on the floor we heard from the distinguished chair of the Budget Committee, the Senator from Washington State, PATTY MURRAY, who talked about the budget and what was going on. I come here today to support her efforts and the work of the budget conferees as they work to reach an agreement on the funding levels that will invest in America's future—creating jobs, repairing infrastructure, keeping us safe in our communities and making sure our children are well educated for the 21st century.

The budget conference is absolutely important to America's future because it is about how much we should invest in America's future: What should we do in terms of revenue? How do we close corporate loopholes and corporate welfare and also have them step up to their patriotic responsibility? Also, what is the best way to approach the funding for this government?

There is no doubt we need to reduce public debt, but austerity alone is not the answer. We have seen it in Europe where, yes, they have reduced their public debt, but they have not been progrowth. The agenda I stand for—and I know the chair of the Budget Committee does and many of us on both sides of the aisle do—is we not only want to reduce public debt, we also want to reduce unemployment, and we also want to reduce statistics such as crime rates.

We need to be able to work together. My goals for the conference committee that is meeting are simple and straightforward. I would like to see the Budget Committee come up with not only a 1-year framework but a 2-year framework, giving a top-line funding level for 2014 and 2015 and replacing the sequester policy for at least 2 years and do that with increased revenues and strategic cuts—a balanced approach.

Let me say why this is important, because many people do not understand the difference between the Budget Committee and the Appropriations Committee. The Budget Committee looks at the entire budget of the government of the United States of America, money out and money in. It looks at money out in two categories. Discretionary spending, that is the Appropriations Committee; mandatory spending, that is Social Security, that is Medicare, that is veterans benefits. Then the other is revenue in, either through trust fund contributions or through fees or through taxes.

The so-called top line is what discretionary spending is, what they allow for discretionary spending. In the budget it is under an act called section 302(a) of the budget. In order to do my job as the chair of the Appropriations Committee, I need the Budget Committee, with the concurrence of the Congress, to give my counterparts in the House—Congressman ROGERS and NITA LOWEY—and myself and Senator SHELBY, my vice chairman on the other side of the aisle, the so-called top line. Then we work through our 12 subcommittees. This is absolutely crucial because we cannot do discretionary spending for fiscal year 2014 until we hear from the Budget Committee.

We do not want another CR. We do not want another shutdown. We do not want another slowdown. We are ready to go to work. We have already done our due diligence. We have already worked our way through the 12 subcommittees, looking at what public investments should be made and, by the

way, how we can be more frugal, how do we get rid of what is dated, what is duplicative, and what is dysfunctional.

As the chair of the subcommittee, again with Senator SHELBY, the distinguished Senator from Alabama, my vice chairman, we asked the committee to look at what is it we need to spend and what is it we can get rid of. We have done a great job this year. I am very proud of them. By August 1 all of my subcommittees were marked up, but we need to have this agreement. So we say we need to have this agreement and we need to have it sooner rather than later.

In the deal, the Budget Committee is to report out to the Congress, and therefore to the Appropriations Committee, by December 15. My committee and my counterparts in the House are to produce an appropriations omnibus by January 15. I do not want to get lost in words and the weeds. But essentially as it stands now, Congress will only be in session 8 days from December 15 to January 15 because of the holiday. Eight days—it is an awful lot to ask BARBARA MIKULSKI and RICHARD SHELBY and HAROLD ROGERS and NITA LOWEY and our wonderful subcommittees to produce a bill. We will do it if we have to. But we would prefer sooner rather than later.

We believe so strongly about it that my House counterpart, Congressman HAL ROGERS, a distinguished gentleman from Kentucky—and I say gentleman in the true sense of the word: civil, candid, straightforward, courteous. We have talked about issues, the differences in fiscal approach and so on. But we know how to get the job done. Where we differ we know how to resolve the conflicts and we are ready to go.

We have sent a letter to the chair of the Budget Committee on both sides, to Senator MURRAY and to PAUL RYAN, asking that they report to the Congress before the Thanksgiving recess—before the Thanksgiving recess. This was unprecedented. We didn't talk about dollars—that is the Budget Committee. We will take our pot of discretionary money, called the top line, and get it done.

What both the House chairman and I are very worried about is that if we do not act, sequester kicks in January 15. What an awful way to do business in our government. You heard me say our subcommittee chairmen have worked to get rid of what is dated, what is duplicative, and what is dysfunctional. That is not just meant to be an alliterative, clever throwaway line. That was a governing policy, both sides of the aisle, scrutinizing.

I am worried. When I look at defense, funding for defense would be $54 billion lower than the Senate's version in both defense and military construction. According to the military chiefs, the readiness of our force has been degraded under existing sequesters. Eighty-five percent of Army brigade combat teams will not be fully trained to deploy. The Navy and our Marine Corps will only have one carrier strike group and one amphibious ready group. They are always going to be semper fi, but we have to be semper fi too and always faithful to getting the job done. The Air Force will have to cut aircraft and possibly an entire fleet.

This is a dangerous time in the world with numerous threats to our security. We cannot operate our military on the cheap.

Just to give a sense of what furlough meant, over 650,000 national security employees were initially furloughed in defense and intelligence and in other security positions in key government agencies. This is unacceptable. We cannot protect the country and run the government like that.

I chair the commerce, justice subcommittee. That is the committee that funds Federal law enforcement, FBI, drug enforcement, U.S. Marshals, the U.S. attorneys who actually move this, the bureau of alcohol and firearms that keeps us safe from terrorism, catches child predators, prosecutes drug dealers, and gangs.

Think of how the FBI went after the Boston Marathon killers. The CJS bill adds $2.3 billion above sequester levels to allow Federal law enforcement to do their jobs. U.S. Marshals track down violent fugitives and sex offenders. DEA goes after not only drug dealers but international drug cartels, so it doesn't make it to the playground or to the school room.

The new FBI Director recently announced that if sequester continued, the FBI will have to furlough people up to 10 days over the next year. This is not good. In the long term CR at the sequester level, a continuing resolution will fund—they will keep a hiring freeze of over 3,000 positions. We cannot have the kind of law enforcement we need at those levels.

We have a big job to do. We have to do it sooner rather than later. I ask the support of the Congress for the Budget Committee for them to be able to bring a budget to the floor. Let's try to do it before the Thanksgiving break. Let's look at how we can look at a balanced approach between strategic cuts—and we on the Appropriations Committee are ready to keep on doing the job we started almost 7 years ago under Senator Byrd, our wonderful, most beloved leader of West Virginia, and Senator Inouye and Senator Stevens. We need to keep on doing that, but we need the Budget Committee to do their job.

The impact on national security is significant. The impact on our domestic economy is significant. We need to step to the plate and not only avoid a crisis such as a shutdown, we also have to avoid the crisis of confidence that is occurring in our government: Can they govern? Can they get the job done? Are there significant pragmatists who will look at what is the must-do list we have around spending, of which I think security for our country is at the top of the list. I believe we can do it.

I know the Presiding Officer was part of a bipartisan group during the shutdown to try to find a compromise. That group, I salute them. They changed the tone, showed civility, showed bipartisanship, and I think their initial effort was enough to stimulate and encourage coming to the final resolution that we did. That is the kind of spirit we need in this body.

I would say to my colleagues, let's have the Budget Committee act sooner rather than later. Let's support them in a balanced approach to not only look at austerity but also growth, and that also means closing corporate loopholes.

I welcome the Presiding Officer to the Chair. I think that concludes what I wanted to say today. As we get ready to approach the holidays, I want the American people to have confidence in their government. I want the American people to have confidence in those of us who have been elected.

This is a big election day all over America. I recall this time last year—the reelection of President Obama and the election of the Senator from Massachusetts who is now the Presiding Officer. It was a big day. It was a big deal. Twenty women came to the Senate—a new Democratic woman and the distinguished Senator from the State of Nebraska. When they came, they were filled with excitement and passion to serve the Nation, represent the views of the people of their State, and to get something done, not only to do it with the lowest common denominator but also to be able to work together for the common good and worry about the next generation, not the next election. That is what we did. Let's recall how we felt this time last year. Let's get our act together and press on.

Madam President, I yield the floor.

I was so excited talking about my topic, I forgot to note the absence of a quorum, so I hereby note the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

JUDICIAL NOMINATIONS

Mr. BLUMENTHAL. Madam President, in 2005—May of that year—the Senate faced a crisis that seems very familiar and very much like the one we face today in this body. Very simply, the Senate was unable to approve judges, which threatened to incapacitate a coequal branch of our government, the U.S. judiciary, and it confronted the threat of what came to be called the nuclear option, a change in the rules that would have wrecked the collegiality and civility that have characterized this body.

Members of both parties recognized that the situation was untenable, and they recognized as well that the American court system was too important

for the Senate to simply stop approving judges and suspend that very important constitutional responsibility on behalf of this body.

At the time, 14 Senators came together to find a solution. They came to be known as the Gang of 14—7 Republicans and 7 Democrats. I want to read their names for the record because I think their conduct characterized what is really perhaps best about this institution. They were Senators Robert Byrd of West Virginia, Lincoln Chafee of Rhode Island, SUSAN COLLINS of Maine, Mike DeWine of Ohio, LINDSEY GRAHAM of South Carolina, Daniel Inouye of Hawaii, MARY LANDRIEU of Louisiana, Joseph Lieberman of Connecticut, JOHN MCCAIN of Arizona, Ben Nelson of Nebraska, MARK PRYOR of Arkansas, Ken Salazar of Colorado, Olympia Snowe of Maine, and John Warner of Virginia.

What they devised was a quite simple solution. They were grappling with the same question that confronts us now: What can justify a Member of the U.S. Senate voting to block consideration—in other words, to filibuster a nominee to the judicial branch? Their idea, simple as it was, had tremendous power. They agreed they would oppose a judicial nominee only in ''extraordinary circumstances.'' That was the gist of the agreement. There were other features to it, but their spirit and intent in this short phrase had profoundly meaningful impact. In fact, for the remainder of the Bush Presidency, there were no more filibusters on judicial nominees, and those Senators, with that short phrase, accomplished a historic impact.

What did they mean by it? One of them said at the time:

> Ideological attacks are not an ''extraordinary circumstance.'' It would have to be a character problem, an ethics problem, some allegations about the qualifications of a person, not an ideological bent.

An ethics problem, a character problem, some allegations about the qualifications of a person.

Today, I ask for a renewed and revived commitment to the spirit of that agreement, a reinvigorated effort to apply that standard, and offer to work with my colleagues to revive that spirit of opposing a nominee and blocking that individual only in an extraordinary circumstance.

I come to the floor today because we have heard objections to a number of nominees on the basis of claims that clearly cannot constitute an extraordinary circumstance. Opposed through that 60-vote threshold filibuster just last week were a couple of nominees who clearly have the qualifications to serve on the Court of Appeals for the District of Columbia Circuit.

I rise in support today of another: Cornelia Pillard. Whatever has been said about this process, we have heard no extraordinary circumstance to oppose any of these nominees and certainly not Ms. Pillard. Senators can always disagree about exactly what our courts should do and how we should divide and allocate resources, and the claim has been made here that the reason to oppose those nominees is that there is insufficient workload to justify them. The fact is this Congress has approved the positions that are vacant and they have been nominated to fill.

I know a lot of my colleagues have opinions on how to structure the courts and what the workloads should be, but I would assume these differences of opinion do not amount to extraordinary circumstances. They happen all the time. We debate what the workloads of the courts should be, and certainly the job of this Senate and of every Senator is to advise and consent on judicial nominations. If we refuse to consider the qualifications of a nominee and if we make the judgment based on irrelevant considerations, we are failing to advise and consent. We can debate about the structure and workload and number of cases before a court, but they are not extraordinary circumstances.

The fact is that the workload of this court well justifies these nominations. In fact, it has grown in number since nominees were last approved. The waiting time for decisions on cases makes it eighth out of 12 circuit courts. The cases themselves cannot be judged only by the numbers, by the sheer volume of the caseload; the Senate, in my view, has to look also to the complexity and difficulty of the cases.

I have argued before this circuit court and I participated in cases such as the Microsoft appeal, which took months—in fact, years—to resolve from start to finish and involved precedent-setting issues and decisions by the circuit court and literally hours of argument. So the argument about workload and about the need to fill or leave vacant, as the opponents say, those vacancies is incorrect and wrong.

Agreeing with me are the Judicial Conference and a majority of their colleagues, who also say the vacancies should be filled, as do judges from across the political spectrum and appointees of a lot of different Presidents.

But the point is that disagreement or even the claim that the workload does not justify it is not an extraordinary circumstance, and that ought to be the standard, consistent with the Gang of 14's agreement.

I happen to believe Cornelia Pillard is almost the ideal nominee. If you were to design someone to sit on the court—if you had that ability—on the basis of record and talent and temperament, I do not think you could do much better.

The DC court is said to be the second highest court in the country. I think they are all the second highest court. I do not think any one of them is better than the others.

But what we want is an individual in each of these judgeships who is worthy of the immense responsibility because for most litigants the circuit court is the last stop on the litigation course.

Nina Pillard brings to this nomination not only brilliance in an academic sense but a variety of experiences and a record of thoughtful engagement with diverse views and a dedication to excellence and to public service. She has spent time in the classroom as well as the courtroom, and she is a civil rights hero as well as a public servant and an expert on the judicial system. In other words, if you had to design someone with a record and experience that is ideal for this court or any of the other circuit courts, you would pick Nina Pillard.

Now, I am going to come back to the floor. I am going to speak about her, I am going to speak about this court, I am going to speak about the Gang of 14, and I am going to speak about what should justify blocking a nominee of the President of the United States to serve in the courts. But for now let me just say about her that I hope my colleagues will see her qualifications, listen to her story, and listen to the better angels of their nature.

The present situation cannot stand. If we continue on the present course, we will arrive at the same juncture that existed in May of 2005 when the Gang of 14 helped to save the Senate from a crisis. It would have been a crisis for the collegiality and civility of this institution. It would have also been a crisis for the country. I hope we can again avoid it if we permit this process to move forward and recognize there is no extraordinary circumstance for any of these nominees that should block their approval by the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I request permission to speak as in morning business.

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

AFFORDABLE CARE ACT

Ms. MURKOWSKI. Madam President, this morning in the HELP Committee we had an opportunity to hear from the administrator of the health exchanges, Ms. Tavenner, who came before the committee to talk about where we are in the process now with the exchanges that have been set up through the Affordable Care Act. It was an opportunity, in the 5 minutes we have allocated to each of us, to pose questions and to speak to the situation in Alaska as it relates to the exchanges.

I come to the floor this afternoon because there was so much that I as one Senator had to say that you cannot possibly condense into a 5-minute exchange. But it did cause me to want to take a moment to speak about what is happening on the ground in the State of Alaska.

I think it is probably not an unfair assessment to say that most of the constituents I am hearing from are not supportive of the Affordable Care Act and have been very skeptical about what benefits may come to our State.

We are a high-cost State—high cost when it comes to health care and high

cost when it comes to our insurance premiums. Right now we are No. 2 in the Nation in terms of the premiums that Alaskans pay. So as much as Alaskans might not like the Affordable Care Act, I hear very clearly their expressions of concern about making sure we are working actively and aggressively to reduce the cost of health care, to increase access to providers, and to increase access to insurance that is affordable.

But affordability is such a key factor in what we face. I had a chance to query Ms. Tavenner about the situation we are seeing in the State of Alaska right now with regard to enrollments within the exchange. The State of Alaska has opted not to have its own State exchange. They are part of the Federal exchange, an organization called Enroll Alaska which was established to provide for outreach, education, and enrollment of Alaskans into the federally facilitated marketplace.

I met with a representative from Enroll Alaska about 10 days or so ago. It was October 27, I believe. At that point in time, I was informed that there was one Alaskan who had been successfully enrolled. I met with the Alaska Native Tribal Health Consortium, United Way, and Enroll Alaska. They confirmed that no one had been successfully enrolled at that point in time.

Moving forward to yesterday. As of yesterday, it has been confirmed that Enroll Alaska, the entity that has been set up specifically to advance enrollment within the exchanges, has been able to enroll just three individuals and has not been able to confirm that anyone else in the State has been successfully enrolled. So as folks are talking in different parts of the country about what is happening, they are using numbers: several thousand, several hundred initially. But it has been not only surprisingly slow, astonishingly slow, to the point where people are saying: Is it even open?

Let me suggest that in Alaska things are not open right now. Enroll Alaska made a determination last week that—they had discovered that the FFM, the federally facilitated marketplace, was calculating the subsidy for Alaskans incorrectly, so due to this they suspended all their enrollments until this issue was resolved.

I brought this up with the Administrator in committee this morning. She acknowledged that, in fact, they had learned that perhaps the calculation was incorrect and that they were ''working on it.'' Well, in the meantime, you have folks who are interested in signing up, wanting to avail themselves of the Affordable Care Act, or one of the 5,600 who received a letter on Friday telling them that their insurance with Premera was going to be canceled at year end and being told: Well, you can, in fact, sign up for what Premera is going to offer. But in looking at this, they are learning that not only are their premiums going to increase, but in many cases they may double and the deductible will increase.

So they want to know: Am I going to get a better deal on the exchange? Our problem is not being able to access, to utilize, to gain the information, when the entity that has been set up to help facilitate this says they have suspended all enrollments until this issue is resolved, and further going into their letter that was received last week, they say: We asked for the Obama administration to pull the Web site down, rebuild it, and redeploy it.

Again, these are entities that are banking on the exchanges to work. They want to help facilitate it. Things are so confused and complicated and, quite honestly, a mess with the exchange up north that they are saying: We are not going to push further if we are not certain that the subsidy is being calculated correctly. It is not right to tell people that you can sign up in the State of Alaska right now.

So the exchanges, we recognize, are a mess. They need to be addressed. I think we have recognized that at some point in time they will be addressed, they will be corrected. The Administrator has indicated that between 1 a.m. and 5 a.m. eastern standard time the exchanges are going to be down so they can work on them, so they can be addressing these software glitches.

Well, 1 a.m. to 5 a.m. eastern standard time, for those of us who are living on the west coast, is about the time when the dinner dishes are done, the kids' homework is done, they are in bed, you can actually sit down at your computer and go on line and try to figure out what might be the best option for you on an exchange. But we are being told that the exchange is going to be down between the time that most Alaskans, and certainly Hawaiians, who are a 5 hour time difference instead of just the 4 hours Alaskans are, are not even going to be able to go on line to address it there.

That is one aspect of where we are with the exchanges and what that is going to mean if we are still going to continue with the deadlines that have been put in place by the administration in terms of when you have to sign up by, and when you may be assessed a fine or a penalty for failure to successfully enroll.

I mentioned that on Friday there were some 5,600 Alaskans who actually—excuse me, 5,360 Alaskans who received discontinuation notices from Premera. Premera is the largest health insurer in Alaska. This represents about 60 percent of the folks whom Premera insures within the State in terms of its individual members. So when you think about these folks who have now received their letters this weekend, recognize that the policies they have had for a period of time are not going to be available to them, they read in the news and they see on the evening news that the ability to get on line and to better understand what is going on with the exchange is not available to them because the exchanges are down while they are working on them here in Washington, DC, or wherever they are working on them, and that the entities, the navigator, the Enroll Alaska, those who have been put out there to help them navigate this process, are effectively saying: We cannot enroll you right now and we will not until there is a greater assurance that the system is up and running and working.

The Administrator has confirmed to us today that, well, we are working on it. But in the meantime, we still have these deadlines that folks are facing. The emails that have been coming to my office of late, though, have not been concerned with the exchanges themselves. What we have seen in the past few weeks has been a concern, an outcry, about what people will be expected to pay for their insurance once all aspects of the Affordable Care Act come into play. I mentioned already that Alaska faces the second highest premiums in the country. We are high for a lot of things, though. Our energy costs are some of the highest in the Nation. Our transportation costs are some of the highest in the Nation. Our food costs are some of the highest in the Nation. Our health care costs are some of the highest in the Nation. Now our premiums are going to be some of the highest in the Nation.

But we recognize that to live in Alaska—it is expensive. So when you look at the average wages of an Alaskan, they are a little bit higher than you might see in other parts of the country. That is a good thing. That is going to help you pay for your transportation, for your fuel, for your food. But when we are talking about any level of subsidy, this is a concern we are seeing around the State. The higher income levels are going to kick you out of being eligible for any level of subsidy. So we have got Alaskans who are trying to be diligent about their health care and the insurance, wanting to be able to provide for their family. They are trying to figure out: Well, where do I go?

I have got a letter here from a gentleman in Fairbanks. He runs a small knife and tool shop there. He has indicated that he was on Premera. He got the notice that they were not going to continue his coverage. The new policy with them, the least expensive he could get, was going to cost $1,260, up from $575. This is over a 60-percent increase he is going to experience. On top of that, his deductible is also going up from $5,000 to $6,000, an increase of about $2,700.

We got an e-mail from a woman who is in the 55-and-above age bracket, she said. She says: We make a decent income, so we will not be eligible for the subsidies. We have looked at this. But she said they are going to be seeing premiums of over $1,500 a month. She says: This is more than our mortgage. This is like taking on a second mortgage. And also in her situation, she

says: My deductible has gone from $5,000 to $6,300. So deductibles are going up, premiums are escalating.

This woman said: You know, am I going to be in a situation where it is just going to be cheaper for me to pay the fine?

So I started going back through the binder I have utilized to collect the emails from Alaskans over the past few weeks here. A woman in Anchorage says her rates are going to increase 23 percent from last year. A woman from Talkeetna says: It is an increase of 47 percent with 1 fewer member in the family insured, a $10,000 deductible. But she is going up by 47 percent.

Out in Wasilla, this woman has indicated: I calculated we are expected to have an increased monthly premium of 224 percent. Our premiums will be exceeding our mortgage by more than $300 a month.

William in Anchorage says his health insurance has gone up 115 percent. Out in Anchorage, a woman is facing an increase in premiums of 45 percent. Again, she has indicated that she has been informed she is not going to be eligible for any level of subsidy.

The gentleman in this email, Anthony, out of Valdez, has said he is looking at an 85-percent increase in his premium, and that is just over the past 4 months when he started out. He is a single guy. He is 41 years old. He says: I am healthy. I have got money in my health savings account. But he has got a situation where he is going to be paying an 85-percent increase in his medical insurance premiums.

I go through these. These are not statistics. These are addressed to—I know this is not about you, LISA MURKOWSKI, but about representation for the people of Alaska.

Address this. They are asking me to help them out because they can't afford the Affordable Care Act.

I go through each of these, the folks in Petersburg, such as the 25-year-old male, nonsmoker, who had a $10,000 deductible. He was paying $102 per month. Now he will have to pay $281 with a $6,300 deductible; a 35-year-old male, nonsmoker, paying $159 per month now has to pay $340; a 63-year-old male, nonsmoker, paying $525 per month, as of January paying $827. We go through these stories. These stories are people we represent, whether it is Tom or Wenda or Teresa or Chris or Mark, they are saying I thought what was coming our way with health care reform was reform that was going to increase my access and decrease my costs.

Frustration with the Web site is one thing, and I am hopeful we will get on the other side of that very soon. The people of Alaska are done holding their breath on this. They are basically saying call me when you have it fixed.

What they are concerned about is they are going to get that call, we will be up against the end of the year, and they have already received their notices saying: We are not going to continue this coverage. They are worried about what happens if we do have a family medical emergency in early January and this all hasn't knitted together. I didn't get a very satisfactory answer from the Administrator this afternoon in response to that question.

I want to be able to have the right answers for these people, but I am extraordinarily concerned that as we address the issues with the Web site, the issues that the people in Alaska, who already face some of the highest costs for living in the nation, are going to be seeing increased insurance costs that will be out of their range, out of their ability to pay. The subsidies that would make a difference are not available to them.

We have a great deal of work to do in this Congress to address health care reform. Alaskans are asking what are we going to do to address the concerns in my family when I am trying to figure out how I knit it all together. They want to know how have we reformed health care. How have we made our costs lower and increased our access?

I suggest we have much more work to do. I stand ready to work with my colleagues on both sides of the aisle, and in the other body. We can fight and argue about whether the Web site and the exchanges are going to work or are going to fail on their own or whether we need to push deadlines out. This is only a part of what we are talking about.

We have to do a better job when it comes to reining in the cost of health care itself, and how we deal with the delivery system. We haven't addressed these issues or how we deal with rural markets, such as Alaska because we don't have a very attractive market—it certainly would help us if we could purchase our insurance across State lines—and how we work to make sure that when we have payment structures, the incentives are in the right place so we are encouraging efficiencies in our healthcare system.

I encourage us to not lose sight of what we have to do in resolving our issues to bring down the cost of health care.

I note that my colleague from Tennessee is on floor. I thank him for his leadership as the ranking member on the HELP Committee and the very thoughtful issues he raised this morning.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Alaska for her excellent remarks. I was pleased I was able to hear them. The Senator from Alaska and the Senator from Massachusetts were at the hearing this morning when the head of the Centers for Medicare and Medicaid Services talked about the health care law.

I thought the Senator from Alaska was especially cogent in pointing out the difficulties and the differences between those who live in Alaska and their inability to connect to the services in the new health care law. If I remember correctly, she said only three had been able to enroll and she pointed out the differences in time.

I wish to spend a few minutes reflecting on what happened this morning and what I said to Ms. Tavenner, the administration's witness. I began by telling her a story, a story about 16,000 Tennesseans who have insurance through something called CoverTN, a low-cost, narrow coverage State program. ObamaCare is canceling their policies, those 16,000 policies. CoverTN apparently is an example of what the President has called ''bad apples,'' an insurance plan that Washington has decided isn't good enough for you.

I recently heard from one of those Tennesseans whose policy will be cancelled on January 1. Her name is Emilie, and she is 39 years of age. She has lupus and lives in Middle Tennessee. She told me:

> I cannot keep my current plan because it does not meet the standards of coverage. This alone is a travesty. CoverTN has been a lifeline. . . . With the discontinuation of CoverTN, I am being forced to purchase a plan through the Exchange. . . . My insurance premiums alone will increase a staggering 410%. My out of pocket expense will increase by more than $6,000.00 a year [including subsidies]. Please help me understand how this is ''affordable.''

Our health care system makes up nearly 20 percent of our economy, touching the lives of every American. Today ObamaCare is pushing that 20 percent of our economy in the wrong direction.

As the President has said, this law is more than a Web site that will not work. It is a law transforming our health care system in the wrong direction by increasing premiums, canceling insurance plans, destroying patient relationships with doctors, raising taxes, forcing people into Medicaid, spending $500 billion Medicare dollars on a new program instead of using the money to make Medicare more solvent, encouraging employers to reduce their employees to a 30-hour work week, and having the IRS fine Americans for failing to sign up for insurance on a Web site that doesn't work.

The President has promised—at this morning's hearing I read from an iPad on the White House Web site. The President's Web site says: ''If you like your plan you can keep it and you don't have to change a thing due to the health care law.''

It says, ''If you like your plan, you can keep it, and you don't have to change a thing due to the health care law.''

In fact, the law cancels millions of individual policies. For millions of others, employers are dropping insurance programs as they discover the added costs of ObamaCare. For these Americans, the new promise is if you want health care, go find it on a Web site that the administration says will not be working properly until the end of November. That is an unwelcome

Christmas present, to have only 2 weeks to shop for and buy a new insurance policy by December 15 so people are covered next year when ObamaCare outlaws their policies.

This administration had 3½ years to set up the Web site. Millions of Americans will have 2 weeks to buy their insurance.

The President put Secretary Sebelius in charge of implementing this law. I have called on her to resign because this has hurt so many Americans.

Before the Internet, RCA could tell us every day how many records Elvis was selling. Ford could tell us every day how many cars they were selling. McDonald's would tell us every day how many hamburgers it sold. Congressman ISSA has put on his committee's Web site notes from meetings at an Obama administration war room where apparently they are telling each other how many people are enrolling in health care.

I asked Ms. Tavenner this morning if she knew how many people are enrolling, how many have tried, what level of insurance they are buying, and in what ZIP Code they live. Why don't you tell us? Why don't you tell Congress? Why don't you tell the American people?

She said she would tell us by the end of the month—but we need to know every day. We need to know every week at least. Governors need to know. As they make decisions about expanding Medicaid, wouldn't it help to know how many of these new enrollees are going into Medicaid?

Members of Congress need to know. We have appropriated at least $400 million for this Web site that doesn't work. The American people need to know. They might gain confidence in the system if they could see that every day more people were signing up for this or that.

I can't get over the fact that we are not being told how many are enrolled, how many trying, what kind of insurance they are buying, where they live. We have a right to know that.

Why doesn't the administration tell us that? One Senator has described the new health care law as an approaching train wreck. I know something about trains.

My grandfather was a railroad engineer in Newton, KS, when I was a little boy. I was sure he was probably the most important person in the world sitting in that big locomotive. His job was to drive a steam engine locomotive onto what they called a round table, turn the train around and head it in the right direction. That was the only way you could turn something that big that fast.

That is what our country needs to do. We need to turn this train around. We need to turn this law around and head it in the right direction.

ObamaCare is the wrong direction because it expands a health care delivery system that we already knew cost too much.

What is the right direction? The right direction is more choices and more competition that lowers costs so more Americans can afford to buy insurance.

Don't expect Republicans to show up on this Senate floor with our 3,000-page plan to move the health care delivery system in the way we think it ought to go. We don't believe in that approach. We are policy skeptics, one might say. We don't believe these big comprehensive plans are wise enough to do what needs to be done. Instead, we believe we should change our health care delivery system step-by-step.

I remember during the health care debate in 2010 I counted the number of times Republicans spoke on the floor about our step-by-step plan to take the health care delivery system in a different direction—173 times just during 2010.

These are some of the steps we suggested and still do suggest that we should take to turn the train around and head it in the right direction:

Make Medicare solvent. The trustees have said that in 13 years it will not have enough money to pay hospital bills. I know plenty of Tennesseans who are counting on Medicare to pay their hospital bills.

Reform Traditional Medicare to compete on a level playing field with Medicare Advantage. That would provide competition and more choices for seniors. The Congressional Budget Office says it would save taxpayers money.

Make Medicaid flexible. When I was Governor of Tennessee in the 1980s, Medicaid was 8 percent of the State budget. Today it is 26 percent. As a result, Democratic and Republican Governors of Tennessee have been told by Washington to spend money on Medicaid that they instead would rather spend on higher education.

Make Medicaid more flexible. Perhaps we can cover more people and set our own priorities.

Encourage employee wellness incentives. We talk a good game in the Senate about that, but the administration's regulation actually limits the ability of employers to say to employees if you have a healthy lifestyle, your insurance will be cheaper. We should repeal that regulation and make it easier for employers to encourage that kind of behavior, and offer cheaper insurance.

Allow small businesses to pool their resources and offer insurance together. We call that small business health plans.

All of these steps, by the way, are in legislative form. They are bills we have introduced. They are steps we could take today if we had enough votes to pass them, turning the train around and heading it in a different direction.

Buy insurance across State lines. If Americans could look on the Internet and buy insurance across State lines that suited their needs, perhaps more Americans could afford insurance. Isn't that what we want to do? Change the 30-hour workweek to 40 hours. Both Democrats and Republicans support this idea. I am not sure where it ever came from, but it is one of the worst features of ObamaCare. It creates a big incentive to cause businesses to reduce the number of working hours from 40 to 30 so their employees will be part-time and the business won't be affected by the ObamaCare rule. That creates consternation within business, and it doesn't create good relations between the employer and the employee. Think about the employee. Think about the pay cut from 40 hours to 30 hours. Think about the employee going out to find another part-time job at, say, another restaurant. Why not give these employees a 33 percent pay increase? That would be a pretty good way to get up above the so-called minimum wage and give businesses a chance to have full-time employees again.

So these are all steps that would change the health care delivery system by changing its direction away from expanding a health care system that we know already costs too much and sending it in the direction of choice and competition and finding ways to lower the cost of health care plans so more Americans can afford to buy insurance.

The 39-year-old Tennessee woman whom I talked about this morning to Ms. Tavenner, the woman named Emilie who is losing insurance because ObamaCare has decided that her plan isn't good enough for her, finished her story with these words:

> This is one of the biggest betrayals our government has ever been committed on its citizens. I beg of you to continue to fight for those, like me, who would only ask to be allowed to continue to have what we already enjoy. A fair health insurance plan at a fair price. Please find a way to return to affordable health care.

One good way to do that is to put the President's words into law: "If you like your health plan, you can keep it." Senator JOHNSON of Wisconsin has offered that legislation. I have cosponsored it, as have others.

My message to Emilie is that I am going to do my best to turn this train around and head our health care delivery system in the right direction so that she can buy and keep health care insurance that she can afford.

I thank the Chair, I yield the floor, and 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. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

## MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

## IMPLEMENTING BUDGETARY SAVINGS AND EFFICIENCIES

Mr. LEAHY. Madam President, during this time of budget constraints, sequestration, and continuing resolutions, it is crucial that every Federal department and agency identify maximum cost savings and improve efficiencies to minimize the impact of reductions on critical programs and personnel. It is also the responsibility of Congress to encourage departments and agencies to consistently identify and implement such savings and efficiencies.

We do not have the luxury of allowing the continuation of programs that are no longer relevant, are redundant with other Federal programs, can be done more cheaply, or that perpetuate past mistakes. Unfortunately it seems that the State Department and the U.S. Agency for International Development are not able to identify some potential savings. It takes outside watchdogs such as the inspectors general and the Government Accountability Office to review and independently evaluate department or agency programs and operations.

As chairman of the appropriations subcommittee that funds the State Department and USAID, I and ranking member LINDSEY GRAHAM have taken steps to avoid wasteful and unnecessary spending. We have reduced costs based on inspector general findings, directed the State Department to eliminate unnecessary overseas support staff and administrative expenses, and directed the Department and USAID to improve financial and contract management. We will continue to look for opportunities to reduce waste, terminate programs that are poorly designed or not meeting their goals, and save taxpayer dollars.

But this is not enough. The State Department, USAID, and other Federal agencies need to act proactively to identify efficiencies and reduce costs. Unfortunately, some of the inspector generals' findings are so obvious it is surprising, and troubling, that the State Department or USAID did not identify the savings on their own.

Here are just a few examples from fiscal year 2013 reports of the State Department and USAID inspectors general.

The State Department inspector general found that the Department has a team based in Frankfurt, Germany, that travels to posts in the former Yugoslavia and the countries of the former Soviet Union to train local staff and provide administrative support to posts. This might have made sense in the early 1990s, but it makes no sense 24 years after the fall of the Iron Curtain.

The inspector general determined that 80 percent of the Regional Information Management Center staff in Frankfurt does not need to be assigned overseas. Their work could be done in Washington, saving millions of dollars each year. According to the inspector general, an employee assigned overseas costs $232,000 more each year than an employee based in the United States.

In Iraq, at one of our most oversized and expensive Embassies, the inspector general found that the Department hired and paid for 513 Baghdad security personnel when only 253 were actually used. The Department also paid $20.6 million for an unnecessary airport security program that added 84 personnel.

The inspector general found that the Department had 955 expired grants with a total of $81.9 million in unspent funds. The inspector general also found that the Department had not closed out 1,421 expired grants each with a $0 balance, costing $97,069 each year in unnecessary administrative fees.

The USAID inspector general found that USAID added five overseas food storage warehouses but had not determined whether delivery times of food prepositioned overseas justifies the additional cost when compared with prepositioning food domestically. In fact, a cost-benefit analysis conducted in response to a 2007 Government Accountability Office recommendation found that food prepositioned overseas is seven times more costly than food prepositioned domestically and recommended that USAID consider increasing the amount of domestic prepositioned food. USAID has now agreed to compare the timeliness and cost of prepositioning food overseas versus domestically. We cannot afford to make decisions that expand programs or increase costs without some evidence that there is a benefit worth the additional expense.

The USAID inspector general found that in a 3-month period, September through November 2012, USAID paid $64,000 for more than 300 mobile devices that had not been used for at least 1 month during that time period and $48,000 for 267 devices that had not been used at all during those 3 months, and an average of 127 employees had excessive user charges of $118,000 which USAID could not verify had been reviewed and accepted. While these are relatively small amounts, they add up.

And the list goes on.

I know that the employees of the State Department and USAID are dedicated, hard-working people. Most Americans have little if any idea of what they do to protect the interests of the United States around the world. But it is because their work is so important that we cannot afford to waste the money they need to do their jobs. Top officials at the State Department and USAID must identify and eliminate outdated, redundant, and ineffective programs and unnecessary operating expenses. We cannot wait for the inspectors general to do their job for them.

## CRIMINAL ANTITRUST ANTI-RETALIATION ACT

Mr. LEAHY. Madam President, I am pleased that the Senate passed yesterday bipartisan legislation that will improve the enforcement of the antitrust laws. The bipartisan Criminal Antitrust Anti-Retaliation Act extends whistleblower protections to employees who report criminal violations of the antitrust laws. These kinds of violations, which include price fixing, have a particularly pernicious impact on consumers.

This legislation represents a continuation of my partnership with Senator GRASSLEY on whistleblower issues. Senator GRASSLEY has long been an advocate for protecting those who blow the whistle on wasteful or criminal conduct. Our bill is modeled on whistleblower protections that he and I authored as part of the Sarbanes-Oxley Act. The Criminal Antitrust Anti-Retaliation Act does not provide employees with an economic incentive to report violations. The legislation simply makes whole employees who have been fired or discriminated against for blowing the whistle on criminal conduct.

Whistleblower protection was recommended by the Government Accountability Office, GAO, in a 2011 report to Congress. The GAO surveyed an array of stakeholders and found widespread support for the kind of basic protections contained in this legislation. The bill allows employees who have reported a criminal violation to file an action with the Department of Labor if they have been fired or otherwise discriminated against for disclosing the violation. While the remedies provided by the bill are limited, they are crucial in protecting employees from retaliation.

The antitrust laws exist to promote a free and open marketplace and serve to protect consumers. These laws can only be effective if they are vigorously enforced. The Criminal Antitrust Anti-Retaliation Act will aid in enforcement efforts and ensure that consumers are protected from harmful activity. I urge the House to act quickly to pass this important bill.

## 75TH ANNIVERSARY OF KRISTALLNACHT

Mr. CARDIN. Madam President, I rise today to remember those who perished and suffered during Kristallnacht, the Night of Broken Glass, 75 years ago on November 9 and 10 in Germany, German-occupied Austria, and German-occupied Czechoslovakia.

Earlier that year, in March 1938, Germany absorbed Austria—the so-called Anschluss. Then, at the September 1938 Munich conference, France, Britain, and Italy allowed Germany to annex the western rim of Czechoslovakia and to claim its 3 million Sudeten Germans as its own. In both acts, the concept of loyalty to the state was equated with ethnic identity.

Then, in October 1938, Germany expelled 17,000 Jews with Polish citizenship from Germany into Poland. These families were arrested at night, transported by train to the Polish border,

and effectively left in limbo, as Poland initially refused to accept them. The son of two of these expellees, a Polish Jew in France, took revenge: He assassinated a German diplomat in Paris.

Propaganda minister Joseph Goebbels subsequently asserted that ''World Jewry'' was responsible for the assassination and gave the signal for the start of the first large open pogrom in Germany: ''The Führer,'' he stated, ''has decided that . . . demonstrations should not be prepared or organized by the Party, but insofar as they erupt spontaneously, they are not to be hampered.''

As described by the U.S. Holocaust Memorial Museum:

> The rioters destroyed 267 synagogues throughout Germany, Austria, and the Sudetenland. Many synagogues burned throughout the night, in full view of the public and of local firefighters, who had received orders to intervene only to prevent flames from spreading to nearby buildings. SA and Hitler Youth members across the country shattered the shop windows of an estimated 7,500 Jewish-owned commercial establishments, and looted their wares. Jewish cemeteries became a particular object of desecration in many regions. The pogrom proved especially destructive in Berlin and Vienna, home to the two largest Jewish communities in the German Reich. Mobs of SA men roamed the streets, attacking Jews in their houses and forcing Jews they encountered to perform acts of public humiliation. Although murder did not figure in the central directives, Kristallnacht claimed the lives of at least 91 Jews between the 9th and 10th of November. Police records of the period document a high number of rapes and of suicides in the aftermath of the violence.

Kristallnacht was thus a crucial turning point in the Holocaust—moving from a policy of removing Jews from Germany and German occupied lands, to murdering them. It also stands as an enduring example of the danger of associating citizenship with ethnicity, of tying loyalty to the state with blood identity.

Kristallnacht is but one example of how hate can proliferate and erode our societies and why I have worked tirelessly to advance global efforts to ensure atrocities such as this never happen again. In my capacity as a chair of the Commission on Security and Cooperation in Europe and decades-long work as a Member of Congress, I have advanced efforts to combat anti-Semitism and other forms of intolerance and discrimination in North America and Europe.

This work has ranged from commission hearings to raise awareness of the continuing scourge of anti-Semitism to leading interparliamentary efforts to create personal representatives or high-level officials within the Organization for Security and Cooperation in Europe to combat Anti-Semitism and other forms of intolerance. Sadly, the election of anti-Semitic political parties in Europe coupled with efforts to adopt circumcision, ritual slaughter, and other laws in Europe that would alter Jewish life and continuing incidents of anti-Semitic violence let us know that the work to eradicate anti-Semitism is not yet complete.

As we honor the 75th anniversary of Kristallnacht, I ask that you join me in honoring the victims and families of that horrible tragedy and join me in fighting hate and bias in all its forms.

## VOTE EXPLANATION

Mr. UDALL of Colorado. Madam President, due to unexpected family commitments, I was unable to cast a vote relative to rollcall vote No. 204 on the nomination of Todd Hughes to be a judge on the U.S. Court of Appeals for the Federal Circuit. Had I been present, I would have voted yea on his nomination.

## ADDITIONAL STATEMENTS

### WESTPORT ALL-STARS

• Mr. BLUMENTHAL. Madam President, I wish to congratulate the Westport Little League team who made it all the way to the national Little League World Series finals earlier this year. The 11 phenomenal student players from Westport, CT comprised the first team from Connecticut to reach the final rounds of the Little League World Series since 1989.

The Westport Little League team came to the Little League World Series as New England champions and played against the reigning Northwest team from Washington State to make it to the finals. In this thrilling qualifier, Westport rallied from behind, winning 14 to 13 in the seventh inning with a single to left field. This game was the fourth time in Little League World Series history where both teams completed 27 runs and the third time in history to score a collective 30 hits.

Although these students from Westport did not win in the next few championship games, they never gave up. Even in their fight for third place against a team from Tijuana, Mexico, they played their hardest to the very end. Player Chad Knight hit two home runs and drove in seven more, making a Little League Series world record of nine runs.

After their great success, Connecticut welcomed them home with a parade through the streets of Westport and an afternoon at the Governor's mansion. The Westport Little League team was invited as a special guest of the Yankees and hosted by the Red Sox at Fenway Park.

I also wish to congratulate Tim Rogers, manager and head coach of the team, assistant coaches Brett Reiner and Tom Whelan, and the parents and loved ones of these inspiring young players. I am incredibly proud of their success, representing Connecticut as role models for student athletes around the country. They worked together as a team to reach the ultimate honor in youth baseball.•

### EASTLAKE ALL-STARS

• Mrs. BOXER. Madam President, I am pleased to congratulate the 2013 Eastlake Little League All-Star team from Chula Vista, CA on capturing the U.S. Championship at the 67th Little League World Series in Williamsport, PA. The determination, sportsmanship, and love of the game exhibited by these young athletes inspired people in Chula Vista and throughout California.

Since its establishment almost 75 years ago, Little League Baseball has grown from just three teams to become the world's largest youth sports program. This year's Little League World Series featured 8 regional champions from the United States and 8 international teams, representing the millions of children in 79 countries on 6 continents who take part in the great American pastime.

The Eastlake Little League All-Stars traveled a long road to Williamsport. In order to qualify for the Little League World Series, these extraordinary young players had to first defeat worthy opponents at the District 42 Championship in South Bay, the Section 7 Championship in Spring Valley, the Sub-Division III Championship in Corona, and the Division III Championship in Long Beach, before securing the West Region Championship in San Bernardino with a 3-to-1 tournament record.

Representing the West at the World Series, the Eastlake All-Stars showcased their talents with several impressive feats of athleticism. In a tense game against the Great Lakes All-Stars, Eastlake's Grant Holman became the first pitcher since 1979 to throw an extra-inning no-hitter at the Little League World Series. Later, Eastlake routed the New England All-Stars 12-to-1 to take the U.S. Championship. Reaching the World Series Championship game, Eastlake fought valiantly to take the lead before falling 6-to-4 to the talented team from Tokyo, Japan.

In Chula Vista, the Eastlake All-Stars received a hero's welcome at a community homecoming celebrating the new U.S. World Series Champions. In the spirit of international goodwill and sportsmanship that characterizes the Little League World Series, the Eastlake players were joined in Chula Vista by the neighboring team from the Municipal de Tijuana Little League of Tijuana, Mexico, who placed third in the World Series.

I ask my colleagues to join me in recognizing all the members of the Eastlake Little League All-Star team on their extraordinary achievement: Micah Pietila-Wiggs, Ricky Tibbett, Rennard Williams, Dominic Haley, Patrick Archer, Kevin Bateman II, Jake Espinoza, Giancarlo Cortez, Grant Holman, Charly Peterson, Michael Gaines, and Nick Mora, along with the dedicated coaches, parents, and volunteers who contributed to their success.•

## TRIBUTE TO KEVIN P. McDERBY

• Mr. COONS. Madam President, I wish to honor the service, dedication, and passion of an individual whose name is synonymous with law enforcement in Delaware, New Castle police chief Kevin P. McDerby. After more than 40 years of service to the people of Delaware, Chief McDerby embarked on a well-earned retirement at the end of last month. While known for his long and decorated career in law enforcement, Chief McDerby's tenure will be most remembered for his work with veterans and community groups, such as Delaware Concerns of Police Survivors, or C.O.P.S, and the Special Olympics Torch Run, as well as his efforts leading trips to the Nation's Capital to bring Delaware WWII and Korean veterans to visit national memorials and coordinating the establishment of the Delaware Law Enforcement Memorial on Legislative Mall in Dover.

Chief McDerby began his public safety career in Delaware on January 12, 1971, when he joined the Delaware State Police as a trooper working in the Criminal Investigation and Tactical Support Units. He quickly climbed the ranks, rising to sergeant in January 1979, to lieutenant and commander of Troop 6 in January 1986, to captain in February 1987, and finally to major in May 1989, where he took on the role of operations major for New Castle County.

Shortly after his retirement from the Delaware State Police in August 2000, McDerby was appointed chief of the New Castle Police Department, one of the oldest existing police departments in the Nation, established in 1672. As New Castle police chief, McDerby continued the department's proud legacy of dedication to duty and service with honor, established by a long line of distinguished officers who have served the department over five centuries.

Chief McDerby's dedication to service was a hallmark of his law enforcement career. A strong advocate for law enforcement families, he was a founding member of Delaware C.O.P.S, an organization dedicated to providing resources to assist surviving families of officers killed in the line of duty.

In his 40-plus years of law enforcement service to the people of New Castle and Delaware, Chief McDerby leaves behind not just a policing legacy but also an opportunity, a benchmark for his fellow officers to strive to reach. To follow Chief McDerby's example is to be more than just the best police officer you can be; it is to be a leader and a true ambassador for the law enforcement community in Delaware. On behalf of all Delawareans, I thank Chief McDerby for his tremendous service and wish him well in his retirement.•

## REMEMBERING KATHY MULLEN

• Mrs. BOXER. Madam President, I ask my colleagues to join me in honoring the memory of Kathleen Joy ''Kathy'' Mullen, a trailblazer in Fresno's special abilities community who was beloved locally and beyond. Ms. Mullen passed away on July 18 at the age of 52.

Kathy was born with Down syndrome, but she never allowed it or anything else to keep her from fully pursuing her dreams. From an early age, Kathy loved performing for others, whether she was shadowing her sister practicing a gymnastics routine or staging her own performances in the family backyard.

Kathy's love of athletics and performing drew her to competitive sports, where through focus and dedication, she made history as Fresno County's first Special Olympian. Kathy was a gifted athlete who broke records as the only Special Olympian to receive State, national and world gold medals in four different sports—gymnastics, swimming, bowling, and ice skating.

In 1983, inspired by Kathy's accomplishments and passion for athletics, her family founded Break the Barriers, a Fresno-based organization that enables athletes of all ages and physical abilities to hone their skills, train together, and establish bonds of understanding and respect. Thirty years later, Break the Barriers provides instruction and training to 3,000 people each year in a 32,000-square-foot, state-of-the-art facility.

To those fortunate enough to have known her, Kathy Mullen will be fondly remembered not just for her gold medals, but also for her infectious smile, character, resolve and remarkable ability to inspire everyone lucky enough to have known her. She will be missed.•

## MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3204. An act to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, 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–3466. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Susan J. Helms, United States Air Force, and her advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–3467. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Major General David H. Huntoon, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–3468. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Private Sector Notification Requirements of In-Sourcing Actions'' ((RIN0750–AI05) (DFARS Case 2012–D036)) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Armed Services.

EC–3469. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: New Free Trade Agreement—Panama'' ((RIN0750–AH79) (DFARS Case 2012–D044)) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Armed Services.

EC–3470. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: New Designated Country—Croatia'' ((RIN0750–AI09) (DFARS Case 2013–D031)) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Armed Services.

EC–3471. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Only One Offer—Further Implementation'' ((RIN0750–AH89) (DFARS Case 2013–D001)) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Armed Services.

EC–3472. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Approval of Rental Waiver Requests'' ((RIN0750–AI03) (DFARS Case 2013–D006)) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Armed Services.

EC–3473. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Imazapyr; Pesticide Tolerances'' (FRL No. 9401–9) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3474. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''D–Glucopyranose, oligomeric, decyl octyl glycosides; Exemption for the Requirement of a Tolerance'' (FRL No. 9901–95) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3475. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fomesafen; Pesticide Tolerances'' (FRL No. 9401–8) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3476. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled ''Loans in Areas Having Special Flood Hazards'' (RIN3052–AC93) received in the Office of the President of the Senate on October 30, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3477. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report entitled ''Assessment of Demand Response and Advanced Metering''; to the Committee on Energy and Natural Resources.

EC–3478. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Television Sets'' (RIN1904–AC29) received in the Office of the President of the Senate on October 28, 2013; to the Committee on Energy and Natural Resources.

EC–3479. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Removal of Gasoline Vapor Recovery from Southeast Wisconsin'' (FRL No. 9900–17–Region 5) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Environment and Public Works.

EC–3480. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; Redesignation of the Columbus Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter'' (FRL No. 9902–00–Region 5) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Environment and Public Works.

EC–3481. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Atlanta, Georgia 1997 8-Hour Ozone Nonatttainment Area; Reasonable Further Progress Plan'' (FRL No. 9902–19–Region 4) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Environment and Public Works.

EC–3482. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Florida; Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards'' (FRL No. 9902–25–Region 4) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Environment and Public Works.

EC–3483. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Modification of Significant New Uses of 1-Propene, 2,3,3,3-tetrafluoro-'' (FRL No. 9901–97) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Environment and Public Works.

EC–3484. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Cost-Benefit Analysis for Radwaste Systems for Light-Water-Cooled Nuclear Power Reactors'' (Regulatory Guide 1.110, Revision 1) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2013; to the Committee on Environment and Public Works.

EC–3485. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Standards and Practices for All Appropriate Inquiries'' (FRL No. 9902–22–OSWER) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Environment and Public Works.

EC–3486. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts for CY 2014'' (RIN0938–AR59) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Finance.

EC–3487. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Part A Premiums for CY 2014 for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement'' (RIN0938–AR57) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Finance.

EC–3488. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2014'' (RIN0938–AR58) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Finance.

EC–3489. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Conditions of Participation (CoPs) for Community Mental Health Centers'' (RIN0938–AP51) received in the Office of the President of the Senate on October 29, 2013; to the Committee on Finance.

EC–3490. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, a report entitled ''Federal Student Loan Repayment Program Calendar Year 2012''; to the Committee on Homeland Security and Governmental Affairs.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHUMER, from the Committee on Rules and Administration:

Report to accompany S. Res. 253, An original resolution authorizing expenditures by committees of the Senate for the periods October 1, 2013, through September 30, 2014, and October 1, 2014, through February 28, 2015 (Rept. No. 113–116).

## 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 Mrs. BOXER (for herself, Mr. GRAHAM, Mrs. SHAHEEN, Mr. BLUNT, Mrs. MCCASKILL, Mrs. GILLIBRAND, Mr. BAUCUS, Mr. BLUMENTHAL, Ms. HIRONO, Ms. AYOTTE, Ms. COLLINS, Mr. MCCAIN, and Mr. TESTER):

S. 1644. A bill to amend title 10, United States Code, to provide for preliminary hearings on alleged offenses under the Uniform Code of Military Justice; to the Committee on Armed Services.

By Mr. BROWN (for himself, Mr. THUNE, Mr. MENENDEZ, Mr. PORTMAN, Mr. JOHNSON of South Dakota, Mr. BLUNT, and Ms. COLLINS):

S. 1645. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on Finance.

By Mr. ALEXANDER (for himself and Mr. CORKER):

S. 1646. A bill to amend subtitle IV of title 40, United States Code, regarding county additions to the Appalachian region; to the Committee on Environment and Public Works.

By Mr. ROBERTS (for himself, Ms. LANDRIEU, Mr. ISAKSON, Mr. JOHANNS, Mr. INHOFE, Mr. HELLER, Mr. HATCH, Mr. ENZI, and Mr. FLAKE):

S. 1647. A bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin; to the Committee on Finance.

By Mr. KIRK (for himself, Mr. CORNYN, Mr. MANCHIN, and Mr. DURBIN):

S. 1648. A bill to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Memorial Day; to the Committee on the Judiciary.

By Mr. BOOZMAN (for himself and Mr. CORNYN):

S. 1649. A bill to promote freedom and democracy in Vietnam; to the Committee on Foreign Relations.

By Ms. MURKOWSKI:

S. 1650. A bill to amend the Migratory Bird Treaty Act to exempt certain Alaska Native articles from prohibitions against sale of items containing nonedible migratory bird parts, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself and Mr. MURPHY):

S. 1651. A bill to amend the Internal Revenue Code of 1986 to allow manufacturing businesses to establish tax-free manufacturing reinvestment accounts to assist them in providing for new equipment and facilities and workforce training; to the Committee on Finance.

By Mr. SCHATZ (for himself, Mr. ALEXANDER, and Mr. COATS):

S. 1652. A bill to amend the National Energy Conservation Policy Act to provide guidance on utility energy service contracts used by Federal agencies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL:

S. 1653. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. GRASSLEY):

S. 1654. A bill to amend the Internal Revenue Code of 1986 to deny tax deductions for corporate regulatory violations; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, and Mrs. BOXER):

S. Res. 286. A resolution congratulating Oracle Team USA for winning the 34th America's Cup; considered and agreed to.

By Ms. WARREN (for herself, Mr. MARKEY, Mr. REED, Mr. WHITEHOUSE, Mr. MURPHY, Mr. LEAHY, Ms. AYOTTE, Mr. SANDERS, Mrs. SHAHEEN, Mr. KING, and Mr. BLUMENTHAL):

S. Res. 287. A resolution congratulating the Boston Red Sox on winning the 2013 World Series; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 12

At the request of Mr. COATS, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 12, a bill to provide for the transfer of naval vessels to certain foreign recipients.

S. 231

At the request of Mr. PORTMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 231, a bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp.

S. 460

At the request of Mr. HARKIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 460, a bill to provide for an increase in the Federal minimum wage.

S. 520

At the request of Mr. BEGICH, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 520, a bill to strengthen Federal consumer protection and product traceability with respect to commercially marketed seafood, and for other purposes.

S. 666

At the request of Mr. BLUMENTHAL, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 666, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 734

At the request of Mr. NELSON, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 795

At the request of Mr. COONS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 795, a bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes.

S. 862

At the request of Ms. AYOTTE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 862, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

S. 933

At the request of Mr. LEAHY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 933, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2018.

S. 1115

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1115, a bill to treat payments by charitable organizations with respect to certain firefighters as exempt payments.

S. 1174

At the request of Mr. BLUMENTHAL, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1174, a bill to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers.

S. 1187

At the request of Ms. STABENOW, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1208

At the request of Mr. TESTER, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 1208, a bill to require meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 1226

At the request of Mr. BROWN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1226, a bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

S. 1349

At the request of Mr. MORAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of 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.

S. 1369

At the request of Mr. JOHANNS, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1369, a bill to provide additional flexibility to the Board of Governors of the Federal Reserve System to establish capital standards that are properly tailored to the unique characteristics of the business of insurance, and for other purposes.

S. 1551

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1551, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

S. 1595

At the request of Mr. UDALL of New Mexico, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1595, a bill to establish a renewable electricity standard, and for other purposes.

S. 1599

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1599, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

S. 1618

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1618, a bill to enhance the Office of Personnel Management background check system for the granting, denial, or revocation of security clearances or access to classified information of employees and contractors of the Federal Government.

S. 1623

At the request of Mr. LEE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1623, a bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHATZ (for himself, Mr. ALEXANDER, and Mr. COATS):

S. 1652. A bill to amend the National Energy Conservation Policy Act to provide guidance on utility energy service contracts used by Federal agencies, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. SCHATZ. 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. 1652

*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 ''Utility Energy Service Contracts Improvement Act of 2013''.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) the Federal government is the largest consumer of energy in the United States;

(2) Federal agencies are expected to meet, by law, Executive order, and mandate, stringent energy efficiency and conservation targets;

(3) the utility energy service contract (referred to in this section as ''UESC'') was developed to provide Federal agencies an effective means to implement energy efficiency, renewable energy and water efficiency projects, and has been used successfully to invest nearly $2,700,000,000 in property at Federal facilities;

(4) the General Services Administration, which manages more than 9,600 Federal properties and is the lead agency for procuring utility services for the Federal government, has determined that UESCs may extend beyond a 10-year period under the law;

(5) the Federal Energy Management Program, which oversees the UESC program and is a principal office guiding agencies to use funding more effectively in meeting Federal and agency-specific energy and resource management objectives, has determined that UESCs may extend beyond a 10-year period under the law;

(6) extensive precedent exists for Federal agencies to contract for energy saving services using contracts with term limits of more than 10 years but not to exceed 25 years;

(7) a number of Federal agencies, contrary to congressional intent, have sought to limit UESC term limits to periods of less than 10 years; and

(8) greater flexibility with UESCs will help reduce the operational cost of Federal agencies, ultimately saving money for taxpayers.

**SEC. 3. UTILITY ENERGY SERVICE CONTRACTS.**

Part 3 of title V of the National Energy Conservation Policy Act is amended by adding after section 553 (42 U.S.C. 8259b) the following:

**''SEC. 554. UTILITY ENERGY SERVICE CONTRACTS.**

''(a) IN GENERAL.—Each Federal agency may use, to the maximum extent practicable, measures provided by law to meet energy efficiency and conservation mandates and laws, including through utility energy service contracts.

''(b) CONTRACT PERIOD.—The term of a utility energy service contract entered into by a Federal agency may have a contract period that extends beyond 10 years, but not to exceed 25 years.

''(c) REQUIREMENTS.—The conditions of a utility energy service contract entered into by a Federal agency shall include requirements for measurement, verification, and performance assurances or guarantees of the savings.''.

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By Mr. REED (for himself and Mr. GRASSLEY)

S. 1654. A bill to amend the Internal Revenue Code of 1986 to deny tax deductions for corporate regulatory violations; to the Committee on Finance.

Mr. REED. Mr. President, today I am introducing, along with Senator GRASSLEY, the Government Settlement Transparency and Reform Act. This bill closes a loophole that allows corporations to reap tax benefits from payments made to the government stemming from settling corporate misdeeds. So this bill aims to end the subsidization of illegal corporate behavior by taxpayers.

Corporations accused of illegal activity routinely settle legal disputes with the government out of court because it allows both the company and the government to avoid the time, expense, and uncertainty of going to trial. Under Federal law, money paid to settle corporate civil or criminal penalties is not deductible. But under the tax code, offending companies may often write off any portion of a settlement that is not paid directly to the government as a penalty or fine for violation of the law. Corporations exploit this provision by later characterizing settlement penalties as restitution and a tax-deductible business expense.

I think it is common sense that, for example, a corporation should not agree to pay the government $500 million in criminal or civil fines and then when they file their taxes count those fines as a business expense and take a tax windfall. Corporations that do this are effectively using taxpayer money to subsidize their illegal behavior. In 2005, the Government Accountability Office found that of the 34 companies and $1 billion in settlements they examined, 20 companies took a tax deduction for some or all of the money it paid to the government. Those settlements were silent on whether that $1 billion to the government counted as penalties or restitution. According to GAO, in 2 of those settlements, company representatives said they made a mistake in deducting civil penalty payments totaling $1.9 million and said they would amend their tax returns.

The Reed-Grassley bill would address these practices by amending 162(f) of the tax code and requiring the government and the settling party to reach pre-filing agreements on how the settlement payments should be treated for tax purposes. The bill also clarifies the rules about what settlement payments are punitive and therefore non-deductible. Furthermore, it increases transparency by requiring the government to file a return at the time of settlement to accurately reflect the tax treatment of the amounts that will be paid by the offending party.

Over a 10 year budget window, this legislation is estimated to raise between $200 to $300 million in revenue.

With this legislation we can close this tax loophole that flies in the face of sensible and fair tax policy. The tax code should not be used to subsidize illegal activity by corporations—when a fine is levied that fine should not be construed as a legitimate business expense. Instead, it should be paid in full, with no tax deduction taken.

I want to thank Senator GRASSLEY for working with me on this legislation. I would also thank Chairman BAUCUS who introduced similar legislation in previous Congresses. They have long championed closing this loophole. I urge our colleagues to join us by cosponsoring this legislation and seeking its passage.

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## SUBMITTED RESOLUTIONS

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### SENATE RESOLUTION 286—CONGRATULATING ORACLE TEAM USA FOR WINNING THE 34TH AMERICA'S CUP

Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 286

Whereas the America's Cup is known as the oldest trophy in sports;

Whereas the United States has long maintained one of the most successful sailing traditions in the world, with its teams having won more America's Cup competitions than those of any other nation;

Whereas the America's Cup was hosted 13 times in New York City between 1870 and 1920, 12 times in Newport, Rhode Island, between 1930 to 1987, and 3 times in San Diego, California, between 1988 and 1995;

Whereas Newport, Rhode Island hosted the inaugural America's Cup World Series Season Championship, the final race in the new AC45 professional circuit in the lead-up to the 2013 finals, and is proud of its America's Cup heritage;

Whereas America's Cup World Series races were also held in San Diego and San Francisco, California;

Whereas on September 25, 2013, in San Francisco, California, Oracle Team USA won the 34th America's Cup, defeating Emirates Team New Zealand 9 races to 8;

Whereas this is the second consecutive America's Cup victory for Oracle Team USA, which previously won the 33rd America's Cup on February 14, 2010 in Valencia, Spain;

Whereas on September 18, 2013, Oracle Team USA had lost 8 of the first 11 races in the America's Cup finals to Emirates Team New Zealand, but refused to give up;

Whereas despite this deficit, skipper James Spithill declared: ''We will keep fighting all the way to the end. There is still a lot of racing and I am still convinced that we can win races. We will go out in every single race thinking we can win; we have to.'';

Whereas beginning on September 19, 2013, Oracle Team USA was able to win 7 consecutive races to set up a winner-take-all race on the San Francisco Bay course;

Whereas Oracle Team USA was able to accomplish one of the greatest comebacks in sporting history by winning the final race in decisive fashion and securing their second consecutive America's Cup;

Whereas Ben Ainslie, Darren Bundock, Simon Daubney, Dirk de Ridder, Shannon Falcone, Kinley Fowler, Murray Jones, Rome Kirby, John Kostecki, Kyle Langford, Jonathan Macbeth, Brian MacInnes, Matthew Mason, Will McCarthy, Matt Mitchell, Joe Newton, Sam Newton, Gilberto Nobili, Philippe Persti, Tom Slingsby, Joe Spooner, Simeon Tienpont, and Brad Webb came together to form one of the most exciting and skilled crews to have ever raced in the America's Cup; and

Whereas the partnership between the City and County of San Francisco and Oracle Team USA owner Larry Ellison produced the most visually stunning and publicly accessible series of races in the history of the America's Cup: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates Oracle Team USA for winning the 34th America's Cup;

(2) recognizes the achievements of all the crew, coaches, and staff who contributed to the victory; and

(3) offers best wishes and support for the team as it prepares to defend its title once again in American waters.

## SENATE RESOLUTION 287—CONGRATULATING THE BOSTON RED SOX ON WINNING THE 2013 WORLD SERIES

Ms. WARREN (for herself, Mr. MARKEY, Mr. REED, Mr. WHITEHOUSE, Mr. MURPHY, Mr. LEAHY, Ms. AYOTTE, Mr. SANDERS, Mrs. SHAHEEN, Mr. KING, and Mr. BLUMENTHAL) submitted the following resolution; which was considered and agreed to:

S. RES. 287

Whereas, on October 30, 2013, the Boston Red Sox won the 2013 World Series by defeating the St. Louis Cardinals;

Whereas the Boston Red Sox won the World Series before the Fenway Faithful for the first time since 1918, igniting the city with pride;

Whereas the St. Louis Cardinals demonstrated sportsmanship, skill, and perseverance;

Whereas the St. Louis Cardinals are recognized for their phenomenal effort and success throughout the 2013 baseball season, posting a record of 97–65 and winning their fourth National League pennant in 10 years;

Whereas Boston's victory marks their third world title in 10 years and their 8th world title in the treasured and beloved Red Sox team's 113-year history;

Whereas the Red Sox players and staff showed the most advanced skill, heart, and grit through the entire regular season and postseason, winning the American League Division Series, the American League Championship Series, and the World Series;

Whereas the Red Sox made history and showed tremendous resilience in becoming the first team to win the World Series after losing at least 93 games the previous year;

Whereas the 2013 team will be remembered for the inspiration they drew from the city of Boston, the joy they brought to the city and the region, and their embodiment of ''Boston Strong'';

Whereas the Red Sox players' beards will be remembered as a symbol of the 2013 Boston Red Sox's spirit and unity;

Whereas the Red Sox World Series victory paid tribute to former Red Sox legends, including Bobby Doerr, Joe Cronin, Johnny Pesky, Carl Yastrzemski, Ted Williams, Carlton Fisk, and Jim Rice;

Whereas Red Sox manager John Farrell has won his first World Series title at the helm of the Red Sox and assembled one of the greatest Red Sox teams of all time;

Whereas David Ortiz, a vital Red Sox and member of the 2004 and 2007 World Series championship teams and with 103 runs-batted-in (RBIs) during the season, was recognized as the Most Valuable Player in the 2013 World Series, batting .688, hitting two critical home runs, and cementing his reputation as one of the greatest postseason performers in baseball history;

Whereas John Lackey and Clay Buchholz dominated opposing batters throughout the American League Championship, and Jon Lester had an overpowering performance in Game 5 of the World Series, tying the Red Sox post-season record for wins with six;

Whereas Koji Uehara delivered unmatched relief pitching performances throughout the regular season, earning 21 saves with just a 1.09 earned run average and silenced opposing hitters during the playoffs;

Whereas Mike Napoli blasted a game-deciding home run in game 3 of the American League Championship Series and produced key hits and leadership for the Red Sox throughout the World Series;

Whereas Shane Victorino solidified his legend in postseason baseball lore by blasting a grand slam that drove the Red Sox past the Detroit Tigers in game 6 of the American League Championship Series, hitting a three run double in the World Series-clinching win at Fenway Park, and earning a Gold Glove award for his stellar performance in right field;

Whereas Dustin Pedroia, a sure-handed fielder, was awarded the Gold Glove for his unshakeable defensive play at second base during the 2013 regular season, provided relentless leadership in the Red Sox clubhouse, and set an example for countless young baseball fans across our country;

Whereas the Boston Red Sox were led to the World Series by the determination of every Red Sox player this season, including Alfredo Aceves, Quintin Berry, Xander Bogaerts, Craig Breslow, Clay Buchholz, Mike Carp, Ryan Dempster, Jonathan Diaz, Felix Doubront, Stephen Drew, Jacoby Ellsbury, Jonny Gomes, Brock Holt, John Lackey, Ryan Lavarnway, Jon Lester, Will Middlebrooks, Franklin Morales, Mike Napoli, Daniel Nava, Jake Peavy, Dustin Pedroia, David Ortiz, David Ross, Jarrod Saltalamacchia, Junichi Tazawa, Koji Uehara, Shane Victorino, and Brandon Workman;

Whereas Red Sox owners John Henry and Tom Werner and Red Sox president and chief executive officer Larry Lucchino and general manager Ben Cherington deserve credit for building on the success of the 2004 and 2007 World Championship teams;

Whereas Bill James, the father of modern statistical analysis of baseball and a pioneer in the sabermetric movement, won his third World Series as a member of the Red Sox staff;

Whereas the Boston Red Sox have been serving charities throughout New England, including the ''Jimmy Fund'' of the Dana-Farber Cancer Institute for 60 years and joining the fight against cancer; and

Whereas fans of the Red Sox, not only in Boston or New England but across the world, join together to triumphantly celebrate the win after mourning the tragic events of the 2013 Boston Marathon earlier this year; and

Whereas the Fenway Faithful and Red Sox Nation thank the Red Sox organization for their loyalty to the city and delivery of the 2013 World Series title: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates—

(A) the Boston Red Sox for bringing the World Series title back to Boston, and the players, manager, coaches, support staff, and owners whose dedication, commitment, and spirit made this season a historic success; and

(B) the St. Louis Cardinals for their accomplishments and dedication during the 2013 season and in winning the National League Championship; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Red Sox manager John Farrell;

(B) Red Sox general manager Ben Cherington;

(C) Red Sox president and chief executive officer Larry Lucchino;

(D) Red Sox principal owner John Henry; and

(E) Red Sox chairman Tom Werner.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MARKEY. 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 November 5, 2013, at 10 a.m., to conduct a hearing entitled ''Housing Finance Reform: Protecting Small Lender Access to the Secondary Mortgage Market.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MARKEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 4, 2013, at 2:30 p.m., to hold a hearing entitled ''Convention on the Rights of Persons with Disabilities''.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. MARKEY. 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 November 5, 2013, at 10 a.m. in room SD–106 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Online Federal Health Insurance Marketplace: Enrollment Challenges and the Path Forward.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. MARKEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 5, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

Mr. MARKEY. Mr. President, I ask unanimous consent that the Aviation Operations, Safety, and Security Subcommittee of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 5, 2013, at 2:30 p.m. in room SR–253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''The U.S. Aviation Industry and Jobs: Keeping American Manufacturing Competitive.''

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

SUBCOMMITTEE ON BANKRUPTCY AND THE COURTS

Mr. MARKEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Bankruptcy and the Courts, be authorized to meet during the session of the Senate, on November 5, 2013, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Changing the

Rules: Will limiting the scope of civil discovery diminish accountability and leave Americans without access to justice?''

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

SUBCOMMITTEE ON CONSERVATION, FORESTRY, AND NATURAL RESOURCES

Mr. MARKEY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, Subcommittee on Conservation, Forestry, and Natural Resources, be authorized to meet during the session of the Senate on November 5, 2013, at 2:30 p.m. in room SR–328A of the Russell Senate Office Building, to conduct a hearing entitled ''Shortchanging Our Forest: How Tight Budgets and Management Decisions Can Increase the Risk of Wildlife.''

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

SUBCOMMITTEE ON OVERSIGHT

Mr. MARKEY. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on November 5, 2013, at 2:30 p.m. in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Fugitive Methane Emissions from Oil and Gas Operations.''

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

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent the Senate proceed to executive session to consider Calendar Nos. 393 through 402 and 419, and all nominations on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order to any of the nominations; any statement be printed in the RECORD; and that President Obama be immediately notified of the Senate's action and the Senate resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force 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. Samuel D. Cox

The following Army National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be brigadier general*

Col. Jill J. Nelson

IN THE ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203;

*To be brigadier general*

Col. Hector Lopez

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. Keith D. Jones

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

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*

Lt. Gen. Robert B. Brown

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

*To be major general*

Brig. Gen. Robert L. Walter, Jr.

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. William C. Mayville, Jr.

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. Stephen R. Lanza

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

DEPARTMENT OF STATE

Robert O. Blake, Jr., of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Indonesia.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN859 AIR FORCE nomination of Brian J. Hood, which was received by the Senate and appeared in the Congressional Record of September 17, 2013.

PN860 AIR FORCE nominations (4) beginning JOHN P. SCHUMACHER, and ending PAUL C. ROBINSON, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2013.

PN861 AIR FORCE nominations (4) beginning SCOTT P. IRWIN, and ending DAVE C. PRAKASH, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2013.

PN879 AIR FORCE nomination of Gregory L. Koontz, which was received by the Senate and appeared in the Congressional Record of September 19, 2013.

PN880 AIR FORCE nomination of Nga T. Do, which was received by the Senate and appeared in the Congressional Record of September 19, 2013.

IN THE ARMY

PN862 ARMY nomination of Richard L. Piontkowski, which was received by the Senate and appeared in the Congressional Record of September 17, 2013.

PN863 ARMY nominations (2) beginning SARY O. BEIDAS, and ending GERRY R. GERRY, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2013.

PN864 ARMY nomination of Benjamin P. Donham, which was received by the Senate and appeared in the Congressional Record of September 17, 2013.

PN865 ARMY nominations (6) beginning ANTHONY P. CLARK, and ending KAREN L. RYAN, which nominations were received by the Senate and appeared in the Congressional Record of September 17, 2013.

PN912 ARMY nomination of Robert F. Pleczkowski, which was received by the Senate and appeared in the Congressional Record of October 7, 2013.

PN913 ARMY nominations (2) beginning Milton L. Shipman, and ending Robert W. Stewart, which nominations were received by the Senate and appeared in the Congressional Record of October 7, 2013.

PN914 ARMY nominations (55) beginning JOHN C. ANDERSON, and ending ALEXIS M. WELLS, which nominations were received by the Senate and appeared in the Congressional Record of October 7, 2013.

PN915 ARMY nominations (14) beginning JAMES L. BRISSON, JR., and ending DAVID A. VANDERJAGT, which nominations were received by the Senate and appeared in the Congressional Record of October 7, 2013.

PN916 ARMY nominations (5) beginning JAMES D. BROWN, and ending LESLIE D. MALONEY, which nominations were received by the Senate and appeared in the Congressional Record of October 7, 2013.

PN917 ARMY nominations (19) beginning LAURENCE J. BAZER, and ending JOHN E. TRUNZO, which nominations were received by the Senate and appeared in the Congressional Record of October 7, 2013.

PN918 ARMY nominations (256) beginning BRIAN M. ADELSON, and ending BRIAN G. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of October 7, 2013.

PN922 ARMY nominations (8) beginning KENNETH E. BRANDT, and ending WILEY R. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of October 9, 2013.

IN THE NAVY

PN882 NAVY nomination of Justin R. Hodges, which was received by the Senate and appeared in the Congressional Record of September 19, 2013.

PN883 NAVY nomination of George P. Byrum, which was received by the Senate and appeared in the Congressional Record of September 19, 2013.

PN919 NAVY nomination of Sennay M. Stefanos, which was received by the Senate and appeared in the Congressional Record of October 7, 2013.

PN920 NAVY nomination of Jessica Y. Lin, which was received by the Senate and appeared in the Congressional Record of October 7, 2013.

## LEGISLATIVE SESSION

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

## STREAMLINING CLAIMS PROCESSING FOR FEDERAL CONTRACTOR EMPLOYEES ACT

Mr. REID. I ask unanimous consent we now proceed to Calendar No. 231.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2747) to amend title 40, United States Code, to transfer certain functions from the Government Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title.

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

Mr. REID. Mr. President, I ask further the bill be read a third time, passed, the motion to reconsider be considered made and laid on the table with no intervening action or debate.

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

The bill (H.R. 2747) was ordered to a third reading, was read the third time, and passed.

## CONGRATULATING ORACLE TEAM USA

Mr. REID. I ask unanimous consent that the Senate proceed to S. Res. 286.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 286) congratulating Oracle Team USA for winning the 34th America's Cup.

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

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 286) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

## CONGRATULATING THE BOSTON RED SOX

Mr. REID. I ask unanimous consent that the Senate proceed to S. Res. 287.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 287) congratulating the Boston Red Sox on winning the 2013 World Series.

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

Mr. REID. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be made and laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 287) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

Mr. REID. Madam President, if it were in order, which it is not, I would ask that the RECORD be spread and this resolution be passed with the name ''Tim Mitchell'' on it.

I have followed baseball since the time I was a little boy, and I consider myself a fan of baseball, but I have never known a more rabid fan of a baseball team than Tim Mitchell, whom we depend on so very, very much to help us work through all that we do in the Senate. He is a fan bordering on illness in supporting this team. He has a Red Sox tie, a pen. I expect next to see, if he lifted up his shirt, that he would have a tattoo of the Red Sox.

## ORDERS FOR WEDNESDAY, NOVEMBER 6, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m. on Wednesday, November 6, 2013; that following the prayer and the 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; and that following any leader remarks, the motion to proceed to S. 815, the Employee Non-Discrimination Act, be agreed to and the Senate begin consideration of the bill.

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

## ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. REID. 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 6:45 p.m., adjourned until Wednesday, November 6, 2013, at 10:30 a.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate November 05, 2013:

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE 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. SAMUEL D. COX

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. JILL J. NELSON

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. HECTOR LOPEZ

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. KEITH D. JONES

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

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*

LT. GEN. ROBERT B. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. ROBERT L. WALTER, JR.

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. WILLIAM C. MAYVILLE, JR.

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. STEPHEN R. LANZA

### 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

### DEPARTMENT OF STATE

ROBERT O. BLAKE, JR., OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF INDONESIA.

### IN THE AIR FORCE

AIR FORCE NOMINATION OF BRIAN J. HOOD, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH JOHN P. SCHUMACHER AND ENDING WITH PAUL C. ROBINSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 17, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH SCOTT P. IRWIN AND ENDING WITH DAVE C. PRAKASH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 17, 2013.

AIR FORCE NOMINATION OF GREGORY L. KOONTZ, TO BE MAJOR.

AIR FORCE NOMINATION OF NGA T. DO, TO BE LIEUTENANT COLONEL.

### IN THE ARMY

ARMY NOMINATION OF RICHARD L. PIONTKOWSKI, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH SARY O. BEIDAS AND ENDING WITH GERRY R. GERRY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 17, 2013.

ARMY NOMINATION OF BENJAMIN P. DONHAM, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH ANTHONY P. CLARK AND ENDING WITH KAREN L. RYAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 17, 2013.

ARMY NOMINATION OF ROBERT F. PLECZKOWSKI, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH MILTON L. SHIPMAN AND ENDING WITH ROBERT W. STEWART, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 7, 2013.

ARMY NOMINATIONS BEGINNING WITH JOHN C. ANDERSON AND ENDING WITH ALEXIS M. WELLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 7, 2013.

ARMY NOMINATIONS BEGINNING WITH JAMES L. BRISSON, JR. AND ENDING WITH DAVID A. VANDERJAGT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 7, 2013.

ARMY NOMINATIONS BEGINNING WITH JAMES D. BROWN AND ENDING WITH LESLIE D. MALONEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 7, 2013.

ARMY NOMINATIONS BEGINNING WITH LAURENCE J. BAZER AND ENDING WITH JOHN E. TRUNZO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 7, 2013.

ARMY NOMINATIONS BEGINNING WITH BRIAN M. ADELSON AND ENDING WITH BRIAN G. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 7, 2013.

ARMY NOMINATIONS BEGINNING WITH KENNETH E. BRANDT AND ENDING WITH WILEY R. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 9, 2013.

IN THE NAVY

NAVY NOMINATION OF JUSTIN R. HODGES, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF GEORGE P. BYRUM, TO BE CAPTAIN.

NAVY NOMINATION OF SENNAY M. STEFANOS, TO BE COMMANDER.

NAVY NOMINATION OF JESSICA Y. LIN, TO BE LIEUTENANT COMMANDER.