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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, December 16, 2013, at 11 a.m.

Senate

FRIDAY, DECEMBER 13, 2013

(Legislative day of Wednesday, December 11, 2013)

NOMINATION OF DEBORAH LEE JAMES TO BE SECRETARY OF THE AIR FORCE—Continued

This was also something that everybody who had anything to do with this bill knew was going to be untrue. In-

surance plans differ. Some cover certain doctors, others cover other doctors. Since some plans were certainly going to be canceled, inevitably some people were going to lose the plans that covered their doctor. This was no

great mystery, and it was not some unintended and unforeseeable consequence. It was part of the design of the bill. Yet people were told: If you like your doctor, you will be able to keep your doctor.

NOTICE

If the 113th Congress, 1st Session, adjourns sine die on or before December 24, 2013, a final issue of the *Congressional Record* for the 113th Congress, 1st Session, will be published on Tuesday, December 31, 2013, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-59 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Monday, December 30. The final issue will be dated Tuesday, December 31, 2013, and will be delivered on Thursday, January 2, 2014.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman*.

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



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I got this email from a woman who lives in Westmoreland County. She says:

I have been self-employed for 13 years and have never been without health insurance. 3 years ago I was diagnosed with multiple sclerosis. Having an expensive preexisting condition was not a problem for me as I had never let my insurance lapse. My medications cost (without insurance) \$4,000+ per month. I received notice several weeks ago that they were going to cancel my plan and were doing so as of Jan. 1 and I had to sign up for new coverage through the health insurance exchange.

My staff reached out to this woman to see if we could help. It turns out that where she lives and given her circumstances there were two different plans available to her. One plan covered her doctors, the other plan covered the medicine she needed to treat her multiple sclerosis. Neither plan would do both. What kind of a choice is it that this woman is going to have to make?

I have another email that arrived last week:

I finally got to where I could compare plans on the government website, only to find that my insurance premiums would go from \$512 per month for a plan with a \$500 deductible/\$2500 out of pocket plan to \$799 for a plan with a \$500 deductible and a \$2700 out of pocket expense.

Where is the savings? None of the plans include my current doctor, whom I want to desperately keep. Obamacare is such a disaster!!! Please stand firm and continue to work towards REPEALING it.

Finally, there is one more false promise—I am going to give some examples of responses I have gotten—and that is the promise that premiums for a family would decrease by \$2,500 per year. In fact, the data I have seen suggests that on average premiums in the individual market have been increasing. Consider the case of some of the people who have reached out to my office from Pennsylvania.

This is a small business owner from Carbon County, PA, who sent me this email last week. He said:

I have had an HSA high deductible plan . . . for several years for my employees. I have paid 100% percent of the premiums and contributed 50% of the deductible every year that they paid the other 50% percent. I just received notice that my insurance premiums are going up 100%.

What can be done to enforce the president's statements that we can keep our current plans? There is no way I can pay this new premium. My employees will be the ones hurt the most. They loved the coverage they had and I hate that we can no longer provide this benefit.

Here is an email I got from a father of two from Bucks County, PA.

I received notice last week that my healthcare will more than triple. Currently I am paying \$265 a month for me and my two young sons . . . my monthly premium will go up to \$836 a month!!!

The president promised "you can keep your plan" and "families will save \$2500 per year" . . . I can keep my plan, I just can't afford it . . . I do qualify for subsidies . . . \$80 bucks a month.

I got this email from a man from Mercer County, PA, 2 days ago.

I just became another Obamacare victim. Because my employer's health plan costs are going up almost 100% I will have \$400 less in my pocket each month. At 58 I will have to cut way back on how much money I can put into my local economy. Obamacare needs to be scrapped.

This email is from a man from Crawford County, PA:

I am a small business owner, and I speak with many vendors in my field. One of said vendors says that his monthly cost would increase to \$9.00 an hour on insurance alone. Another said he feared he would not even be able to stay in business because of the insurance costs. My own situation is just as dire. Currently, I personally pay about \$1,500 a month for insurance, and under Obamacare I have seen costs go up by \$375. On top of that, my wife, who is an insurance agent, fears that she will lose her coverage next fall due to the law.

Here is an email I got last week from a father from Luzerne County.

Please keep fighting the disaster that is happening to the thousands of working men and women that will be losing their health care along with some of us retired folks.

Our son is one of them and the alternative is unthinkable—his plan cost doubled to \$300 a month . . . but the deductible is \$4500. Now how can anyone say everyone will have affordable health care insurance on top of the statement no one will lose their plan or doctor if they are satisfied with them? Your fight is hard, but our prayers are with you.

Here is an email I got from a small business owner from Cumberland County, PA. He writes:

I am a small business in the Carlisle area. We have been in business for 30 years . . . I offered insurance to the full time employees for many years . . . If it weren't for the rising costs of health care I could hire another employee because we could use the help but with the anticipated increases I won't be able to. I have been told by our insurance carrier that we can expect up to 50% increases.

Finally, a small business owner from Chester County, PA, wrote this email last week:

We just got our Insurance coverage options for my small business. Previous rate was \$470.00 per month with \$0.00 deductible, a good plan. The new plan is \$692.00 per month with a \$2,000.00 deductible, a bad plan. OK, I cannot keep my plan. To get close to the one I need to pay more and incur a ridiculous deductible.

This is not free market. I don't like the government telling me what is best for me.

I have several older employees and their rates are up over \$1,000.00 per month each. I cannot pay for their insurance and they cannot afford to either. I am forced to drop the plan or remove them from employment.

This is out of control.

This is a small sample of the emails I have gotten. I am one Senator from one State. The fact is the vast majority of people who experience these problems don't send an email to their Senator.

So we have this tiny little sliver of the hundreds of thousands—actually millions—of Americans who are suffering from the direct consequences—and I would argue intended consequences—of this bill. They are unable to keep their health insurance plan, unable to keep their doctors, not experi-

encing savings but, rather, experiencing increases in costs. These are just a few of the terrible consequences of ObamaCare.

There are many others I could cite, but I was just focusing on broken promises tonight. There are too many to list.

I do want to also stress that these are symptoms of a completely and impossibly flawed bill. The real underlying problem of ObamaCare is something that Friedrich Hayek warned us about; he called it the fatal conceit. This is the idea that a small group of really smart people can know more than the combined, accumulated knowledge and wisdom that is disbursed across an entire population. It is an absurd notion. Yet it is at the heart of all kinds of big government plans, socialism everywhere, and it is clearly at the heart of ObamaCare.

The idea is that these Mandarins who are so smart and know so much, they should be able to force their will on everyone else. It is an extraordinarily insulting premise that this is based on, but it is.

The premise is that individual men and women across America are certainly not qualified, they are certainly not smart enough to know what is good enough for them. They should not be free to decide what kind of health plan they want to buy for their family. There are tradeoffs that you make when you buy something like a health insurance plan, such as how important is a higher deductible versus lower premiums or the importance of having maternity coverage or the importance that someone might attach to a particular doctor.

All of those judgments, which are so personal, are taken away from individuals in ObamaCare. That is not for Americans to decide. You will take the plan that is available to you and approved by the government, period. By the way, you are breaking the law if you don't, and you will be assessed a fine.

This is outrageous. This is not the society we have always been, but it is really just the most recent and egregious example of this warning that Hayek gave us—this arrogance of big government. I would argue that it is an offensive affront to the freedom of the American people, and it is predictably and sensationally a failure.

I notice the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

(Mr. MURPHY assumed the Chair.)

(Mr. DONNELLY assumed the Chair.)

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

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak until the top of the hour.

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I come to the floor today, as I have over the past several years, to talk about issues affecting this country. I know there is a nomination we are discussing on the floor, and I have concerns about the issues related to that nominee and the way that nomination has been brought forward because it was done by what I believe to be an abuse-of-power move in a way that resulted in voting in the middle of the night, discussions in the middle of the night—all, in my opinion, to distract from the disaster of the Obama health care law.

The Obama health care law continues to affect people all across the country. What we saw on October 1 in the great debacle of the rollout of the Web site was really just about a Web site on October 1. But come January 1, it will be about real people who have lost their insurance who are going to be hurt personally in terms of their own health by this terrible law.

So I come to the floor, as I have week after week since the law passed, to talk about concerns I have as a doctor, someone who has practiced medicine in Wyoming for 24 years as an orthopedic surgeon, taking care of people from around the State, and someone who as a medical doctor was director of a program called the Wyoming Health Fairs aimed at giving people low-cost blood screens, having health fairs people can attend from around the State where they can check their blood results and visit with doctors and nurses and others in the community about issues of heart disease, diabetes, all aimed at preventing disease, early detection of problems, and lowering the cost of their care.

So I had great interest when this health care law was proposed and while watching it unfold. The concerns I had as it was passed continue today, and I think more and more Americans are seeing that those concerns are being realized in their own lives. And that is what it is about—people's lives.

The Web site failures are just the tip of the iceberg. What people are seeing now all across the country are higher premiums, and there are stories rampant around the country.

I still recall the President of the United States saying that by the end of his first term, insurance premiums would be down \$2,500 per family. Instead, families are paying much more for health insurance. There are concerns, obviously, because of canceled coverage. Around the country, over 5 million folks, I understand from recent accounts, have received letters saying that they have lost their insurance, that their insurance will be canceled effective January 1.

The President promised: "If you like your doctor, you can keep your doctor." But now we are seeing that many people aren't keeping their doctors. Even though they like their doctors

and want to keep their doctors, they can't.

There are issues of fraud and identity theft that we are hearing about on a daily basis. The chief of staff of one of the Members of the Senate was applying on the Obama health care Web site, the government Web site, trying to get insurance just this Monday, and it sure looked like the Federal Web site and he thought he was on the Federal Web site and was putting in information. Then it goes to a screen where they wanted to know his bank account number and his PIN number.

He said: This can't be right.

He called the help line and spent over an hour on the phone, and they ultimately said: No. Get off of that. It can't be the Federal Government Web site. Get off of it.

He was focused enough to think, this can't be right, but the fraud is going to be rampant, we know that, and identity theft as well.

And then we are seeing huge problems with higher copays and deductibles.

I have with me a couple articles. Wednesday's Wall Street Journal has their recent poll numbers. "Health Law Hurts President Politically." The sub-headline is that the disapproval rate of Obama's job performance rises. "The disapproval rate of the President's job performance now rises to an all-time high of 54 percent," it says, "even as Americans are upbeat on the economy." So it is not the economy that has people so disappointed and disapproving of the President.

Let me read a couple paragraphs because this is about the President of the United States and what we would want in a President of the United States in terms of credibility with the American people.

The Federal health-care law is becoming a heavier political burden for President Barack Obama and his party, despite increased confidence in the economy and the public's own generally upbeat sense of well-being, a new Wall Street Journal/NBC News poll suggests.

They go through how the poll was conducted, but people across the country believe the NBC/Wall Street Journal poll is a true reflection of what is happening nationwide.

It says:

Disapproval of Mr. Obama's job performance has hit an all-time high in the poll, at 54 percent, amid the flawed rollout of the health law. Half of those polled now consider the law a bad idea, also a record high.

This is a big-time survey of 1,000 adults, and this is really a disturbing part for us as a nation and should sadden all America:

The survey of 1,000 adults conducted between Dec. 4 and Dec. 8 found a sharp erosion since January in many of the attributes—honesty, leadership, ability to handle a crisis . . .

These are abilities we want in a President. We want a President who is honest and who is perceived by the public as honest. We want a President who can handle a crisis and is per-

ceived by the public as being able to handle a crisis. But they say there has been "a sharp erosion since last January in many of the attributes—honesty, leadership, ability to handle a crisis—that had kept Mr. Obama aloft through the economic and political turmoil of his first term."

The poll goes on and asks: In terms of the impact of the President's health care law, is this going to have a positive impact on you and your family? Fewer than one out of eight people in the country today believes this health care law will have a positive impact on them and their family. We are changing the entire health care system of the country, and only one out of eight people believes it is actually going to help them?

The performance of the President is considered to be very bad, a significant disapproval, and it is because of the health care law.

People look at this and they say: What does this mean to me? How is this going to affect my life? Those are the issues we talked about here. People are being hit with the incredible increased costs. They say: Well, there are some policies that may be a little bit cheaper, the so-called bronze policies. So the New York Times took a look at that. Again, these are articles from just this week.

This is from Monday, December 9: "On Health Exchanges, Premiums May Be Low, but Other Costs Can Be High." This is by Robert Pear this Monday, a well-known writer who does his research and gets the facts. He says, "But as consumers dig into the details . . ."—boy, that is a key phrase because I believe that so many people who voted for this health care law never looked into the details, didn't know what it meant, didn't know what was going to be in it because NANCY PELOSI famously said: First you have to pass it before you get to find out what is in it. Well, Americans are now looking at it, digging into it.

Robert Pear in the New York Times said:

But as consumers dig into the details, they are finding that the deductibles and other out-of-pocket costs are often much higher than what is typical in employer-sponsored health plans.

So what they actually have to pay out of their pockets is much higher than in employer-sponsored health plans.

Well, people really care about what they have to pay personally for things.

The same day, the Wall Street Journal, Monday, December 9, page 1.

"High Deductibles Fuel New Worries of Health-Law Sticker Shock"—the same information that we have seen there in the New York Times.

It says the average individual deductible for what is called the bronze plan on the exchange, the plan I was talking about a little earlier, which is the lowest priced average deductible is \$5,081 a year, according to a new report on insurance offerings in 34 of the 36 States

that rely on the federally—Washington-run—online marketplace. That is 42 percent higher than the average deductible last year on plans that were purchased. This is before the Federal law took place. “High Deductibles Fuel New Worries of Health-Law Sticker Shock.”

I heard the President say the States that have done it have done it very well. It is astonishing. When you turn to the second part of this article, page A6 says “Deductibles Fuel New Worries of Health-Law Sticker Shock.” What about the States doing their own plan? The headline above that: “Health-Site Snafus Plague Maryland,” a State that has decided to do their own Web site.

This is from Monday:

Maryland is struggling to fix its troubled health-insurance website more than two months after it opened, showing how technology woes are affecting more than just the federal system.

We see it is not just the Web site— one article about the bad Web site, the next article is about higher copays and deductibles. Interestingly, the official in charge of Maryland’s insurance marketplace resigned after criticism of her decision to take a vacation in the Cayman Islands during Thanksgiving week. New statistics released Friday showed just a trickle of customers signing up for private coverage in the State.

It is interesting that States are having problems and the Federal Government is having problems. People wanted to keep their insurance. They wanted to keep their insurance. They liked their insurance.

I talked to a woman—a rancher in Wyoming—at the Farm Bureau meeting. She lost her insurance. Her insurance worked very well for her and her family, but she lost it because it didn’t meet President Obama’s criteria of the 10 different standards that had to be met. She knows me and called me Doc because I had known her, and I am a doctor in Wyoming. She said it is interesting that the reason she lost her insurance is because it didn’t include maternity coverage.

She said, Doc, I had a hysterectomy. I don’t need maternity coverage. She said, I know I don’t need maternity coverage, but apparently President Obama believes she needs maternity coverage. The Democrats in the Senate believe she needs maternity coverage.

The question is, Who is the best judge for you and your family? Is it the government or the Democrats who believe they know better than you do or the freedom-loving Americans who believe they can make their own decisions about their lives and their families and what insurance they want or do not want.

People wanted to keep their insurance. They weren’t allowed to, but the President said they could. Time and time again, the President said people could keep their insurance if they liked their insurance. I think that is one of the major reasons the President’s credibility has dropped.

As a matter of fact, there is a non-partisan fact checker called PolitiFact, and each year they go through lots of comments and lots of statements that are made, and they came out last night with their lie of the year. They do this every year—the lie of the year. The lie of the year that came out from PolitiFact for the year 2013 was: If you like your health care plan, you can keep it. We all know who said it—the President of the United States.

They go on to say he didn’t just say it once. We counted dozens of times that President Barack Obama said if people like their health plan, they can keep it. They go on to say:

It was a catchy political pitch and a chance to calm nerves about his dramatic and complicated plan to bring historic change to America’s health insurance system. “If you like your health plan, you can keep it,” President Barack Obama said many times, but the promise was impossible to keep.

This fall, as cancellation letters were going out to approximately 4 million Americans, the public realized the President’s breezy assurances were wrong and, therefore, they have given it the lie of the year.

People saw this coming. Republicans saw this coming. My colleague from Wyoming, Senator MIKE ENZI, saw this coming. That is why he came to the floor years ago and said: People are going to lose their coverage. People are going to lose it. He brought a resolution to the floor because he actually reads the Federal Register, and he saw the regulations that came out.

He came to this floor with legislation to say: Wait a second. If you truly believe people can keep their coverage, you have to adopt this piece of legislation so people truly can keep their coverage. Yet we saw Republicans vote with Senator ENZI, saying let people keep their coverage. We saw Democrats say, forget it, Senator ENZI, we don’t believe you are right.

The President was wrong; Senator ENZI was right.

There was a letter to the editor in the Powell Tribune in Powell, WY, with the headline “Enzi saw ACA impacts beforehand, shows value of Senator ENZI.”

Dear Editor: Fox News had a very interesting and informative program Tuesday evening Nov. 6 on “The Kelly Files with Megyn Kelly.”

As anyone who watches Fox News knows, they are covering the beginning effects of the Affordable Care Act, also known as ObamaCare, as it is being implemented. Megyn Kelly began her program stating she had a special guest who had predicted three-and-one-half years ago almost exactly what will happen when the ObamaCare law guess into effect this October.

Her special guest was our own Wyoming senior Senator MIKE ENZI and he had made his predictions in a speech on the Senate floor three-and-one-half years ago. He was then called a fearmonger by the Democrats and a radical rightwinger. Senator ENZI was probably one of a very few elected officials who had actually read the bill.

Senator ENZI reads all the bills. He understands the bills and the implications and then reads the Federal Register so he knows what is in them. He then brings to the floor thoughtful pieces of legislation to actually make things better for the American people, not worse.

What we are now seeing is that people can’t keep their insurance. They are losing their insurance, their doctor, and losing their hospitals. It is interesting in terms of being able to not even keep your doctor, not being able to go to the hospital you prefer.

I would like to talk for a few seconds about the doctor-patient relationship and why when the President says: “If you like your doctor, you can keep your doctor, period,” that actually caused comfort for people. But, again, that is another broken promise. It is not necessarily ranked by PolitiFact to the level of, “If you like your coverage, you can keep your coverage,” because people have gotten the letters. Next year we will see more and more people who will not be able to keep their doctor.

As a doctor, I wrote an article that appeared on Wednesday of this week in Investors Business Daily called “ObamaCare Disrupts the Delicate Relationship Between Patient and Doctor.” I would like to share parts of it now specifically because this past weekend on one of the Sunday talk shows Rahm Emanuel’s brother Ezekiel Emanuel, who was one of the architects of the President’s health care law, which was written behind closed doors, was on one of his talk shows responding to a question about the President’s comment, “If you like your doctor, you can keep your doctor.” Can you really keep your doctor?

What I wrote in this column December 11 was:

A central architect of the President’s health care law admitted this week that the often repeated promise that “if you like your doctor, you can keep your doctor” simply isn’t true.

Instead, Dr. Ezekiel Emanuel explained that if you like your doctor, you will simply need to pay more to keep your doctor.

As a physician, I know firsthand how this will hurt many Americans.

I write about how families look to doctors as trusted friends, confidants, counselors, and turn to them for advice in making life-and-death decisions.

In Wyoming, patients have included me in graduations, weddings, and asked me to serve as a pallbearer at funerals. They have asked me to pray with them, referee family disputes, and provide reassurance when a doctor they didn’t know was called in to consult.

Norman Rockwell’s painting “Doctor and Doll” tells the story. A little girl holds up the doll as the trusted family doctor listens with a stethoscope. A caring and compassionate physician takes the time to reassure a concerned little girl.

The doctor-patient relationship is a very special bond. It requires faith and trust for a patient to allow me to cut

into their body to remove a tumor, to replace a wornout joint, to fix a broken bone, to repair a torn ligament, and above all else, to do no harm.

The President knew of that special relationship between people and their doctors. That is why when he was trying to gain support for the health care law, he made a clear and simple promise to the American people. The President said: "If you like your doctor, you can keep your doctor, period."

Now people all across the country are finding out that they can't keep their doctor. The same law that has caused millions of Americans to lose the health insurance that worked for them is now causing them to lose their doctor.

People who are shopping for insurance on government exchanges are being forced to purchase insurance for things they don't want, don't need, and will never use. To keep costs down, many of these policies limit the doctors and hospitals that patients can use.

Some of the Nation's premier hospitals—including the Mayo Clinic and Cedars-Sinai Medical Center—are excluded from many insurance exchanges in their networks. Some of the best children's hospitals in the country are also excluded from the exchanges. This means a child with cancer may lose access to his or her doctor and their specialty hospital. Why? Because of the law.

In New Hampshire, 10 of the State's 26 hospitals are excluded from the only carrier that offers insurance in the exchange. The head of the medical staff at one of the excluded hospitals in New Hampshire has learned that her plan does not even let her, the chief of staff of the hospital, seek treatment at her own hospital.

The situation can be equally bad for seniors on Medicare. Thousands of doctors caring for seniors on Medicare Advantage have been dropped from their networks. Those Medicare patients are now going to be challenged to find a new doctor to take care of them.

The President's health care law is making it harder for doctors as well as for patients. Doctors know their patients. They know their health history, they know their lives, and doctors value the personal relationship as much as the patient does.

People become doctors in the first place to take care of their patients. Even if someone is able to keep their doctor, they will not necessarily be able to spend as much time with them as they might like to. That is because nearly two-thirds of doctors expect to have to spend more time on paperwork under the requirements of the law.

This isn't at all what the President promised the American people. People all across America put their faith and their trust in Barack Obama when they elected him President. It is the same kind of faith and trust they have in their own doctor. When patients lose trust in their doctor, as citizens they

are now losing faith in their President, it is extremely difficult to regain that trust.

So I continue to hear from my patients in Wyoming. They have always had my home phone number. They are anxious. They are angry. They know what they want from the health care reform. They want access to quality affordable care. That is not what they got with this law. Now many face losing the doctor who has always been there for them.

If President Obama wants to regain the trust of the American people, he will sit down with Republicans to deliver reforms that will help all Americans and fully protect the doctor-patient relationship. After all, President Obama has his own doctor at the White House, a doctor who is dedicated to the President's care. I am sure the President values his relationship just as much as other Americans value their relationship with their doctor.

I continue to come to the floor. I see my colleagues are arriving. I would call their attention to this issue, as they say we have to make the coverage for all these things, they feel they know what is best for American patients, we need to provide psychiatric insurance an coverage, and I have voted to provide parity for psychiatric care, but yesterday's New York Times article by Robert Pear, "Fewer Psychiatrists Seen Taking Health Insurance." So the insurance the President is providing for people doesn't actually help them. It maybe makes the President feel better, but it is not helping people get care.

The President has been very confused and used the word "coverage" when he should have been talking about actual health care for people, providing physicians to take care of them so people can get what they need in health care reform, the care they need, from a doctor they choose, at lowers costs.

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

The PRESIDING OFFICER. The question occurs on the nomination.

The question is, Will the Senate advise and consent to the nomination of Deborah Lee James, of Virginia, to be Secretary of the Air Force?

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from South Dakota (Mr. JOHNSON), the Senator from Maryland (Ms. MIKULSKI), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the

Senator from Indiana (Mr. COATS), the Senator from Oklahoma (Mr. COBURN), the Senator from Tennessee (Mr. CORKER), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

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

The result was announced—yeas 79, nays 6, as follows:

[Rollcall Vote No. 270 Ex.]

YEAS—79

Ayotte	Gillibrand	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Baucus	Harkin	Portman
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Heller	Reid
Boozman	Hirono	Rubio
Boxer	Hoehn	Sanders
Brown	Isakson	Schumer
Burr	Johnson (WI)	Scott
Cantwell	Kaine	Sessions
Cardin	King	Shaheen
Carper	Klobuchar	Shelby
Casey	Landrieu	Stabenow
Chambliss	Leahy	Tester
Cochran	Lee	Thune
Collins	Levin	Toomey
Coons	Manchin	Udall (CO)
Cornyn	Markey	Udall (NM)
Cruz	McCaskey	Warner
Donnelly	McConnell	Warren
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wicker
Feinstein	Moran	Wyden
Flake	Murkowski	
Franken	Murphy	

NAYS—6

Fischer	McCain	Roberts
Johanns	Risch	Vitter

NOT VOTING—15

Alexander	Corker	Johnson (SD)
Blunt	Crapo	Kirk
Booker	Graham	Mikulski
Coats	Hatch	Rockefeller
Coburn	Inhofe	Schatz

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the

clerk to call the roll to ascertain the presence of a quorum.

The legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

	[Quorum No. 12]	
Ayotte	Franken	Murphy
Baldwin	Gillibrand	Murray
Barrasso	Hagan	Nelson
Baucus	Harkin	Portman
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Heller	Reid
Boozman	Hirono	Risch
Boxer	Hoeben	Rubio
Brown	Isakson	Sanders
Burr	Johanns	Schumer
Cantwell	Johnson (WI)	Scott
Cardin	Kaine	Sessions
Carper	King	Shaheen
Casey	Klobuchar	Shelby
Chambliss	Landrieu	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Thune
Coons	Manchin	Toomey
Cornyn	Markey	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Moran	Wyden
Flake	Murkowski	

The PRESIDING OFFICER. A quorum is present.

The majority leader.

Mr. REID. Mr. President, I have an announcement. I realize everyone is tired, anxious, and some are a little concerned about everything.

I have had, especially late last night and early this morning, conversations with Republicans and Democrats as to what we should do this weekend.

The next set of votes will come shortly before noon today. Then we will have another set of votes this afternoon. Absent consent, the Senate will vote late Saturday, about 10:30 or thereabouts, on confirmation of Jeh Johnson to be the Secretary of Homeland Security.

The Senate has already received a budget bill from the House. We expect momentarily to receive the Defense bill from the House. I wish to have the Senate process these important bills as quickly possible. I plan to move to proceed on these bills as soon as we can. That would be as soon as we handle the pending nominations that are now before this body.

Thereafter, there are certain things we need to do before Christmas break. We need to do those two important bills, the budget and defense. We have to do the Chair of the Federal Reserve system. There is an Under Secretary of State that is very urgent, according to John Kerry. We have a Deputy Secretary of Homeland Security, Under Secretary of Department of Interior, the head of the Internal Revenue Service, and the remaining judge on the DC Circuit. There have been requests from everybody—I shouldn't say that—lots and lots of people to do other things, but we are limited as to what we can do before next weekend. There are some other nominations that we are happy to discuss with individual Senators.

So it would be my suggestion that we go ahead and do this vote; during this vote, and prior to the next series of votes, I will meet with the Republican leader to see if there is a way we can give some time, especially to the staff, over the weekend. These people have worked extremely hard, and I haven't heard a complaint from a single one of them, quite frankly.

I went up last evening and visited the court reporters. We have 18 court reporters, and up on the 4th floor they have been sharing—for a little respite—two beds and taking naps, or at least trying to lie down and rest for a bit. They are working in 15-minute shifts, and they have been doing that for days now. So if we can work that out, I would be happy to do that.

My goal is we would wind up at the same place on Monday in the evening as we would wind up if we did all this stuff over the weekend. So I am happy to be as cooperative as possible. Christmas is on its way, and there are certain things we need to have done. There are lots of other things we need to do, but we are probably not going to be able to do those.

So I have laid out for everyone a broad scope of the schedule. I will meet with my friend the Republican leader and see if there is some way we can do this; otherwise, we will just proceed on.

The good news is that following the vote this afternoon, we wouldn't have anything until tomorrow night under the schedule as now listed.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate be brought to a close on the nomination of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources.

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON), the Senator from Oregon (Mr. MERKLEY), the Senator from Florida (Mr. NELSON), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Hawaii (Mr. SCHATZ), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Oklahoma (Mr. COBURN), the Senator from Tennessee (Mr. CORKER), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

The yeas and nays resulted—yeas 51, nays 34, as follows:

[Rollcall Vote No. 271 Ex.]

YEAS—51

Baldwin	Franken	Murkowski
Baucus	Gillibrand	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Pryor
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Reid
Boxer	Hirono	Sanders
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Landrieu	Tester
Casey	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Coons	Manchin	Warner
Donnelly	Markey	Warren
Durbin	McCaskill	Whitehouse
Feinstein	Menendez	Wyden

NAYS—34

Ayotte	Grassley	Risch
Barrasso	Heller	Roberts
Boozman	Hoeben	Rubio
Burr	Isakson	Scott
Chambliss	Johanns	Sessions
Coats	Johnson (WI)	Shelby
Cochran	Lee	Thune
Cornyn	McCain	Toomey
Cruz	McConnell	Vitter
Enzi	Moran	Wicker
Fischer	Paul	
Flake	Portman	

NOT VOTING—15

Alexander	Graham	Merkley
Blunt	Hatch	Mikulski
Coburn	Inhofe	Nelson
Corker	Johnson (SD)	Rockefeller
Crapo	Kirk	Schatz

The motion was agreed to.

NOMINATION OF HEATHER ANNE HIGGINBOTTOM TO BE DEPUTY SECRETARY OF STATE FOR MANAGEMENT AND RESOURCES

The PRESIDING OFFICER. The clerk will now report the nomination.

The assistant bill clerk read the nomination of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources.

The PRESIDING OFFICER. Under the provisions of S. Res. 15 of the 113th Congress, there will now be up to 8 hours of postcloture consideration of the nomination, equally divided in the usual form.

Who yields time?

If neither side wishes to yield time, the time now will be equally divided.

The Senator from Kansas.

Mr. ROBERTS. Mr. President, I wish to take a short time here to discuss a situation which I think is gaining some attention in the actual news media on a continuing basis.

But with the Affordable Care Act and what we are doing or not doing here on the floor of the Senate with regards to the 51–50 controversy, perhaps we overlooked the number one obligation we have as Members of this body, and that is our national security, the defense of our individual freedoms, and the part we play in determining the same kind of objectives—liberty and freedom—all throughout the world. I am talking about foreign policy, and I am talking about the very dangerous situation that we face with regard to Iran.

On November 24 the United States, Germany, France, China, Great Britain, and Russia signed an interim

agreement with Iran regarding its nuclear weapons program. The President and Secretary John Kerry, former colleague, have applauded this deal.

The President has claimed: We have opened a new path forward toward a world that is more secure. The Secretary of State, who came before us this week and gave Senators a briefing, argues: This is why we had sanctions in the first place.

With all due respect, I disagree. The world, it seems to me, is not a safer place, and in 6 months I do not believe we will be one step closer to dismantling Iran's ability to produce a nuclear weapon.

This administration is asking us to trust a regime which has been clear on its intentions, quite frankly, to wipe Israel off the face of the planet—their words—and, is the world's largest state-sponsor of terrorism, sponsor of the Assad regime, Hezbollah, and Hamas.

I don't think that represents a step toward security. I think that is misguided at best. This, to me, is not a good plan. I would even reverse that to say it is a bad plan.

At this moment, the administration is asking—rather pressuring—Congress to back down from additional sanctions which many of us have supported and think would certainly a better thing to do at this particular time. At any rate, this is not a request that I can oblige. Sanctions are, indeed, the reason that Iran has decided to come to the table. But coming to the table and honestly negotiating are certainly two different things.

If the reports are true, the administration has been holding secret talks with Iran for months. I do not know what was discussed during those talks. I am not sure that anyone in the Senate really does know. What did the State Department, the Treasury Department, and the President offer to bring Iran to the public stage? It seems to me that should be transparent. So I think the Congress and the American people are left to wonder with regard to transparency what was arranged before this deal or this peace plan?

The bigger problem is that it has taken painstaking effort on the part of those like myself and others in this body who care about our Nation's security and the security of our allies to implement sanctions to the strength that we have today. It has taken a decade. It has taken six actions by the Security Council of the United Nations, 10 years of work, and a tremendous effort to finally get people on board. But now the President is asking us to back off after we have gained the support of the international community and just begun to make inroads.

The administration is offering to cut back now on these sanctions and to allow the Iranian government to continue enriching the uranium. Why? It is widely accepted that the Iranians have no real use for enriched uranium to use for nuclear power because Rus-

sia provides fuel supplies for its sole operational nuclear power plant. But they do have use for enriched uranium to contribute to the assembly of a nuclear weapon.

Why should we back off and only get promises? Why should we not keep applying pressure on Iran through sanctions until they give up their entire program? It seems to me that it would be in our best interests that Iran would commit to several things for this deal to be a true step for security. I am just going to mention a few. No. 1, let's just get to the heart of the matter: Public acceptance for the Jewish State of Israel and to allow for the peaceful co-existence of the Israeli people in the Middle East. Nobody in Iran has agreed to that. That is the main issue, the right of Israel to exist. That should be the foundation that we have to start all talks.

Then we should have reporting and inspection access to the Parchin facility, and full details of the undeclared nuclear activities.

Third, dismantling of Iran's plutonium-producing heavy water reactor at Arak. Fourth, the construction of new centrifuges has to stop. Last, an end to all enrichment. Unfortunately this agreement fails to include any of these points.

If the purpose of sanctions was to get Iran to the negotiating table, how did we walk away without getting what we need, a complete end to Iran's nuclear program? Difficult, but certainly the overarching and primary goal. For a decade, Iran has openly disregarded the tenets of the nuclear nonproliferation agreement, legally binding resolutions passed by the United Nations Security Council, and mandatory inspections by the International Atomic Energy Association, the IAEA. All of this, completely disregarded by Iran's regime.

But the President believes we should trust them. Why? Because Hassan Rouhani has been elected President? On the international scene he certainly is a smiling presence. It is well accepted, however, that the Supreme Leader, Ayatollah Khamenei, does actually control everything in Iran, including its nuclear policy, meaning that Mr. Rouhani's election equates with no change in Iran, except in regards to its public face.

It seems to me this is why we cannot back off now. Many of my colleagues, in particular—Senator KIRK and Senator GRAHAM—are working on a new phase of sanctions. They are tough sanctions and I am right there with them.

I do not have any faith with regard to where the Iranians claim they will be in six months. Israel's Prime Minister, Benjamin Netanyahu, has called this a "dangerous blunder." He has warned "Israel has the right and the obligation to defend itself by itself against any threat."

It concerns me that the administration has no Phase II plan in place for the end of this 6-month period. If in

fact we ease the sanctions, which we are doing, and people take advantage of easing those sanctions and are doing business with Iran, to put those same sanctions back in place, or tougher sanctions back in place, is going to be very difficult. One of my colleagues described this as once the toothpaste is out of the tube you can't put it back. Ten years, six different attempts in the Security Council finally taking a stand—how do you put back the sanctions that we have had in place that brought Iran to the table if in fact at the end of this period no progress is being made? Not to mention the tougher sanctions that we have proposed.

It is a real concern. The administration's hope, of course, is that this leads to a stronger long-term agreement. I hope this works out but I am highly skeptical. When the interim agreement is up, I think Iran will remain capable of producing a nuclear weapon in a mere few weeks because we are not asking more of this regime. At that moment we must have very strong sanctions in place to make sure that Iran does not weaponize with regard to its nuclear capability.

I fully support a new round of sanctions, and I will continue to work with my colleagues to ensure that these are passed before the 6-month period is over. Unfortunately, if we do not take this kind of action, Iran is set to gain everything while the United States loses, not just the United States but Israel and Europe as well. Ending Iran's nuclear weapons program entirely is what I consider a path toward a world that would be more secure.

In today's issue of the Wall Street Journal, there is an editorial called "Mood-Music Diplomacy On Iran." Basically, it simply states more sanctions would strengthen the United States leverage with Tehran. It closes by saying that Secretary Kerry "now likes to quote Ronald Reagan's 'trust but verify' mantra for dealing with Iran." But it goes on to say, "But the Gipper's real legacy was to show resolve when it counted. The Obama administration and their opposition to new sanctions with a delayed trigger feeds suspicions," according to this editorial, "that it is eager to accept just about any agreement with Iran." And it states, "Members of Congress from both parties who want a good and credible deal can help by passing this sanctions bill."

I think that is advice well taken.

I yield the floor.

The PRESIDING OFFICER (Mr. KAINE). If there is nobody who seeks recognition, the time will be equally divided.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. 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. PRYOR. Mr. President, I yield back the Democrats' time on this nomination.

The PRESIDING OFFICER. All Democratic time is yielded.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

Mr. COATS. Madam President, we are now in about the third day of a somewhat tortured process that was the result of a power grab that has changed the tradition of the Senate, a tradition which held for about 225 years.

Republicans are frustrated with the successful attempt made by the Democratic Party under its leader to change the rules—to break the rules to change the rules. So we end up with no rule, no rule relative to protecting the rights of the minority.

I know it is easy for those who have been elected in recent years and who have never served in the minority because they simply don't have the experience of what it is like to be subject to a leader and a party which basically says: We don't care what you think, we don't care what you say, we don't care what you do, none of it will be allowed unless we give you consent to do it. I know a lot of my friends across the aisle have said: It is your party that is holding things up and you are making the Senate a dysfunctional institution. What they haven't done is ask: Why are you doing this?

First of all, I don't believe we are the ones making it dysfunctional, but even if one thinks that, the question has not been asked: Why are you doing this? We are doing this because we have 3 years, or more, of pent-up frustration under the leadership of this majority leader who has essentially turned the Senate into the House of Representatives.

People say: Well, what is wrong with that? Majority vote rules on just about everything else we do, so why shouldn't majority vote rule here? The Senate was not set up that way. It is famously known that the Senate was set up to be a place where tempers could be cooled, passions could be cooled, something could be debated and worked on. And if major legislation is passed that affects this country significantly, it is passed in a bipartisan fashion, following thorough debate. And we have always had a provision which basically says those in the minority will have their right to participate in the debate and have their right to offer amendments.

We have been shut down from offering amendments, and there has been

growing frustration on our side because this is not how the Senate has worked traditionally. This has not how it has worked historically. This is not how it has worked according to the Founding Fathers' determination of protecting the Senate, giving Members an extra long term, giving Members the opportunity to use the agreed-upon rules to allow the right of someone in the minority to speak up.

Democrats are going to rue the day when they made this move, when they jammed this down our throats and said: If you don't like it, tough. Because at some point the pendulum will swing, and I think maybe sooner than a lot of people think; 2014 looks like a turnaround year. If it is, they are suddenly going to find themselves in the minority, and we will see what happens and whether they will learn what it is like to be denied the opportunity to be elected to the Senate and be a Member of this body, to be 1 of 100 people who are chosen to represent their States and represent the United States of America, and yet be shut down from having any opportunity whatsoever to have a voice in what goes forward here, shut down from offering your thoughts, your amendment, and the ability to represent your State, and to be told by the majority leader: I will decide whether you can have an amendment. And, by the way, I will use procedures to make sure you can't have your amendment debated.

I have had the privilege of serving on two different occasions. I came in early 1989 and served 10 years in the Senate. I don't recognize the Senate today. I came back in 2010, 12 years later, and I don't recognize this place. This is not the Senate I joined in 1989. It was under Democratic control, like today, but it is different now. George Mitchell was the majority leader at that time. The Democrats had the majority. They controlled the Senate. I had served 10 years in the House of Representatives, along with my colleague from Kansas, Senator ROBERTS, who is here listening to me speak, and I appreciate that. We have gone through this same experience. But when I served before under Democratic leadership I realized what the difference was between the upper Chamber and the lower Chamber.

Under the genius of our Founding Fathers, the lower Chamber is elected every 2 years to represent the immediate concerns of the people of their State or their districts, and the Senate is given the opportunity to step back and take a broader look and work to fashion bipartisan support so something major that impacted the American people and impacted our constituents was debated and worked out through the process and gave us an opportunity to say: Wait just a minute. Do we want to rush to judgment or do we want to just step back and look at the larger picture?

So as a minority Member of the Republican Party in 1989 and following all the way up to 1995, I enjoyed and re-

vered the opportunities I had to represent Hoosiers. Former Members of the House would ask me: What is the difference between serving in the House and serving in the Senate? And I would say: In the House, the majority party rules and you are lucky if you can get the Rules Committee over there to allow you to have an amendment on a particular bill.

Every once in a while it would happen and you would say: Wow. This is special. But in the Senate, every minority Member can offer any amendment to any bill at any time.

That is a great privilege that had been afforded to us and a necessary privilege. Because without it, you get stuff rammed down your throat that doesn't have bipartisan support, and you are denied the opportunity to participate, to amend, to adjust, to be a part of fashioning something that can be accepted by the American people with support from both sides.

So this boiling-up frustration that has been happening is increasing under the leadership of this majority leader, who simply says: I am going to turn this into the House. I am going to change the 225-year tradition of this institution to something entirely different, and forget it, you guys on the other side, you in the minority. You don't have the rights you once used to have.

I respected majority leader George Mitchell. He was tough. He ran this place like clockwork. We were in late at nights a number of times, but every Member of the minority had the opportunity and the right to offer an amendment, the right to participate, and the right to be heard. George Mitchell, as majority leader, recognized those rights and he would say: Guys, ladies, you can offer any amendment you want. We will take it up. We will have a vote on it. You may win, you may lose, but you have that right.

So the reason we are frustrated, and the reason we are using some procedures now, which are denying all of us a lot of sleep to make plans for the Christmas season with our families is that this frustration with the majority leader has boiled over. The last insult was basically saying: Forget it. Forget the rules, forget the procedures, and forget the courtesy. Forget the privilege. Forget the rights you have enjoyed for all these years in the Senate. We are going to turn this into a different place and you just take it or leave it. So we are kind of left with very few resources in being able to express how we feel.

I think there is an easy solution to our problem, and it starts, No. 1, with an understanding of the frustration each side has, but it has to include the understanding of why they are frustrated. It is not just the Democrats who are frustrated with the Republicans trying to use techniques that will allow us to at least have a say in how things are working here but also frustration among Republicans. We're

frustrated that bill after bill, time after time, we have amendments we would like to offer, amendments that represent the wishes of the people of our States, our constituents and we are being denied that opportunity by the majority leader.

Mr. ROBERTS. Would the distinguished Senator yield?

Mr. COATS. Not everyone calls me distinguished, but I am happy to yield to someone who does but also a good friend.

Mr. ROBERTS. There is a good reason for that. We both came to the House at the same time. We were sorry to lose the Senator to the Senate.

I truly appreciate what the Senator has said. It reflects conversations we both have had to try to educate, to get to know or understand a little better what our colleagues across the aisle are doing and why this is taking place and describe what our frustrations are. But the Senator has summarized them very well.

I urge my colleagues across the aisle to take the Senator's suggestions—and plea on behalf of us all—to heart and would encourage everybody who has nothing else to do around here to read the CONGRESSIONAL RECORD and the Senator's remarks and take them to heart.

I remember so well, when I came to the Senate in 1996—and the Senator was here—I had an amendment I wanted to offer. Being a Member of the House for 16 years, what we had to do in the House was to check with the chairman. We served in the minority and then the revolution came in 1994 and things changed. But then, we had to go to the Rules Committee, which the Senator has pointed out was a very unique experience. I remember then what I had to do to get anything done in the House is I basically had to find a Democratic colleague—a friend who was serving in the majority—to co-sponsor the bill which I had, put his name first, and then go to the Rules Committee to make it in order so that my bill and his bill could work. My partner in this effort was Congressman Charlie Stenholm.

When I first went to the Rules Committee in the House, I had not been to the Rules Committee and I thought the debate would be about germaneness or whether this bill should be considered or was it timely, et cetera. I find out it was just a debate all over again on the merits of the bill. On a partisan, party-line vote, they would deny any Republican amendments.

So Stenholm was a partner in that effort with that bill. I can't even remember which one it was at this particular time, but it was my first big attempt and it was on the farm bill. We had mutual concerns and we thought it was a good amendment. It was the Roberts-Stenholm bill. It didn't take me very long to figure out that the Roberts-Stenholm bill was going nowhere. So Charlie leaned over and said: It might be a good idea if this was the

Stenholm-Roberts bill or maybe just the Stenholm bill, and I said: I think you have got a pretty good idea.

So for a while it became the Stenholm bill, and it was made in order. Then, on the floor, Charlie Stenholm, being the kind Member he was, all of a sudden it became the Roberts-Stenholm bill again and it passed and, voila, my first amendment on the floor of the House.

So I had another amendment, this time in the Senate—and I know the Senator remembers well, because we were standing right about down here and I was asking him—I had checked with the ranking member and the chairman. At that time we were in control and we had the majority. I had a very simple amendment. I will not go into it, but it was referred to the Health, Education, Labor and Pensions Committee. I was checking around with the ranking member and whomever, and they looked a little surprised that I was even checking with them.

The chairman of the committee, a Republican chairman, indicated: I would just as soon you wouldn't do that because we have a completed bill. We'll put it through the committee. I think your amendment has merit.

I knew I had bipartisan support for it and I knew it was a very easy amendment that would pass. But he told me: Just wait. We will take that up sometime down the road.

"Down the road" in the Senate means way down the road. So I was sort of grumpy, and you asked me what was wrong. I said: The chairman doesn't like it. You said: Listen. This is the Senate. You can offer any amendment at any time whether it is germane or not. This is the Senate. You have rights.

I knew that. I had gone to the Robert C. Byrd lecture as a new Member. He lectured me on minority rights and how we should conduct ourselves. He was the institutional flame of the Senate.

Then Senator COATS urged me to offer the amendment. I should have done it, but I thought: All right. I will wait. I will defer to the chairman's advice. I have often regretted that. Later—I am talking about 2 or 3 years later—the same subject came up. I happened to be on the floor, and Senator Ted Kennedy was in charge. They had taken back control. He knew about the amendment. He said: Would you like to get your amendment passed? He was standing on the floor and there was hardly anybody else here and, bingo, using the parliamentary procedure that you could do in the majority, my amendment was passed. It was not the Kennedy-Roberts bill, by the way. It was still the Roberts bill that was authorized. We didn't get too much money for it, but at least we made the effort.

I have gone into a long personal history just to demonstrate exactly how this works.

Now we have a farm bill that has been hung up for over 2 years. We have

a farm bill that the principals are meeting on in secret. There are 37 of us who are also on the conference wondering where on Earth is the farm bill. The House has just passed by unanimous consent an extension of the current farm bill as we did last year.

Last year, we passed a farm bill. Last year, the majority leader in a discussion with me said: If you can get it done in 3 days, I will let it happen. Note, "I will let it happen." Chairperson STABENOW certainly was working extremely hard on her side, I was working on my side, we were going to the steering committee and said: I think we can get regular order. I think you can get your amendments up. Nobody believed me.

We had 73 amendments. We did it in 2½ days. Once that tipping point hits and people start withdrawing amendments, you get your work done. But the minority had every opportunity to offer amendments.

So one year ago, considering the farm bill, the first amendment was by Senator RAND PAUL considering the Pakistani who helped us with regard to the Osama bin Laden raid. He was in prison, and so Senator PAUL thought it would be a good idea to hold the aid to Pakistan until they released the prisoner.

What did that have to do with the farm bill? Nothing. It was the first amendment considered. It didn't pass, by the way. But many other amendments that came from folks who had never had the opportunity for an amendment to be brought up and discussed, well, those amendments were discussed in the farm bill. I would say that probably, of the 73 amendments that were considered, there were 300 offered. People would get up and they would have their say. They discussed the amendment. They knew probably it would not pass, and they would withdraw it. But they at least had an opportunity to present their opinion and represent their States and their constituents and we made sure they had that opportunity.

This year's farm bill wasn't 73 amendments. We only voted about 10 times. Senator THUNE, a respected Member of the Agriculture Committee; Senator JOHANNIS, former Secretary of Agriculture, Senator GRASSLEY, and myself, we all together had a total of about 12 amendments. We withdrew those from consideration during the committee markup and said we will take them up on the floor—except, on the floor, the majority leader cut debate off, saying: Time out. No more. So none of us got those amendments.

As the former chairman of the Agriculture Committee in the House and the ranking member last year, I have to wonder, what is that all about? You have a farm bill, you have people on the Agriculture Committee, they have pertinent amendments with regard to the direction of the bill—and, bingo, you are cut short. That causes a lot of frustration, to say the least.

I have gotten into the weeds on this simply because of our friendship and the Senator's advice to me, which I treasure. But the Senator's willingness to come and speak from the heart to demonstrate to our colleagues on the other side of the aisle: Think about this. Think about why we are doing this. Why we are doing this is because if you break the rules—which they have—to change the rules, it can't be upheld. More especially on nominations, what is happening is we are packing the District Court in Washington, which is the appeals court—probably more important than the Supreme Court in deciding on all the regulatory matters that come up; i.e., the President's Executive orders, the President's waivers, the President's interim final rules or any agencies interim final rules—we have government by regulation today. We do not have government by legislation today. We have government by regulation and this court becomes the Senate.

We had an even number of judges, and now we are going to have three more. Consequently, the President—who says he can't work with the Republicans but in fact it is he who will not work with Republicans—is going to have his way because this is going to be jammed down our throats.

When the Senator goes back to Indiana and when I go back to Kansas, one of the top issues we hear about from any economic sector of our economy is: What on Earth is going on with all these regulations? Somebody holds up a piece of paper and says: PAT, are you aware of this regulation? No, I am not, but I will check on it. What is our ability to deal with that? Almost nothing.

So we have government by overregulation.

That is what this is about. The agenda by the President to add more regulation to get his agenda done is being challenged and going through the courts as opposed to the Senate of the United States. That is why we are faced here with this situation. That is why I was here from 8 to 9 talking about Iran. The Senator is talking about the issue at hand, and I truly appreciate it.

I thank the Senator for coming to the floor. I thank the Senator for making these comments. I just wish people would understand why we are feeling this frustration and have a more accurate reflection of what is going on here. I know that is not reflected much in the media. I understand that, but that is simply the case.

Mr. COATS. I thank my colleague from Kansas. I am glad he mentioned his own personal experience and our experiences together.

It is more than about the Senator from Indiana or the Senator from Kansas. It is about this institution. It is about the future of the Senate. What kind of a body are we going to be? Are we going to be the Senate which has been the Senate for 225 years, with the rights of the minority being able to be expressed?

How the majority leader can look across the aisle and say: The former chairman of the Agriculture Committee, the former Secretary of Agriculture can't have a say in the farm bill. It is a treasure trove of experience, it is a treasure trove of knowledge of the whole agricultural sector, and the majority leader whimsically just simply says: Because I am in power and I can tell you what you can do and what you can't do, forget it. Forget your adjustments to this.

But that leads us right into the most egregious power grab of all, and that was when, under total Democratic control both in the House and the Senate and at the Presidency in White House, Democrats decided they were going to tell us how we should reshape our health care system and readjust one-sixth of the entire U.S. economy and, by the way, we have all this expertise—or we think we have this expertise—and we will wrap all this up in one 2,000-plus page bill and we will run it down your throats without any input from the other side.

Oh, we had input. But the rules were adjusted, the vote was changed, and it was passed by a simple majority and, therefore, had no constructive impact from those who did not think this was the right way to address our health care system. Now look at the mess we are in.

We have been talking for days about calls—not reflecting just our views but calls from constituents saying: What in the world have you done?

The reason I ran in 2010 is I was so upset about two major things: One, the way the Democrats have essentially taken this health care bill: Don't worry about reading it, as NANCY PELOSI said; we will find out later. Boy, are we finding out about it later. Frankly, those who wrote it are finding out about it later. The people it has been imposed upon, the people we represent are now finding out about it later.

I have a whole packetful of responses. I don't know if they are Republicans, Democrats, liberals or Conservatives. All I know is they are my constituents—I represent all of them and am trying my best to represent them—and they have flooded my office with tweets and Facebook and all this social stuff that I have a little trouble grasping right now—but emails and letters pouring in, phone calls jammed, people saying: What have you done to us? What are you imposing on us?

I can go through and read horror stories about people and the broken promises. I think as the Senator from Kansas knows—we have both been in this business here for a while—you better be careful if you fall into the trap of going home and promising what you can't deliver.

It is so easy to walk in front of groups and say what they really want to hear so they will like you and vote for you in the next election. It is so easy to go home and promise something that makes people feel good so

they will feel good about you, but you better be careful because if you overpromise and underperform, they are going to say: Wait a minute.

No one has overpromised and underperformed more than this President of the United States regarding health care. He said, "If you like your doctor, you can keep your doctor, period." I bet the President wishes he had not said "period."

I am sure he wishes he had not said, "If you like your doctor, you can keep your doctor." Thousands of people in Indiana are saying: I can't keep my doctor. Mr. President, you promised, and you said "period." What does "period" mean? Hey, take it to the bank. Count on it. Finally, finito, no more questions need to be asked. I am telling you: If you like your doctor, you can keep your doctor, period. Nothing more needs to be said.

The same was said about: Don't worry, your premiums won't go up. Don't worry, you can keep your plan. If you like your plan, you can keep your plan.

I don't know how many hundreds of letters I have received from people who say: I love my plan. Why do you think I chose it? If I didn't like my plan, I wouldn't have selected my plan. Now those people are getting letters saying: Your plan is no good. You have to go into the government's plan. You have to go into the ObamaCare plan, and this is going to be affordable. Don't worry, folks, no money will be spent.

Were we told about the \$400 million that was spent just to fashion the Web site? Can you imagine how they screwed up the Web site. After 3½ years they cannot even put out a Web site. I am getting horror stories about the Web site, which are continuing, by the way.

If you can't do that, how are you going to manage the program if you do get people signed up? On and on it goes. But this idea of promising, and now having these promises broken, just feeds into the cynicism and the lack of trust among the American people and in the institutions of government, their elected representatives, and in their President. That is just a cancer in this country. If you can't put your faith and trust in the promises of what is said by the people who represent you and who are making the laws you have to comply with, that is a sad day.

I yield to the Senator from Kansas.

Mr. ROBERTS. When the President said if you like your doctor, you can keep him, period, that isn't really what he meant. Really he meant, if you like your plan, you can keep it—semicolon—if I like it. He really meant: If you like your doctor, you can keep your doctor if it is possible and we think it is all right.

Mr. COATS. If I could add to what the Senator said, if you don't like your plan and if you want something different, we will tell you what you have to like and what you don't have to like. It is no longer your choice. We

will tell you what we think you need, but you can't make that decision for yourself.

So here is our plan: If you look at our plans, you can pick one of those, but if you want something different and if you want to go to the insurance company for you or your employees or employee-sponsored plan, forget it because we know more than you do. We wrote the law, and we wrote the law because we don't think you have the intelligence or ability to figure out what is best for yourself.

Mr. ROBERTS. These were called lemon plans, shoddy plans, substandard plans, plans that were denigrated even though the families involved had a plan they liked. I am sure the same is true in Indiana as it is in Kansas. More people have lost their insurance after they have signed up.

We understand that we have a lot left to do with health care reform, and I would say that almost every Senator has a 5-point plan on what they would like to do, and it is certainly more market oriented.

I will tell you what also isn't working, as opposed to the rollout, is the advertising for this. Some of it is unbelievable. Thank goodness the media is now watching and paying attention to this issue. There is a rap group that is on television that said it is cool to sign up for ObamaCare. Why on Earth are the taxpayers paying for that when every day Secretary Sebelius is changing the game, along with the President?

The President changed this plan about 17 times. Maybe that is a low number now, but if that's what he wants he should come back to the Congress for that. I think a lot of these changes are unconstitutional. At least he should come back to the Congress, which gets me back to my friend's basic point.

What would have happened if we had gone ahead with regular order and sworn in Scott Brown as the new Senator from Massachusetts and then it would not have been on a one-vote margin with regard to ObamaCare, or the Affordable Care Act, or whatever it was called back then, the Patient Protection and Affordable Care Act. The acronym for that, by the way, is PPACA, which I think pretty well sums it up.

At any rate, had that happened, they would have had to have some kind of bipartisan agreement, which is really what we are talking about when we talk about breaking the rules now. They didn't have to do that because they would not swear in Scott, and so there we were on Christmas Eve.

None of us knew what was in the bill because it was in HARRY REID's office. As a member of the HELP Committee, I was privileged to consider this bill. We worked hard. I had three amendments on rationing—I am still worried about rationing. There are four rationers that I will not get into now.

IPAB is the No. 1 issue I am worried about. They decide the reimbursements

that your hospitals in Indiana will get, and that my hospitals will get, and that is why we are trying to do the SGR reform and the Doc Fix.

We were in the HELP Committee, and we had three amendments, and all three were defeated by a party-line vote. That mark—I don't know where that bill is now—I think it is collecting dust. Then my amendments were considered by the Finance Committee. Then I wanted to offer the amendments on the floor.

I did this because we are going to have a lot of problems with the rationing boards making decisions as opposed to individual patients and their doctors—if they can even have their doctor, period.

So we get back, again, to regular order. We get back to respecting the minority's rights. We get back to protecting minority rights. Had we had those amendments, I think this bill possibly could have been worked out. I now believe that this bill was proposed by those who really prefer national health insurance, and this was a stalking horse for national health insurance. I don't think anybody on that side of the aisle realized that this bill would be like Thelma and Louise going off into the canyon, but that is what happened. So now we have this mess on our hands and every day we learn about something new.

The Secretary came out with something yesterday with additional changes. It doesn't really mean anything because she is just simply urging the insurance companies to go back and talk to those folks the Senator from Indiana was talking about—about the plan they would like to have or the plan they would like to keep. She is just saying to the insurance companies: We urge you to do that.

What is that all about? The toothpaste is out of the tube. I don't know how on Earth you can get that done. There were other suggestions. I am getting off subject here because my friend started out talking about the rights of the minority, and the health reform bill didn't pass with any Republican votes and very little Republican input. I think, in part, that is why it has crashed and is burning right now.

If we had just had regular order input during that particular time, I think there would have been a better product. I probably still would have voted no because I don't want national health insurance. I feel a lot better that I expressed my rant to my friend from Indiana, and it has been a better morning as a result.

I think anybody listening to us could finally understand the depth of our frustration. We want to be a part of this Senate and we have a right to be a part of this Senate, but that right and privilege everybody had for 225 years has now been taken away.

It will be interesting when, in fact, the pendulum does swing back and Republicans are in control. What will we do? Will we go back to the 225-year

precedent or will we say: Well, what is good for the goose is good for the gander? Will we seek a pound of flesh or two? I don't know what we will do. I hope that we will go back to the 225-year precedent. It would be the right thing to do, but it will be interesting to see.

I thank the Senator from Indiana for allowing me to share his time.

Mr. COATS. The Senator from Kansas is a long-time friend and someone I have had the privilege of serving with and getting to know on a personal basis—he and his wife and family. We are both here with some experience under our belts, and unlike many of our colleagues who may see only one side of the story, we have been on both sides.

I had my differences with Senator Robert Byrd of West Virginia. There was no greater defender of the rights for the minority than Senator Robert Byrd, a Democrat who served his lifetime in the U.S. Senate.

I wish there had been some respect for what Senator Byrd said. I can see him standing on the floor saying: It doesn't matter how partisan this is, these privileges are engraved in stone. We have learned from our Founding Fathers, and they learned through their adverse experiences throughout history about denying the minority a voice, a right to participate. This never would have happened if Robert Byrd were here.

I know there are new Members who have just not experienced what it is like to be told to sit down and shut up. We will tell you what you can say and what amendment you can offer, if any. To be told time after time after time—and you know it builds. As all the bills come up and you have five things you would like to get done this year on behalf of your constituents, and you wait for the next bill to be brought up and you say: Mr. Leader, can I have an amendment on this bill?

Sorry, no more amendments. I filled the tree. It is done. We are going to move forward.

OK. I will go to the next one. Can I have it on the next one?

Here we are at the end of the year and the cycle is over—done. Sorry. You can't represent your constituents with what you think they want to do.

Maybe my amendments wouldn't have prevailed, but at least I would have been in the fight and people would have had the opportunity to put their yes or no vote on it. That way I could go home and say: I gave it everything I had. I didn't win, but I was fighting for you, and I was allowed the opportunity to do it.

As it is now, we go home and say: I wasn't even allowed to express your interest—you, my constituents' interests—through offering an amendment to the bill as a Member of the minority. I mean, the history of this place, the history of Democratic leaders when they had power, is a respect for that right, for the right of the institution.

It is not about Senator COATS or Senator ROBERTS. It is not about the current state of the Republican Party in the Senate. It is about this institution. It is about what goes forward. Do we want to turn this thing into a “we got the power and you might as well just go home.” That is what the frustration is. I hope the new Members who look at this and say this should be a more efficient place and we shouldn’t have to go through all of this—we wouldn’t have to go through all of this if they would just give us a chance to participate. But how else can we express our frustration other than at least having the opportunity to slow things down here so maybe we will be listened to?

Maybe they will go to some of—I wish they had listened to Senator LEVIN, who has been here a long time and who is a respected Democrat and chairman of the Armed Services Committee. Senator LEVIN came to the floor and said “we should not be doing this” to his own colleagues. He made a compassionate plea, a compelling argument that we shouldn’t do this.

I think back to the Republican leaders and the Democratic leaders, whether they were majority leader or minority leader, and both came to the agreement that these rights need to be protected, whether it was Bob Dole, George Mitchell, Trent Lott, or Tom Daschle. I mean, all of a sudden we are cast into a situation here, which is, sit down and shut up. We have the votes. Tough.

That is our frustration. And I would tell my colleagues, think about this. Think about how we can get back to what the Senate has been for 225 years, and think about what it might be like for them when they are in the minority. They are going to want to go home and tell their constituents: I am sorry, the other party rules and I don’t have any power at all. I don’t have any ability to represent you at all. I can’t offer any amendment expressing your wishes, and we won’t have a chance to get it to a vote.

Senators will have to go home and say: I was denied the opportunity to even put it up for a vote.

I remember—of course, Senator ROBERTS knows this well—how Bob Dole would say: Look, this is the U.S. Senate. We have to take tough votes. We are not going to win every one. Members are going to have to go home and explain those votes. But this isn’t just a deny, don’t take tough votes because we don’t want to explain them back home. Step up, debate it, and vote. We might win, we might lose, but we are here to vote. We are here to give everyone a right to have a vote on how to best represent their constituents. We didn’t come here to avoid votes, to hide behind a desk and say: Oh, this might affect the next election.

I really came down here to talk about the debacle of ObamaCare. I have all of these letters. All one has to do is turn on the television or the radio or read the newspaper or talk to a neigh-

bor. Unfortunately, the word is not spreading about this situation through the media, but I think even the media is realizing what a debacle this whole thing is. But all one has to do is talk to a neighbor at the bowling league or church.

I got my termination letter, and I don’t know what I am going to do.

I have tried 21 times to get in the Web site. I can’t get in.

No one is talking about the fact that, ironically, those who wrote the bill—the President of the United States and his executives—are fortunate that they don’t have to go into ObamaCare. I don’t know why this hasn’t been more publicized. Is this the ultimate in hypocrisy? To the American people: We have decided this is good for everybody except us, by the way, so we are exempting ourselves. The President of the United States, all his Cabinet Secretaries, his political appointees, his major staff, and even some of the staff who wrote the bill exempted themselves. How can they write reasonable legislation, impose it on 300-and-some million Americans and say: Well, that is not for me. It is for you, but since I am writing the bill, I can write an exemption for myself.

I don’t know why the media is not all over this. I don’t know why we haven’t had an amendment from the Democratic side saying: This is wrong. How do we go home and tell people that my President and my majority leader’s staff is exempt and it will not be imposed on all of us?

Mr. ROBERTS. Madam President, if the Senator will yield, it isn’t as if we haven’t tried.

Mr. COATS. No, it is not as if we haven’t tried.

Mr. ROBERTS. As the Senator knows, Senators are under that obligation—and their staffs. The committee staff is different, the leadership staff is different, and as the Senator pointed out, the executive is different. What is that all about? It should be uniform or not all, and it should be uniform for everybody who had a hand in this debacle.

I even thought about an amendment saying that those who didn’t vote for it—I voted against ObamaCare three times: Once in the HELP Committee, once in the Finance Committee, and once it came out of HARRY REID’s office. My colleagues said: Did you read the bill? Nobody read the bill because it had been changed, so then we had to wade through it, and then, as different events came about, one problem led to another problem, that problem led to two problems, and those problems led to other problems, so we are still finding out about that.

But back to the point of the Senator from Indiana, we can name Senators who said: Look, let’s make this uniform. If it is good enough for Americans, it ought to be good enough for us. And that just has not happened.

Mr. COATS. Well, it has happened to us, and I spent tortuous hours trying to sign up on the DC exchange.

We all have to go through this as Members. People don’t understand this back home. They think we are exempt. We are not. I went through this tortuous process for two hours because of all kinds of technical problems. I hit the confirm button. Error—not enrolled. I had to do it all over again. The second time I got a confirmation. I told my staff to print it—you are enrolled in the DC exchange; you are part of ObamaCare now.

I got the piece of paper, my secretary goes down to the disbursing office to confirm it, and they say: Senator COATS is not enrolled.

How about this piece of paper?

They say: Well, I know it says you are, but maybe there is a technical difficulty.

Does that ring a bell for anybody? And there are horror stories I have heard from people who have tried not just 2 times or 10 times but 21 times.

Mr. ROBERTS. Madam President, if the Senator will yield.

Mr. COATS. I yield to the Senator from Kansas.

Mr. ROBERTS. My wife is much more adept at the social media capability, and so it was up to her. I thought we were confirmed, only to find out almost before the deadline—it was midnight, and there was a desperate attempt on the part of my staff and myself. I needed help to get this done, so I had to redo it. Then the thought occurred to me, we are going to have two PAT ROBERTS in there: one that my wife did and then the new attempt. I hope that is not the case. I think maybe we have it cleared up, but I am not sure, so we will find out. I hope we don’t have to work to find out, but we will find out.

I think that is just a duplication of what everybody in the country is going through. And then what do you do if, in fact, you can’t have insurance and you find out about copays and deductibles and all of this. I am repeating a sad story that I think everybody knows.

I thank the Senator from Indiana once again for his heartfelt plea to make the other side understand the error of their ways. I hope we can fix this. I hope they can see fit to fix this down the road. I doubt that will be the case, and I don’t think the country will be better off as a result.

I thank the Senator.

Mr. COATS. I thank the Senator from Kansas. He mentioned signing up here and the frustrations so many people had.

Kathleen from Mooresville, IN, called my office in Indianapolis and said: Help. She said this: I have spoken to someone at the 1-800 number helpline for the Federal exchange 21 times since October 21—when she first began to try to enroll on the healthcare.gov Web site.

Twenty-one times she had tried this, so she called our office in desperation and told us: Well, at one point I asked if I could be transferred to this advanced resolution group—which was

some other group set up to help people who couldn't get into the Web site, I guess—and the customer service representative said that he did not know how to transfer her to that site.

She said: Well, I need help. How can I get it?

So she finally then called the insurer directly to try to enroll, and they said: Well, the only way you are going to get this done is if you bypass the whole ObamaCare Web site because we can't do it either. So they finally figured out that she had enrolled through the insurance company, but she felt she needed to let the government site people know so they would not put her on the list that she hadn't enrolled.

Mr. ROBERTS. Right.

Mr. COATS. So she called up there and finally got through to somebody, and he said one word—"fine"—and hung up. Well, he probably was so frustrated.

Mr. ROBERTS. Will the Senator yield for one more observation.

Mr. COATS. Yes.

Mr. ROBERTS. I was watching the news last night, and many more millions of dollars are now being spent to hire more navigators, so the Senator's constituent should have had a navigator. In many cases they want navigators, and now they are being hired from various community organizations, some of which I really wonder about. But in some States where only hundreds have signed up, there will be more navigators than people who have signed up. So obviously it has gotten to the point where everybody has a problem, where insurance ought to have a navigator. This is at considerable expense—I don't remember now how many millions it totals—and a brand new group of navigators is being hired at considerable expense to make this work. And the advertising rolls on, and then the news media discovers more and more about all the problems.

I appreciate the Senator bringing this to the attention of the American people.

I note the distinguished Senator from Nebraska is here, and he even has a chart that will educate the American people.

Mr. COATS. He is. I am happy to yield to him, but I have about 5 more minutes left, I want to wrap up with one more story from Doug from Indiana.

After 2 weeks of trying to get on the Web site, he finally was able to at least create a log-in name and password. Then he had to try for another week to secure coverage, never successfully getting through, but he finally completed the form, submitted it, and then had the security questions sent back to him so they could verify that he is who he said he is.

He received four questions.

Question No. 1: Our records indicate you lived on the following street in the last 2 years. What city is this in?

Well, the street they listed is where his sister lives, and she doesn't even

use the same last name, so I am not sure how they came up with that. Doug had never lived there or had any financial dealings with that property. So how do you answer—I am quoting him—how do you answer a question as stupid as that?

They said: Well, we can't verify you because you didn't give us the answer.

He said: I have never lived there. That is my sister.

Question No. 2 was about which county he lived in, and I think they got that right.

Question No. 3 was to include his previous employers. Well, the only previous employer listed that was accurate was misspelled, so Doug said: Well, how do I answer that?

Question No. 4: Our records indicate that you purchased pet insurance in the last 2 years. What is the name of your pet?

I mean, you can't make this up. If "Seinfeld" were still going, this would be a great episode. This would be one of the greatest episodes ever.

Doug had not had a pet for over 10 years, and he has never purchased pet insurance, but they said: What pet insurance do you have?

I have a dog, but I don't have insurance for it. Maybe I should. But they didn't ask me that question, so maybe I am OK.

So he put down "none of the above," and since he did that, they said: Sorry, since you didn't answer the security questions, we can't enroll you in ObamaCare.

I mean, you can't make this up. It is a Hollywood scriptwriter's dream for a soap opera or for a comedy such as "Seinfeld." If "Seinfeld" were still on, this would be unbelievable.

Of course, every night on the late night talk shows we here about all of these horror stories and so forth and so on. It is comical, but it is sad. It is sad. It is an overreach by government. There are limits to what it can do and what it can't do, and we clearly have reached the limit on this one. I think an apology is due to the American people. I think we ought to step back and say: Let's do this over and do it right. Let's do it with bipartisan support. Let's do the sensible things that are affordable and will allow people to keep their doctor, that will allow people to keep their health care plan if they like it, and will provide means by which we can address the uninsured, the preconditions, and those who need insurance but do it in a way that is based on tested free market principles, not on a nanny government that says: We know better than you. Boy, have we proved that is not true.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNIS. Madam President, I will start by thanking my colleagues from Indiana and Kansas for their discussion on this very important issue. I say this somewhat facetiously, but I have been reading the stories about the

rollout of ObamaCare just like the rest of us have. What an incredible embarrassment. If there is a State out there that epitomizes the embarrassment of all embarrassments, it is the State of Oregon. Recently, they had not signed up a single person through their exchange—not one. Not a single person in Oregon could get through that. That is notwithstanding that the Democratic Governor supported it, embraced it, notwithstanding that the U.S. Senators in this body supported it, embraced it. They could not find a single person.

Well, I just read an article; I think it was this morning. I was catching up on some reading. Somehow, some way, they went out there and they found 44 people in Oregon who have signed up successfully. After all of these weeks since this rollout occurred, they probably went door-to-door in Oregon and found 44 people who they believe have signed up successfully. We will see whether they actually have insurance.

Well, maybe we could offer this for that poor State: Maybe we could offer that if they signed up successfully, they get a picture with their Governor and their U.S. Senators—their own individual picture. Madam President, 44 people would not be too many to get through in a picture line. They probably have fundraisers that are twice that big or three times that big, where they do pictures with everybody. I think those persistent citizens of the great State of Oregon deserve something more than just a mention that they are 1 of 44 in some newspaper somewhere, that they successfully navigated the site. I would offer that I think they need a picture.

Mr. COATS. Autographed.

Mr. JOHANNIS. An autographed picture with their U.S. Senators and their Governor.

Let me move on to something far more serious, and I am going to talk about ObamaCare too. I am going to tie that into why I believe this process we are going through relating to our constitutional right to advise and consent the President of the United States when it comes to his appointments—I am going to tie that into why I believe that has all happened and why we find ourselves here today because of this failed ObamaCare system.

Yesterday when I was on the floor, I talked at some length about the history of filibuster changes. I mentioned that I have a tremendous amount of respect for a Senator who passed not all that long ago, who served in this body for a long time and probably knew the body better than anybody who ever served in the history of the Senate. That would be Senator Bob Byrd.

I came here, and he was in failing health by the time I arrived in the Senate about 5 years ago, but what a wonderful man. I got to know him a little bit. We actually participated, worked together on a climate change amendment. The knowledge this gentleman had of the Senate was always amazing to me.

On the 200th anniversary of what is called the Great Compromise, when the whole concept of the U.S. Senate was created, some people went to Senator Byrd and convinced him that speeches he had given on the floor of the Senate and historical writings he had done should be put together in a book. It would be commemorative of the 200th anniversary of the U.S. Senate—the Great Compromise. So that was done.

When I first got to know Senator Byrd, I became so impressed with the man that I decided that my Senate office needed that historical record from him. Well, I thought I was buying a book. I was not buying a book at all. I was buying four books—four books filled with beautiful information about the Senate, its history, people who had served here, people who stood up for the U.S. Senate and therefore stood up for the people they represented in the United States of America.

I talked a little bit yesterday about that history leading up to filibuster changes. It was the system here originally in the early part of our country—in fact, until the early 1900s—where basically there was not a way to end debate. So if a debate was going on, an individual Senator could come to the floor and literally take a bill down a path where it may never become law. Somehow, some way, through the years the Senate figured out a way to operate with that kind of unusual situation where a single Senator could take a bill down that road.

Along came World War I. If you think about World War I, there were many Members in the body who had pretty close relatives in Germany, and this was a challenge because they had to debate and decide issues relating to that war and that country. As we might expect, it became very difficult to get things passed.

A piece of legislation came forward, and you can imagine what happened. It got carried down this road of never seeing the light of day, and they could not get that legislation passed although that legislation was considered very important by many in our country, maybe the vast majority of the people in our country.

The country reacted to that, and there was a big debate. I think people in this body and people in the country came to the conclusion that kind of this open-ended process where debate may never end—and there was no vehicle or mechanism to end that debate—well, that had to end; that somehow, some way, the wisdom of the individual Members in this body had to be brought to bear on how to allow Senators to have their day, have their say, be able to come here and debate the great issues and offer amendments. How could we allow that to happen and give them their rights as Senators while still having an ability at some point to stop the debate and cast a vote? The Senators, in their wisdom, decided they had to find that way, and they did.

Originally, if I remember the history correctly, and I may have this piece not quite accurate, but I think they agreed that two-thirds of the Senators could vote at some point to end debate and then vote on the legislation. But Senators still had the right to offer amendments. They still had the right to come to the floor and debate. They still had the right to work through the day and the night and build coalitions to get their amendments passed, to shape a piece of legislation, to make that legislation maybe better for the country or for their individual State. All of those rights continued to exist because, after all, everybody recognized that the power of an individual Senator to do that was significant to our country. It was important to our Nation, not only then but in the future.

That process went on for a number of decades following that decision. Then in the 1970s a decision was made again by this body under its rules, and that decision basically said: When 60 Senators come to the floor and they agree to end debate, that they would get themselves to a point where that debate would terminate and they could vote on passage of the bill, they could vote on getting that bill done. So in the 1970s, 60 votes became the norm.

An important point to mention is this: The rights we have as individual Senators representing our constituency—which in my case is the great people of Nebraska, and the people of the United States of America, for that matter—those rights were intended to exist in every respect. In other words, I could come to the floor as a Senator, under the rules, and if a piece of legislation was there and I had an important issue I wanted to bring to the attention of the country or this body, I could offer an amendment, and, except under certain circumstances, that amendment did not even need to be germane.

I remember, for example, that when this health care bill was passed there was a provision that if somebody in business bought over \$600 worth of items, they had to file forms with the IRS, a 1099, and give a form to the vendor.

That is a mess because you never know if the first purchase on January 1 is going to be the last purchase or the first of a series of purchases that get you over \$600. I wanted to get that out of the bill. It did not make any sense. Even the citizens' advocate for the IRS was saying: Well, gosh, we have looked at this. It does not make any sense.

So we started working, and on every piece of legislation that would come forward I would offer that amendment to get rid of the 1099 requirement in the health care bill. Originally, I was nearly laughed out of the Chamber. Democrats who had passed the bill were basically saying to me: You want us to change our bill? Get lost. I came back a second time. I came back a third time. I came back a fourth time. The business community got involved,

and small businesses started calling their Senators and saying: Senator, please, look at what MIKE is offering. This is sensible. This needs to happen. We offered it a fifth time. At some point, the President of the United States in his State of the Union—I was sitting right there, about two rows back from where he was. Madam President, I was not any farther from the President of the United States than I am standing from you today. He mentioned that it was time for this provision to go. So we offered it a sixth time, and then we offered it a seventh time, and we finally got it done.

Do you know what? I did not go out and crow: My goodness, I must be the smartest Senator in the body or I must be the best Republican and those evil Democrats. I did not do that at all. I went out and I said to public: This is very important for small businesses. I am glad my colleagues agree with me, and we can all take credit for this. Go back home and tell people you supported it.

There were very few who voted against it in this body. So an issue that started out with basically no support to speak of in a bipartisan way not only got huge bipartisan support—over 80 votes—it even got a mention by the President of the United States in his State of the Union Address as something that needed to get done. And we could all take ownership of it then and today.

Why do I mention that point? I mention that point because those rights continued after those filibuster changes. This body came to the conclusion that under the Senate rules it was appropriate to somehow get to a point where we could say: OK, everybody, you have had your day. It is time to bring the debate to an end, if we can, if we can get sufficient votes. If we cannot, well then we cannot. This bill is probably not going to go any further. That has been the history of this institution literally from its beginning. Read Bob Byrd's books. He will explain that to you. As you read what he is saying there, you begin to feel the admiration that he felt for the Senate. But the other thing you will begin to feel as you read through these books is this: You will begin to feel how deeply he cared about the individual rights of each Senator, whether they were in the majority, whether they were Democrats, whether they were in the minority, whether they were Republicans. You see, Senator Byrd understood that the pendulum does swing. There will be times where Republicans will be in control of the Senate. The voters will decide that. There will be times, therefore, that Democrats will be in the minority.

He also understood that there would be times when Democrats would be in the majority and Republicans would be in the minority and that as our country would go through various transformations and various political processes, we would end up with a different

Senate depending upon what happened in each election cycle.

But the one thing Senator Byrd wanted to emphasize and hold as a sacred constant in our system of government was that each Senator had rights. Each Senator could come to the floor and exercise those rights whether the person they called leader was Democrat or Republican. He wanted to make sure the tyranny of the majority would never silence those rights of the minority or the individual Senator.

With that context in mind, let me review the events of the last few weeks. With that context in mind, I am hoping that is instructive relative to what happened here. As I said yesterday during my comments on the floor, I guess we would all like to probably think we are the smartest Senator who has ever served in the body. We are not. Some of the giants of this great country have served in this body. Some of the intellectual giants who have ever lived in the United States found their way to the Senate.

They not only worried about what was happening in their period of history, they worried about what the Senate would be 10 and 20 and 100 and 150 years in the future. Keep in mind, this body has been here over 200 years. In many respects, as Senator Byrd points out in his book, the rules we operate under are similar. Why? Because they were smart in the beginning and they are smart today. They have served us well for over 200 years.

As I said, I guess we probably all like to think we are about the smartest Senator who has ever served. I can tell you, during the vote right before Thanksgiving, there were some Senators who were kind of crowing about the change that had occurred. I even read some newspaper articles that, boy, their day had arrived.

So what happened? Let me tell you what did not happen. Under our rules that govern how we operate, how we pass laws, how we debate the important issues of the day, we can amend our rules with 67 votes, a two-thirds majority. It is right there in the rules. What a thoughtful provision.

The whole idea behind that provision was you do not want the tyranny of the majority to crush the minority. You do not want the tyranny of the majority to crush the rights of the individual Senator, whether he is from Nebraska or California or Florida or wherever.

So in those rules it takes 67 votes. Did that happen before Thanksgiving? Did Members who wanted to see this done come over here to this side and say: You know, Mike, think through this with me. Please join with me in trying to get this done. I cannot get it done with 55 Democrats. I need your help to get to 67. That is going to take Democrats and it is going to take Republicans and it might even take an Independent or two to get this rule change done.

Is that the way this happened? No, not the way it happened at all. So what

did happen right before Thanksgiving? The majority leader, in essence when you cut through everything, asked for a ruling from the Chair. The ruling by the Chair was consistent with the rules of the Senate. Then the majority leader said: I will appeal the ruling of the Chair. What does it take to overrule the Chair? It takes a majority vote.

All of a sudden on executive appointments, circuit court judges across the United States of America—a lifetime appointment, I remind you, there is no way they can be removed except by the impeachment process once there—and Federal district court judges across the United States of America, the rule was changed.

By a two-thirds vote as the rules would contemplate? No. By appealing a correct ruling of the Chair and overruling it with a majority vote. Like I said, there are probably many here who would like to think: I thought that up. I must be pretty much the smartest person who ever served in this body. I cannot imagine why somebody did not think that one up before. Do not fool yourself.

That was thought up many times. Read the writings of Senator Byrd. Read the writings of any great intellectual who has looked at the Senate and how it operates and understands the rules. We have known for decades and decades and decades, maybe since the beginning, that you could appeal a ruling of the Chair and make reality out of a majority vote even though the Chair ruled correctly. That is what happened.

I spoke of the tyranny of the majority. The Senate was never intended to be a majority-based body. Let me get back to the Great Compromise. I mentioned that when Senator Byrd decided to put all of this information together in that four-volume set, it was to honor 200 years of history of the Senate or, stated another way, 200 years since the Great Compromise.

The Great Compromise came about because when we as an infant country decided there were going to be two Houses in our legislative process, almost immediately our Founders decided that one House, the House of Representatives, would be population based and majority ruled. If you are California or New York, as it turns out, that works pretty well; if you are Nebraska or South Dakota, not so well. Why? We have three Members in the House. It seems to me every day of the week California is going to outvote Nebraska. New York is going to outvote Nebraska. Florida is going to outvote Nebraska. Darn near anybody in the country is going to outvote Nebraska.

Although we have this very large land mass, our population is 1.7 million to 1.8 million people. It is spread out across this very large land mass called the great State of Nebraska.

Our Founders looked at that and said: It does not take much to figure this out. This is not going to work out very well over time. It is a majority-

based body. So political parties have been a feature almost from the beginning of our country. So if you are in the majority, you are always going to win. You are also going to beat the minority as long as your team sticks together.

But they wisely said: The Senate is going to be different. The Senate is going to be that body where every State gets two. You see, in that regard, Nebraska is just as powerful as New York. We are just as powerful as Pennsylvania. We are just as powerful as California. We are just as powerful as Hawaii. Why? Because we each get two.

Then the Senate was structured in a way, as I have pointed out, where literally from the beginning one could debate a bill right down to a pathway where it was not going to get passed and thoughtfully and carefully. But under the rules of the Senate what was happening is as we decided to limit debate at some point in the process, you had to get this supermajority.

Senators knew they could appeal a correct ruling of the Chair and reverse it. But they knew that option should never be used. It did not get its name “nuclear option” by accident. Most recently when Republicans were in control, the threat was made: We might go to the nuclear option to get our judges confirmed.

Oh, my goodness. Democrats in this body rose up. They were offended that those words would even come out of a Senator’s mouth. They were fighting tooth and nail to stop that because it so changes what happens in this body. Now what has happened? The worm did turn. They are in power. All of a sudden, well, I reserve the right to change my mind.

So just before Thanksgiving, a correct ruling of the Chair was overturned on a pure party-line vote, where Democrats said to each individual Senator who is a Republican, where Democrats said to each individual Member who sits in the minority if a Republican: Sit down and shut up.

That is what this rule change does. It relegates my voice as a Member of a minority party in the Senate on district judges, executive appointments, and circuit court judges—two of those being appointments for life—it renders my voice absolutely, positively meaningless.

No Democrat has to cross that line and come over here and say: Mike, I want you to look at this judge in wherever—let’s say Arkansas—because I think they are qualified and I want you to think about voting for them. They do not have to do that anymore. They do not need me. They can just outlast me, just like they are doing right now. They can bring this to a vote, and on a straight party-line vote they can appoint the entire judiciary of the United States in the district courts and in the circuit courts with absolutely no involvement whatsoever from the minority. None. That is what their rule change did.

Let me take that rule change and think out loud about where we have put ourselves as a country. I wonder who was the first Senator in our history who came to the floor and said: My fellow Senators, I have thought about this, I have contemplated it, maybe I have even prayed about it, and I believe the day has arrived to end slavery in the United States, and I will be attaching an amendment to every bill to end that horrific practice.

I will bet they were a very lonely Senator at that point in our history. But I am also guessing that Senator, and tenacious other Senators along the way, exercised their rights as a minority and as an individual Senator to continue to force that issue. What a courageous, remarkable thing to do.

So let's think about where we are headed. We now have a precedent. As Bob Byrd pointed out in his writings, precedents voted on by Senators have significant binding effect in this body. It is not something you do one time, tear up and throw away. It is something that becomes a part of the heart and soul of this body. It is something that is a method of operation, a rule, if you will, by which future decisions are made within the Senate.

What is this precedent? This precedent is not that Democrats or Republicans have to cross the aisle and get 67 votes together to change the rules. This precedent now is that you can ask for a ruling of the Chair, the Chair can correctly deliver a ruling, and you can then get your team together, Republican or Democrat, and you can vitiate, overrule, and annihilate the correct ruling of the Chair to get a different result.

So for the first time in our history we are now confirming judges in the circuit court, in the district court, and executive appointments under a majority rule—for the first time in history. Why? Was it because 67 Senators said: Look, let's do it this way. No. It is because the majority leader asked for a ruling from the Chair, the Chair gave a correct ruling, and then the majority leader stepped in and said: I will appeal that. He kept his Democrats together and successfully appealed it and, all of a sudden, we are off in a different direction.

So let's think about this. Let's say you are a Democratic President and the Senate is Democratic—maybe it is evenly divided, but you have the Vice President in the Chair so you can break ties. You are in the last 18 months of your time in office and you have already won a reelection so you are term limited. In 18 months you move on down the road. Let's say you have a Supreme Court where four of the members are conservative, four are what would be regarded as liberal and you have one member kind of right in the middle. So whenever there is a major argument before the Supreme Court everybody is trying to guess which way the one in the middle will go. Will he or she side with the liberals

on this one? What has he or she done in the past? Will that Supreme Court Justice side with the conservatives? What has he or she done in the past on these kind of issues? You can kind of get a roadmap of what they might do on this major constitutional issue.

Now, for whatever reason, that Supreme Court Justice dies in office, becomes ill, can't perform the duties, decides to retire, decides: Look. I have been here a long time. It is time for me to move on. Maybe they even have an inkling they want this President to appoint their replacement. My goodness, this is a pretty important issue. You have that one vote that kind of moves back and forth, and this is pretty darned critical for the next 10, 25 or 50 years in the United States. It could make all the difference in the world.

Let's say the President of the United States takes a look at that and says: 18 months. I am not sure I can get this done. The President calls his friend, the majority leader in the Senate, and says: My friend, how do we move this Supreme Court nominee whom I am going to announce tomorrow before I leave the White House? We need to get this done. Maybe it is not even 18 months, maybe it is 12 months or 6 months. How do we get this done?

The majority leader says: Mr. President, you know, under the current rules change we did in 2013, right before Thanksgiving, we took the voice away from the minority. So on circuit court or district court I could help you out, but we didn't apply that rule to the Supreme Court.

Maybe it is even further down the road and parties have switched. There is a Republican in the White House and the Senate is Republican and the majority leader is Republican. The Republican President calls and says: How do I get this done?

My friends, let me remind us again the precedence is set. Let me remind us again, as Senator Byrd points out in his very scholarly analysis of the Senate, that a Member-voted change appeal of a ruling of the Chair is a big dang deal. It is how we operate.

So the majority leader says: Let me think about it. He calls the President back and says: Here is how you get there. I will ask for a ruling of the Chair at the appropriate time. I don't know exactly when that will be. But at the appropriate time you have my commitment, Mr. President, just like they did right before Thanksgiving in 2013, I will ask for a ruling of the Chair. The Chair is going to rule against me, I want you to be aware of that. So if you are watching the proceedings, don't faint because this isn't over. But I need to have you go to work, as President Obama did in 2013, and make sure Members are in line. I will go to work and I will turn my whip team loose and we will keep our team together.

Let's say it is a Republican situation and all of a sudden you have the ruling and the majority leader says: I want to appeal that and the team stays to-

gether and so now we can change the complexion of the U.S. Supreme Court because the precedent is set.

I had somebody from the Democratic side say to me yesterday: Well, MIKE, I would never agree to that. I thought about the comment he made. In fact, I was trying to get to sleep last night and I thought about that comment, and it was just so obvious to me I wish I had said it to my friend and colleague. I wish I would have said: You won't have a voice because you are in the minority. Under the precedent set right before Thanksgiving, your voice was silenced. You were told to sit down and shut up because of the passage of this rule.

So huff and puff all you want, go to the floor and scream, cry, yell, threaten to do whatever you are going to do, but at the end of the day you don't have a voice because my team is together on this, and by a majority vote we are going to overrule a correct ruling of the Chair and we are going to pave the way for a new Supreme Court Justice who will decide cases based upon our philosophy. You know what. We are going to go a step further. We think those four Republicans there or four Democrats there, they haven't gone far enough. So we are going to get somebody who is really out there.

You know what. The precedent is set. You have the pathway to get it done.

Is there anybody in this country who believes for a moment that temptation will not be just too darned great? Look. How many times did my colleagues on the other side of the aisle during the last debate on this a few years ago say: Never do this. It will destroy the Senate. We aren't going to do this. They signed letters, and those same people voted yes to break the rules to change the rules. Those same people came in and—of course, they had a reason. Of course—they came in and said: Well, you know, these evil Republicans. I really don't want to do this. I feel so badly about doing it, but they are so darned bad, they are so evil, and they are such obstructionists, when there was no evidence to support that.

The reality is it is not what is happening these days, it is not what is happening over the next year on circuit court appointments or district court appointments or who is going to be the Under Secretary or the Deputy of something in the USDA; it is what is going to happen next when that President has that short a period of time to leave a lasting imprint on this great country and they can't pass up the opportunity. So all of a sudden the precedent is set and you are off to the races.

Some may be thinking: Mike, if that ever happens, I am going to call my Senator—who is in the minority, whether Republican or Democratic—and I am going to chew on them up one side and down the other side. I am going to point out to them that if they don't do something about this, I will run against them or I will find somebody to run against them because this

can't happen to our country; because Supreme Court appointments, you can't get rid of them once they are there, unless it is some kind of impeachment process. This is a lifetime appointment. Once done, it is over.

Do you know what that minority Member will say to all those calls? They will come in by the hundreds and thousands, if not the tens of thousands. Thank you for your call, but I have been silenced. I have no ability to stop that. I am in the minority.

It will not be a situation where that Senator will be able to say: I am just not persuasive enough. I don't think I can build the argument.

It will be a situation where they say: I am in the minority. My voice has been silenced. So we have a situation where the precedent is set, and that Member now has no voice.

Let's think about this in the last minutes that I have, because it doesn't end here. Again, keep in mind the precedent is set.

Let's say again that there is a very important piece of legislation. Maybe it is a health care bill, maybe it is a climate change bill. Maybe it is a bill to do whatever. I could think of a whole bunch of bills on either side that people would like to see get done. All of a sudden, the majority, working with their President in the White House, realizes the only way it is going to get done—because they can't get the 60 votes necessary—is try to change how things operate.

Not to worry, because the precedent has been set: Ask for a ruling of the Chair. The Chair will correctly rule. Keep your team together. Overrule the Chair and, by a majority vote, we now pass legislation by a majority.

Many in the Chamber who are majority or minority would say: Well, Mike, I don't like that. Gosh, I am not going to let that happen. I have heard that before. Because the same people who voted for this argued forcefully just a few years ago: We can't ever let this happen. This would destroy the Senate. This would destroy the purpose of the Senate.

But then they came in here and voted for it. Of course it will happen. The precedent is set, and then you have a different country. Let's think about that.

I have traveled all over the world in my roles as Governor and as Secretary of Agriculture trying to sell our ag products. There were certain parts of the world where markets were open and the economy was working and people were employed. They were good markets for our products. There were other parts of the world where, my goodness, even today not much is going on. People live in poverty. They live in crime and filth and disease. It is just horrific. There are a lot of reasons for that. It is complex.

But one of the constants in that was the political instability of the country. Whoever won got the spoils. So they would throw out everything the last

group passed and they would pass a whole bunch of new things because they had the majority. Then the voters would rebel and say: Oh, my goodness. Did we make a mistake on this. Let's get rid of these fools. Then a whole new group would come in on the other side and they would throw out all the laws the last group had passed and they would pass their own laws. Why? Because they had the majority. On and on it went.

Businesses would look at that and say: How do we ever invest there? You are asking me to build a \$25 million warehouse to do my work when I don't know what the laws are going to be 2 or 4 years from now? Because the elections would determine that.

In the United States of America we have had this remarkable economy for over 200 years. It has had good times and bad. I am not Pollyannaish about this. But jobs have been created, small entrepreneurs—and I could name them—built businesses that grew into remarkable companies. It is just incredible. Who are the next ones? What an amazing country we live in.

I will acknowledge, there are a lot of reasons for that. We are blessed with enormous resources, and I could go on and on. Our education system. But one of the reasons it has worked is we have tremendous governmental stability. Whether we want to or not, every administration is kind of in a position where they build upon the shoulders of the last administration.

What is the constant there? The White House can change every 4 years. It has to change every 8. The House of Representatives can change every 2 years, and it often does. Sometimes it doesn't. It is a majority-based body. So a new group comes in, they throw things out; a new group passes new things. It is kind of always moving and shaking. That is what the House was intended to do. What has been the constant in all of this? The Senate.

I know people get frustrated. They look over here and say: Geez, Mike, I wish you could pass something. Why can't you get more done? Why is this pace so frustrating? I will tell you, as a former chief executive, a mayor, a Governor, a Cabinet member, I sometimes come in here and go: My goodness. I am going to be 80 before this law ever passes, and I will not even recognize it.

It is the give-and-take of the Senate. It is exactly what was contemplated, and no one was going to come in and throw this out in 2 years and put this in and then 2 years later throw this out. Why? Because the Senate said: Wait a second. Not only are we going to call this the Great Compromise, but you are going to have to reach across the aisle to get things done.

Sometimes in our history that hasn't happened. At other times in our history it has happened. But through pandemics, world wars, crises, attacks upon our Nation, this body found a way to function and a way to stabilize the United States.

So when a young entrepreneur went out there and said: If I build this software, according to the tax laws we have now, will those laws be there 2 years from now? Yes, we can say they will be. We don't change the Tax Code very often. I am one of these people who argue we need reform in our Tax Code. But having said that, I know I am going to have to get it done in a bipartisan way.

But the precedent is set. We know now that if the majority leader asked for a ruling of the Chair and the Presiding Officer decides correctly, under the rules of the Senate, in consultation with the Parliamentarian, how that issue should be decided and decides it correctly under the rules, we know now what we feared over the last decades; that is, that the majority leader can say to the Presiding Officer: I want to appeal your ruling. I want to appeal your ruling. I want to get this Supreme Court Justice on the Supreme Court and a lifetime appointment.

I want to appeal your ruling because I am sick and tired of the other side not cooperating with me on what I want done. I have had enough of it. I am going to get my way. My team is together, and they are all going to vote just as I will. Even though your ruling was correct under our rules, we are going to set that aside, we are going to vitiate it, and we are going to get our way because my team—my team—is in control.

That is where we are today.

These rules have been changed over time. They were changed in accordance with our rules.

I see the leader is here. I yield the floor.

THE PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that if cloture is invoked on the Patterson nomination, that at 5:30 p.m. on Monday, December 16, all postcloture time be considered expired and the Senate then proceed to vote on confirmation of the Patterson nomination; that upon disposition of the Patterson nomination, the Senate proceed to vote on the motion to invoke cloture on the Johnson nomination; that if cloture is invoked on the Johnson nomination, then all postcloture time be yielded back and the Senate proceed to vote on confirmation of the Johnson nomination.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, we are going to have two votes at noon today. After that, the next vote will be at 5:30 on Monday. There will be a series of votes on Monday.

As I indicated this morning, the Republican leader and I have spent some time together and I think we have had a productive discussion on the schedule. This schedule has been extremely difficult for everyone.

We have worked out a schedule that allows for the next set of votes which will occur at noon today to be the last votes of this week. We agreed on Monday evening the Senate will vote on the matters that we would have voted on the rest of today and this weekend.

So on Monday at 5:30 in the afternoon, the Senate will vote on Patter-son, Johnson, one would be on the clo-ture on Johnson, and then it will be confirmation. We are doing our utmost to finish our business here a week from today so we can go home for Christ-mas.

So we will be in session Sunday after-noon. There will be no votes on Sun-day. The next rollcall, I repeat for the third time, will be 5:30 p.m. Monday. On Tuesday, we will begin consider-ation of the budget and Wednesday the Defense bill. After that, we will address further nominations of which the most important one is Janet Yellen to be on the Federal Reserve. The others, I will work with Senator MCCONNELL filing a number and see how many we can get done.

I personally thank Senators for their cooperation this week and next week as we work through these important matters. I know there is a lot of work we have to do to get back to regular order. We will see what happens with the Defense bill we are going to vote on and the budget bill. But I am satisfied we have made progress.

ORDERS FOR MONDAY, DECEMBER 15, 2013

Mr. REID. Madam President, I ask unanimous consent that when the Sen-ate completes its business today, it ad-journ until 1 p.m. on Sunday, Decem-ber 15, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of pro-ceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and the Sen-ate convene for legislative business only.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. I want to make sure ev-eryone understands that we have votes today.

The distinguished Senator from Ne-braska was speaking and I interrupted him. I relinquish the floor. If he has more to say, he may certainly do so. I have no right to suggest the absence of a quorum.

Mr. COCHRAN. Madam President, the Senate has had an opportunity to be given an update on the status of our negotiation on the farm bill. It is my pleasure to announce that since our first conference committee meeting in October, we have been working to reach an agreement on a new 5-year farm bill. This is a bill we can take to the House and Senate. By working in collaboration and through our dif-ferences, we made progress and estab-lished a framework for our agricultural sector to continue to contribute in an important way to the economic life of our Nation. I am pleased to say we are

making progress, but there are still some decisions that lie ahead of us. I am hopeful that on both sides of the aisle, in both bodies, we can come to-gether on a farm bill agreement that will reform and modernize programs and produce budget savings at the same time as well as provide certainty about the government's role to pro-ducers and consumers alike.

I might also add that related to this is an interest many homeowners have in flood control insurance protection and government assistance. There is a reform bill, the Homeowner Flood In-surance Affordability Act, that I am pleased to have cosponsored that would delay premium rates temporarily until we can review and make sure these changes are going to serve the inter-ests of homeowners and landowners in areas that are threatened by natural disasters. We don't want to a Federal Government Agency to draw a line on a map arbitrarily without fully consid-ering all of the ramifications.

We must put the Flood Insurance Program on a path to fiscal solvency, and one way to do that is to ensure that it is a good deal in terms of in-vestment and prospective return on in-vestment for individuals as well as communities.

On another subject, I recently had an opportunity to review some cor-respondence and notes about calls my office received from constituents on the subject of the Patient Protection and Affordability Care Act. This is a major piece of health care legislation, as everybody knows. It affects insur-ance companies, it affects individuals, it affects the entire country, and it is a very important area of concern.

In order to comply with the law's re-quirements, a family could see their monthly premiums increase from \$700 to almost \$1,400, which is an increase of more than 90 percent. To put it in per-spective, it is more than \$16,000 per year that a family would have to spend on health insurance premiums alone. These figures are just not affordable for most Americans. So there is sticker shock associated with this misguided effort to help improve and expand our Nation's health insurance programs. These figures just signal to us how se-rious the implications are, and we must address this problem and seek proposals with very serious care and diligence.

Monthly premiums, for example, do not include copayments or out-of-pock-et expenses. It does include the cost of several health benefits deemed "essen-tial" by the administration, regardless of the fact that many people do not need or want to pay for these services. One constituent posed an interesting question to me, which is, Why can't we, the policy owners, decide what benefits and deductibles we want? I think they are right. They ought to have that right, and they ought to be given that choice.

Choice is what families should have when it comes to health insurance. Un-

fortunately, the freedom to make a de-cision based on what is in their best in-terests is no longer an option for mil-lions of Americans who have to search for new insurance coverage, pay for benefits they will not use, and poten-tially even give up the doctors they know and wish to keep.

Despite assurances by the President that people who like their health insur-ance will be able to keep it, we have learned that the administration has known for at least 3 years that mil-lions of Americans would lose the health insurance they currently have and would like to keep, as advertised.

Reports indicate there are an esti-mated 15 million people facing a poten-tial coverage gap because many cur-rently have insurance from the indi-vidual market but have received can-cellation notices because their policies don't meet the law's requirements.

Since the Patient Protection and Af-fordable Care Act was enacted—inci-dentally, without a single Republican vote—in 2010 the administration has struggled to meet its own deadlines for implementation of the law. The ongoin-g problems with the law's enrollment Web site conspicuously foreshadowed the more significant failures that can be expected as this law is implemented.

The most recent marketplace enroll-ment report, which was released by the Centers for Medicare and Medicaid, states that less than 365,000 individuals have selected plans from the State and Federal marketplaces since October 1. It has been estimated that more than 47 million nonelderly Americans were uninsured in 2012. This means that less than 1 percent of the uninsured popu-lation in the U.S. has selected a health insurance plan by way of the Patient Protection and Affordable Care Act.

We are told that it is likely that on January 1 of this next year, more Americans will be uninsured than were uninsured at the time the health care law was enacted. This law's primary in-terest was to expand coverage, to en-courage insurance, but it seems to be failing on both counts.

Implementation of the law's man-dates reveals that the legislation will fail to reduce health care costs as well. In 2013, we are projected to spend \$2.9 trillion on health care in the United States. This is approximately 18 per-cent of the entire U.S. economy. National health care expenditures are ex-pected to increase substantially in the years beyond that.

Health insurance is just one compo-nent of our Nation's very complex health care system, and we could do better, should do better, and I think we can do better than this initial work product. We should get together and find common ground to improve the quality of health care in our country, to improve access, and reduce overall health care costs. We owe that to our constituents, our national economic in-terests, and to the future of quality health care in the United States.

Madam President, I invite other Sen-ators to come to discuss this or other

issues we have identified as important for our consideration. In the meantime, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Tennessee.

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

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

DISCUSSIONS IN VIENNA

Mr. CORKER. Madam President, I thank the Senator from Hawaii for the way she has dealt with us since she has been here.

I rise today to talk about discussions that have been taking place in Vienna over the last four days relative to the Iran P5+1 discussions. I know each of us in this body focuses on different topics based on the committee assignments we have. I wish to point out that reports have come out today and last night that the technical experts who have been meeting around the deal that has been announced still are having difficulties trying to understand how to implement this deal that was written down on four pages.

I say this to talk about the fact that there are many in this body on both sides of the aisle who would like to weigh in on this issue. I realize the administration has expressed concerns as to what type of weighing in they think might be harmful to the discussions. I think there are many of us who understand those things and have tried to figure out a way to weigh in in an appropriate way.

(Mr. KAINÉ assumed the Chair.)

To bring people's memories back into focus, one of the concerns we have all had leading up to the announcement of this deal has been the amount of time, if you will, that remains before Iran reaches a status of being a nuclear armed state. So it was very important, I think to all of us, as we heard the announcement of this interim deal, that we actually understand the timeframes that were involved.

I know many people were alarmed—were alarmed—by this interim agreement because, in fact, there was a tacit understanding that Iran—which has been a rogue nation—no doubt, if this agreement continues to go through, is going to be a state that will be allowed to enrich uranium, much in the face of the 123 Agreements that we negotiate around the world, trying to establish a gold standard with countries to keep them from doing that.

This agreement—let's face it, I think that Wendy Sherman, yesterday, in testimony to the Banking Committee, and, I can assure you, every single Iranian official who has been involved in these negotiations, understand that what the United States of America, with other countries, has agreed to is to allow Iran to be able to enrich uranium at some level when a final deal is actually done.

I think one of the concerns that many of us have right now is that this interim deal either becomes the norm or—as the previous nuclear czar to the Obama administration, Gary Samore, has said—that we really just begin a series of rolling agreements and we never get to the place of establishing an end-state.

I hate to say this, but yesterday Wendy Sherman—I think many of us have certainly conducted discussions with the White House and have been in classified briefings, and one of the things we have really wanted to put in place—and I think CARL LEVIN in a meeting at the White House spoke most clearly to this—and that is, in order to alleviate that kind of thing occurring, we need to have a firm beginning date and a firm end date. He said that end date should be 6 months, which is, by the way, what the agreed announcement said.

I think what is dismaying to many people in this body is we are now finding out that not only is there not an end date, but addendums that can be mutually agreed to. In other words, there is no end date to this agreement.

We are now finding out, based on testimony yesterday from Wendy Sherman, we do not even know when the start date is, that officials cannot even agree as to when the beginning of this agreement is going to be and when the implementation begins.

It is pretty amazing to me that we could spend months negotiating over an issue that is so important to us and so important to the world and yet, after it is concluded, we do not even really know when the agreement begins, and we certainly—because of the text of the agreement—know that it does not have an end date.

I have tried to listen to the concerns that the administration has. I think I have demonstrated since I have been here that I really want to seek understanding, No. 1, but also try to use that understanding to solve problems.

So our office has worked hard to develop an amendment. It is an amendment that establishes a firm end date. But it also describes the end-state. That is what this amendment does.

I think people on both sides of the aisle—I do not think it; I know it because of public expressions—have been very concerned that this interim agreement already violates the U.N. Security Council resolutions that this administration agreed to back in 2010, as did the other members of the Security Council. Many people are concerned that if we start with an agreement that, no doubt, expressly violates the U.N. Security Council resolution, and it does not have even a clear start date or end date, there are a lot of concerns, as you can imagine, that we will never get to that place that countries have agreed to back in 2010 as it relates to where Iran's end-state should be.

Another concern that people have is, as we begin lifting these sanctions—and let's face it, Congress, the adminis-

tration, and the international community actually have done a very good job together trying to figure out a way of appropriately implementing sanctions that have put pressure on Iran and have brought them to the place where they now are.

But I think the concerns—and as a matter of fact Senator JACK REED, yesterday, expressed these concerns in a Banking hearing—once you begin to basically say that Iran is not a rogue nation, that they are being brought hopefully into the international community, once you begin lifting even a minor portion of those sanctions, countries and companies around the world are going to clamor to do business because they see that in the very near future additional sanctions are going to be lifted. Just by virtue of that occurring, the sanctions begin to dissipate at a rapid pace. This is something, again, that has been expressed in a bipartisan way.

So I have an amendment. I am the ranking member on the Foreign Relations Committee, which means nothing other than I spend a lot of time on these issues and working with colleagues on both sides of the aisle to find solutions. As a matter of fact, we have not passed anything out of our committee yet that has not been bipartisan.

We have coming over, I understand, an NDAA bill that has typically been the vehicle on which we all express ourselves on these kinds of issues. It is my understanding that the majority leader has decided himself—I will say, much to the consternation of my friends on the other side of the aisle, but certainly to the consternation of people on my side of the aisle—that he is not going to allow any amendments, that he himself has decided what is best for this body.

So after spending months and months, and just coming from the region recently, working with the Presiding Officer and others on so many diplomatic and foreign policy issues together in a bipartisan way, I am now serving in a body that has the vehicle that typically is used to express ourselves on foreign policy issues and I do not have the right to raise an amendment to it. The body, by the way, may decide they do not support it. That is what happens around here. You debate issues and you decide whether you want to support them. By the way, the amendment I am offering does not add sanctions. All it does is define when the end is going to be, which, by the way, every world leader has stated is very, very important because of what is occurring on the ground in Iran, and it establishes a minimum end-state, which is what the U.N. Security Council resolution already says.

I am one Senator, I realize, and there are 99 others, and I am sure there are many people in this body who would like to express themselves on issues that are not deemed to be partisan or deemed to be political, but just to express themselves on policy they believe

to be important to the country. But the majority leader, on his own, has decided that is not going to be the case.

Yesterday I was riding the elevator with a Senator who I came in with. I came in with nine Democrats and one Republican. I was the only Republican, excuse me. I did not come in with any other Republicans. I was it. We have had a lot of fun, and we get together once a year and talk about that. Candidly, relations between us, generally speaking, have been very good for the 7 years I have been here.

This one Senator, who I have actually worked with more than others of the group on so many issues, said to me that what happened on the Senate floor a few weeks ago, where the majority overruled their own Parliamentarian—their own Parliamentarian—overruled with a simple majority vote, which means there are no rules in the Senate anymore—this person said to me: Look, BOB, it was not personal.

What is amazing to me is that the way this Senate is run is not personal to my friends on the other side of the aisle, the fact that, like lemmings, in so many cases, they would just follow, follow the majority leader, and let him decide what this body is going to vote on, and let him decide what policies this Senate is going to put in place. I do not understand that.

We have all worked hard to be here, and we all work hard to represent our constituents. I think we all work hard not to disrespect ourselves, not to disrespect the office we hold, not to disrespect—I will not say we have all worked hard not to disrespect this institution because I believe what happened greatly disrespected this institution—and certainly, hopefully, we work hard not to disrespect the citizens with whom we serve.

But what I find myself in total dismay over is that my friends on the other side of the aisle do not deem it personal that on the one vehicle that we typically express ourselves most on foreign policy issues—and at a time when we have so many foreign policy issues that in a bipartisan way people have concerns about—that they would decide to just let the majority leader decide what we are going to vote on, when we are going to vote on it, and if it is even appropriate to have a vote at all.

So here we are. We have witnessed the many problems that have dismayed both sides of the aisle relative to the rollout of the health care bill. I think everybody in this body would recognize I have not been down here taking cheap shots at that. Look, I am concerned about the citizens of our State and what they are dealing with relative to this policy, and hearing the distress calls of people who have had their insurance canceled and maybe have had a quadruple bypass and are concerned about getting on, and I know all of us are involved in trying to help those citizens who are in dismay and are very concerned they be successful in actually being able to get on the exchanges.

But here right now, seriously, we are watching a major foreign policy issue be rolled out by this administration with many of the same problems. We do not have a start date. We do not have an end date. We have not even broached the toughest issues with Iran over what the end-state is going to be.

I think that is a tremendous disservice to our Nation. It is a tremendous disservice to the countries with which we work all around the world. It is a tremendous disservice for this body not to express its will.

I know that the chairman of the committee had acted as if he wanted to participate in this somehow, making sure that Congress was heard on this in a way that does not blow up the negotiations. I think everyone here wants to see a diplomatic solution—everyone here. I do not know of anybody in this body that does not want to see that happen.

But I also know, and I think the administration knows this as well, that the actions of this body, candidly, over the years are the main reasons that we are where we are. But, again, I will close; I know I am getting redundant. Our majority leader in his wisdom—and I know the majority leader decides who serves on committees. He decides who the chairman is of those committees. I realize that with that you have a great ability to keep people from expressing their will or rising and really wanting to do something in a bipartisan way.

I am coming to understand, especially in recent weeks, what bipartisan means to our majority leader is whatever he decides is “bipartisan.” Even though the majority of the people in this body would really like to weigh in on this policy, to do so in an appropriate way so that we do not, in fact, do something that does something to harm the negotiation, but does something to strengthen our hand in these negotiations.

That will not occur. To me, that is a disservice to this body. It is a disservice to this Nation. It is a disservice to every Member. No doubt, when each of us do not have the opportunity to express ourselves through amendments, what that really means is the folks we represent back home have no rights to have their concerns expressed or voted on.

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.

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

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

PRAYER

The PRESIDING OFFICER. Pursuant to the order of February 29, 1960, the hour of 12 noon having arrived, the Senate having been in continuous ses-

sion since yesterday, the Senate will now suspend for a prayer by the Senate Chaplain.

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

Let us pray.

Sovereign God, ultimate judge of the leadership of this Nation, thank You for loving us and calling us to be Your people. Make us worthy of the honors You have bestowed upon us. Today, give to our lawmakers Your grace and peace so that they may use their talents to empower people to live lives of purpose.

Lord, invade the thinking of our Senators with insights and inspiration that they could not produce on their own. May Your omniscient wisdom guide them as You strengthen them to do Your will.

We pray in Your sacred Name. Amen.

The PRESIDING OFFICER. All postclosure time has expired.

The question is, Will the Senate advise and consent to the nomination of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources?

Mr. RUBIO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “nay” and the Senator from Utah (Mr. HATCH) would have voted “yea.”

The result was announced—yeas 74, nays 17, as follows:

[Rollcall Vote No. 272 Ex.]

YEAS—74

Ayotte	Durbin	Landrieu
Baldwin	Feinstein	Leahy
Baucus	Fischer	Levin
Begich	Flake	Manchin
Bennet	Franken	Markey
Blumenthal	Gillibrand	McCaskill
Booker	Grassley	McConnell
Brown	Hagan	Menendez
Burr	Harkin	Merkley
Cantwell	Heinrich	Mikulski
Cardin	Heitkamp	Moran
Carper	Heller	Murkowski
Casey	Hirono	Murphy
Chambliss	Hoeben	Murray
Coats	Isakson	Nelson
Cochran	Johanns	Paul
Collins	Johnson (SD)	Portman
Coons	Kaine	Pryor
Corker	King	Reed
Donnelly	Klobuchar	Reid

Rockefeller	Tester	Warren
Sanders	Toomey	Whitehouse
Schumer	Udall (CO)	Wicker
Shaheen	Udall (NM)	Wyden
Stabenow	Warner	

NAYS—17

Barrasso	Johnson (WI)	Scott
Blunt	Lee	Sessions
Boozman	McCain	Shelby
Cornyn	Risch	Thune
Cruz	Roberts	Vitter
Enzi	Rubio	

NOT VOTING—9

Alexander	Crapo	Inhofe
Boxer	Graham	Kirk
Coburn	Hatch	Schatz

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Assistant Secretary of State (Near Eastern Affairs).

Harry Reid, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Benjamin L. Cardin, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Michael F. Bennet.

Mr. PAUL. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, under the previous order the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the nomination of Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Assistant Secretary of State (Near Eastern Affairs), shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “nay” and

the Senator from Utah (Mr. HATCH) would have voted “nay.”

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

The yeas and nays resulted—yeas 54, nays 36, as follows:

[Rollcall Vote No. 273 Ex.]

YEAS—54

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Brown	Kaine	Rockefeller
Cantwell	King	Sanders
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Collins	Levin	Tester
Coons	Manchin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden

NAYS—36

Ayotte	Fischer	Paul
Barrasso	Flake	Portman
Blunt	Grassley	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rubio
Chambliss	Isakson	Scott
Coats	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Corker	Lee	Thune
Cornyn	McCain	Toomey
Cruz	McConnell	Vitter
Enzi	Moran	Wicker

NOT VOTING—10

Alexander	Graham	McCaskill
Boxer	Hatch	Schatz
Coburn	Inhofe	
Crapo	Kirk	

The PRESIDING OFFICER. On this vote the yeas are 54, the nays are 36. The motion is agreed to.

NOMINATION OF ANNE W. PATTERSON TO BE AN ASSISTANT SECRETARY OF STATE

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Assistant Secretary of State.

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will now be up to 8 hours of postcloture consideration of the nomination equally divided in the usual form.

The PRESIDING OFFICER. The majority leader.

GUN VIOLENCE

Mr. REID. Mr. President, it seems hard to believe that tomorrow will be the anniversary of the deaths of 20 little boys and girls in Newtown, CT. Not only those little boys and girls, but six educators, whose lives were taken by an unspeakable tragedy at Sandy Hook Elementary School.

Their names are Allison, Avielle, Charlotte, Daniel, Olivia, Josephine, Ana, Dylan, Madeleine, Catherine, Chase, Jesse, James, Grace, Noah, Jack, Emilie, Caroline, Jessica, and Benjamin.

These little boys and girls were 6 and 7 years old. They were murdered. Although their years were few, their lives have touched and will continue to touch us all.

As it did a year ago, my heart goes out to the families of these little angels, and to all those affected by this tragedy. I honor the ultimate sacrifice of Victoria Soto, Dawn Hochsprung, Mary Sherlach, Lauren Rousseau, Rachel Davino, and Anne Marie Murphy—teachers and educators who died trying to safeguard the children in their care.

These six educators devoted their lives to teaching Newtown’s children how to read and write, how to add and subtract, how to be good boys and girls, and how to grow into good men and women. They gave their lives to keep those children safe. They are a source of hope in a world that sometimes seems hopeless.

It is hard to comprehend the type of tragedy that occurred at Sandy Hook, let alone to recover from it. But I am inspired by the families in this community who have found purpose in the face of despair.

There is a Tibetan saying that says, “Tragedy should be utilized as a source of strength.”

The Dalai Lama says that whatever trouble you have experienced, and however deep your heartbreak, “If we lose our hope, that’s our real disaster.”

The families of Newtown have channeled their pain into activism, raising awareness about gun violence and mental health issues in this country.

I have met with them on a number of occasions, and their bravery in the face of such pain is truly an inspiration not only to me but to all of us.

I am proud of how hard my caucus fought this year to pass safeguards that would keep guns out of the hands of felons and people with severe mental illness. That is why 85 percent of the American people agree with us. Why should someone who has a severe mental illness or someone who is a criminal be able to purchase a gun? They shouldn’t. Those who are trying to stop that legislation from going forward should be embarrassed and ashamed of themselves.

I personally am happy with my vote to keep military-style weapons off the streets and to improve our mental safety. But at a time when more than 30,000 Americans are killed by guns each year, it is shameful that the Senate can’t pass gun safety legislation that would protect our most vulnerable citizens—our kids, our children, our babies.

So I told the families of the 26 innocents killed a year ago in Newton, and the 173 children killed by guns since December 14, 2012, that Senate Democrats will not give up on them, and that is still the fact. We will not give up on the victims of 26 school shootings that occurred since the Newtown massacre, including one in Sparks, NV, where a young man came with a gun. Who stepped forward to save the children? A teacher. He was killed. Two

others were injured in that assault. I will not give up on the families and friends of those gunned down at a movie theater in Colorado, a Sikh temple in Wisconsin, a shopping mall in Oregon, and every day on the streets of America's cities.

Last December I promised the families a meaningful conversation about how to change America's culture of violence. I want everyone within the sound of my voice to know that the conversation is not over.

The American people will prevail on this issue. When 85 percent of the American people believe in an issue—when 85 percent of the American people believe in not only an issue but in a quest, in fairness, it is going to happen. It is only a question of when it happens.

I urge the families and friends of those killed in Newtown to never lose hope. Never lose hope.

The PRESIDING OFFICER. The Senator from Montana.

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

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

Mr. BAUCUS. Mr. President, John Adams, America's first Vice President—and second President—and whose bust sits right above us looking over the Senate every day, once said:

Facts are stubborn things. And whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence.

It has been more than 3 years since President Obama signed the Affordable Care Act into law. In that time, its opponents have made every effort to misinform the American public about this law and the vital benefits it provides the American people.

But as Adams said, facts are stubborn things, and I want to make sure the facts about the Affordable Care Act do not get lost amongst the criticism and false claims.

So here are the facts.

Thanks to the Affordable Care Act, 100 million people have received free preventive care, more than 7 million seniors have saved nearly \$9 billion on prescription drugs, and 25 million people who lacked health insurance will finally be able to get the coverage they need.

The Affordable Care Act has also helped slow the growth in health care costs. National health care spending grew by 3.9 percent each year from 2009 to 2011—the slowest rate on record.

I can remember not too many years earlier the annual rate increase in health care costs was in the neighborhood of 6, 7, 8, 9 percent a year. It is a dramatic reduction.

That means we will save huge sums of money down the line. For example, the CMS projection of national health care expenditures in 2019 has dropped by \$574 billion in 3 years. That is \$574 billion in reduced projection of national health care costs in the year 2019.

While there is more than just the Affordable Care Act at work in those savings, it certainly has played a part.

The health insurance marketplaces are open for business, and every day we hear how the Web site healthcare.gov is working better. It is picking up steam. It is handling more and more consumers.

The New York Times reported on Tuesday that—and I am quoting—“the number of applicants who dropped a plan into their virtual grocery carts was climbing at a rapid clip.”

Those are the facts. The Affordable Care Act is helping millions of people. It is improving millions of lives.

But frankly, I think the American people are a bit tired of hearing politicians argue over the law. I am sure every one of my colleagues has spoken at length about it here on the Senate floor or back home. I know I have.

I think it is time to change the conversation. I think it is time to hear from the American people—hear from them—about how they think the law is helping them. I think it is time to hear what the New York Times called the “voices of quiet optimism and relief amid the uproar over the health law.”

Take these two stories.

Claire He is a college student whose parents have never been able to afford insurance. She and her brother lived most of their lives without coverage. She told the New York Times that if they got the flu “we just stayed home and waited it out.”

But when Claire and her family sat down to look at their options under the Affordable Care Act, here is what they found: They found a high-quality plan that will cost them only \$30 a month.

Claire said of the ACA's critics: “I see so much negativity behind this. . . . But in reality there's a lot of families who are like mine.”

Then there is the story of Bruce Kleinschmidt, a lawyer who lives in Louisville, KY. Bruce had insurance through his employer until he stopped working full time.

Bruce is 61—not yet eligible for Medicare. In another era, his health problems would have made it impossible for him to find insurance. But using Kentucky's new health marketplace, Bruce found a generous plan that saves him \$300 a month in premiums. Bruce called it a “godsend.”

There are hundreds of similar stories in newspapers all across the Nation—the San Jose Mercury News, the Las Vegas Sun, the Hartford Courant, the Palm Beach Post, the LA Times, and many more.

Not only do we read these kinds of personal stories in newspapers, we receive letters with them every day. Here are a few examples from letters I have received from Montanans.

John wrote to my office with his family's story. What did he say? John's daughter recently beat cancer. She is under age 26, so thanks to the Affordable Care Act she is still covered under her parents' insurance.

And there is more. When she does turn 26, she will have a guaranteed right to coverage. No insurance company can turn her away because she had cancer. John said they are counting on the Affordable Care Act to help them find an affordable plan.

Marge wrote to say that the Affordable Care Act has been an enormous relief for her. She has battled emphysema for years—despite the fact that she is not a smoker. A doctor once told her she could never leave her job because no one else would ever insure her.

So for Marge, the Affordable Care Act means she can breathe again—that she does not have to live in fear of losing her insurance or falling into bankruptcy because of her medical costs.

We all know—because many, many told us before the act—how many people went into bankruptcy because one of the leading causes of bankruptcy was health care costs.

Jillian wrote to say how excited she was to be able to shop for coverage in the marketplace.

Jillian is married, and she and her husband are expecting a child. But her husband's employer-sponsored plan does not pay for her coverage.

Here is what she wrote: “I am looking to make a more affordable choice for me and my baby-to-be. . . .”

Letters like these come in every day. They tell the stories of how the Affordable Care Act is working for them, it is helping them, and in the end that is what matters—not the punditry, not the polls, not the political points. What matters is that the law is improving the lives of millions of Americans.

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

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

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

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

SENATE RULES

Mr. MCCAIN. Mr. President, I have been engaged in the back-and-forth for many years concerning the rights of the minority to oppose legislation or nominations for Senate advice and consent, which, obviously, as we all know, is part of the Constitution of the United States.

After investing all of those hundreds of hours in compromises, both when Republican leadership wanted to act to curtail the rights of the minority and when Democrats were doing it—I fought hard. A short time ago Senator LEVIN and Senator SCHUMER and others changed the rules to try to expedite the consideration of legislation for a whole lot of reasons, including the fact

that a majority of my colleagues on the other side of the aisle have never been here in the minority.

We have now acted in a draconian fashion and, in my view, have fundamentally, historically damaged this institution. Among other things, for the first time since the Senate has been a body, we have now changed the rules to 51 votes rather than 67. First time in history. Unfortunately, the repercussions will be that we are moving a step—a very significant step—toward a majority-rule body.

As my friend from Michigan Senator CARL LEVIN quoted Senator Vandenberg, a former Senator from Michigan and a highly regarded individual in this institution, we have now broken the rules to change the rules. On the night we changed the rules, I read a letter from Senator Robert Byrd—who was one of the most outstanding leaders and clearly the expert on the Constitution and this institution—cautioning against it.

The reason I come to the floor today is not so much to revisit that because it is done. I wish to point out that I see the first manifestation now of the majority-rule vote. I have been a member of the Homeland Security Committee, and I have been involved in these issues for many years. I was also involved in the so-called Gang of 8, where we came up with a comprehensive immigration reform bill which was passed through this body. We still hope that the other body will address, at least in some way, the issue of comprehensive immigration reform.

I come from a border State, as my colleagues know. Our border is not secure. In fact, the majority of drugs that still come across our southern border come across the Arizona-Sonora border in Mexico. My constituents, many who live in the southern part of the State of Arizona, have home invasions, people crossing their property. In one case a rancher was shot and killed, and a Border Patrol agent was killed. In fact, the reality is that they don't have the same security in the southern part of my State as the rest of our citizens do in other parts of the country.

Border security was a fundamental and vitally important issue in the hundreds of hours of debate and discussions that I and my seven colleagues engaged in as we shaped the comprehensive immigration reform legislation, which was largely passed intact in the Senate.

I went back to my constituents and I said there is a very vital and important provision in this bill; that is, when this legislation is passed, we will embark on the goal of achieving 90 percent effectiveness at our border. We can never get complete control of our border—we all recognize that—but 90 percent effective control through surveillance, through hiring new people, through capabilities that we have—we can achieve 90 percent effective control.

Then comes the nomination hearing of Mr. Jeh Johnson for Secretary of De-

partment of Homeland Security. I asked Mr. Johnson a simple, straightforward question. The question was: Mr. Johnson, when you are Secretary of the Department of Homeland Security, will you provide this committee and me, Senator McCAIN, with a description of the measures that need to be taken in order for us to achieve what we have turned into legislation—at least in the Senate—90 percent effective control of our southern border?

His answer was no.

His answer, believe it or not, was no, that he could not provide that information. In fact, I was so astonished that I wrote him a letter and received a response, which I will read:

November 19, 2013.

Dear Senator McCAIN,

I regret that in my current posture as a nominee and private citizen, I am not now in a position to commit to provide the information you seek from the Department of Homeland Security.

At this point, I must respectfully refer you to the Department's current leadership. I know this was a matter of discussion between you and Secretary Napolitano, and I understand your frustration. As I believe I have demonstrated to you and others on the Senate and House Armed Services Committee—

Why he said Senate Armed Services Committee, I am not sure.

—I have a strong respect for Congress' oversight role. If I am confirmed, and if your request is still outstanding at that point, I promise that addressing your letter will be a top and immediate priority for me.

This is the November 19, 2013, letter from Mr. Jeh Charles Johnson.

In other words, the nominee for the Department of Homeland Security, who has direct responsibility for securing our borders, direct responsibility as outlined in legislation passed by this body, the comprehensive immigration reform bill, refuses to give me and this body the information. I hope there are other Senators who might be interested in what is necessary to achieve 90 percent effective control of our borders. He refuses to give me that information.

Thanks to the good offices of my beloved friend CARL LEVIN and my dear friend Senator CARPER, I just came from a meeting in my office with Mr. Jeh Johnson. Mr. Jeh Johnson again repeated to me that he could not give me the information of what is necessary, what tools are necessary to ensure 90 percent effective control of our border.

Allegedly, he is being prevented from doing that by the White House. It is stunning. Why would the White House prevent the nominee for Secretary of Homeland Security from providing this to Members of the Senate and members of the committee that has oversight of homeland security, which is fundamental information if we are going to achieve effective control of our border?

I go home to Arizona and I say: Yes, it is in the law, my friends. It is in the law that we are going to have to get 90 percent effective control of our border,

but I don't know how we do it because the agency that will be required to do it will not give me the necessary information to do it.

My friends, we will voting on Monday to confirm Mr. Johnson. He will be confirmed. There is no doubt about it now that we have majority vote. We have now deprived Republicans of their advice and consent responsibilities and authority. We have not only changed the rules of the Senate, we have abridged the Constitution of the United States because the only way that I could have received this information from Mr. Johnson was if I had said: I can't approve of your nomination until you provide the information which, by any objective observer, I am entitled to—not only entitled to; it is my responsibility to know that. It is my responsibility. That is why we have a committee. That is why we have a committee, the homeland security committee, that has oversight of the functions of the executive branch. That is how equal branches of government are supposed to function.

Mr. Johnson will be confirmed, and the message will go out, believe me: You don't have to answer a question by a Republican Senator. You don't have to respond to a straightforward question.

There was nothing devious about the question I asked Mr. Johnson. There was nothing complicated. They certainly should have the information of what steps and measures are necessary to ensure 90 percent effective control of our border—which is a requirement in the law, if it is ever passed. Certainly the requirement was passed by the Senate.

It is kind of a sad day. It was a sad day for me when we changed the rules. It was a sad day for me to see people who have been here a very short period of time basically shatter the comity which exists and which is vital to doing business in the Senate.

I also would point out to my colleagues—particularly those who are new and who drove this change in the Senate rules—what goes around comes around and what goes around will come around. To their deep regret, some day—I say to the President and I say to my colleagues who voted for it on a party-line vote, for the first time in history changing the rules of the Senate from 67 votes to 51 votes—they will regret it.

The people who will suffer greatly from this are the American people because this place is largely dysfunctional anyway. If we think it was dysfunctional before, wait and see. I say that with deep regret because I value and treasure my relationships with my colleagues on the other side of the aisle. Some of the best friends I have are on the other side of the aisle. But to expect to do business as usual when I can't even get a straight answer for a question that—now by not having the answer inhibits and in many ways prohibits my ability to respond and carry

out my responsibilities to the citizens of my State—cannot go without being responded to.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. REID. I now yield back all time on the Patterson nomination.

VOTE EXPLANATION

Mrs. BOXER. Madam President, I was unable to attend the rollcall vote on the nomination of Heather Anne Higginbottom to be Deputy Secretary of State for Management and Resources and the rollcall vote on the motion to invoke cloture on the nomination of Anne W. Patterson to be an Assistant Secretary of State. Had I been present for these two votes, I would have voted "aye."

MORNING BUSINESS

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

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

TRIBUTE TO GREG JONES

Mr. McCONNELL. Madam President, I come to the floor today to recognize the retirement of an upstanding citizen from the Commonwealth of Kentucky, and to pay tribute to his career of service to my home State. This month, Greg Jones concludes over 21 years as executive director of the non-profit Southeast Kentucky Economic Development Corporation, SKED. His daily presence at the helm of the organization will be sorely missed, but his legacy will endure in the thousands of jobs he helped create and the increased economic vigor he helped bring to the region.

When he first took the job at the behest of Congressman HAL ROGERS in 1992, Greg oversaw a two-person staff and commanded a \$75,000 budget. Under his leadership the organization has grown to its current staff of 10 professionals and a budget of nearly \$2 million. Throughout his tenure as executive director, Greg marshaled SKED's resources to help start and expand businesses, provide training for entrepreneurs, and attract new industries to the corporation's 45-county service area. Under Greg's watch, SKED has unquestionably lived up to its stated mission—"to foster economic growth and vitality in the region."

I ask my Senate colleagues to join me in recognizing Greg's exemplary career as well as wishing him a happy re-

tirement with his wife Belinda and son Christopher.

An article about Greg Jones's retirement from SKED recently appeared in an area newspaper, the Commonwealth Journal. I ask unanimous consent that the full article be printed in the RECORD.

There being no objections, the article was ordered to be printed as follows:

SKED EXECUTIVE DIRECTOR GREG JONES
RETIRING IN DECEMBER

[From the Commonwealth Journal,
Oct. 13, 2013]

SOMERSET, KY.—Greg Jones, executive director of Southeast Kentucky Economic Development Corporation (SKED), will retire in December after more than 21 years of service to the nonprofit organization and to Southeast Kentucky.

The longest serving executive director in the organization's 27-year history, Jones is credited with strengthening SKED's mission of job creation and making it the premier economic development agency in the region. Beginning with a \$75,000 budget and two-person staff in 1992, Jones and his current staff of 10 professionals now operate with an annual budget of nearly \$2 million.

"I've had the privilege to lead SKED and our amazing team of professionals for over two decades, and I am extremely proud of our successes," Jones said. "I shall forever be grateful to Congressman Hal Rogers and the incredibly supportive and talented individuals on the SKED Board of Directors for giving me the opportunity to be a part of this remarkable organization. And, finally, I wish to thank the dedicated staff of SKED for their loyalty and friendship over these many years."

It was Congressman Rogers who asked Jones to head up the grassroots effort he began, in 1986, back in 1992. At the time, Jones was working as executive director of the Somerset-Pulaski County Chamber of Commerce.

"Over the last two decades, Greg Jones has worked tirelessly to recruit thousands of jobs and expand the industrial portfolio of southern and eastern Kentucky," said Rogers. "Greg's foresight to address vital infrastructure upgrades, recruit high-tech companies and support entrepreneurial growth will continue to benefit economic development in our region for years to come. While he is moving on from daily operations at SKED, I have asked Greg to remain in close contact to offer guidance for the organization that he has helped mold for success. My wife Cynthia and I wish Greg and his family many blessings in his years of retirement."

As SKED executive director, Jones has been responsible for the marketing and industrial recruitment activities for the 45-county SKED service area, managing a \$10-million loan portfolio and providing economic and community development assistance to local communities in Southeast Kentucky.

Under his leadership, SKED has successfully assisted more than 100 businesses and industries in starting or expanding their operations in the region. These companies now employ more than 7,700 workers and have invested an estimated \$500 million in Southeast Kentucky. He has successfully prepared loan and grant applications totaling more than \$26 million to support the organization's job creation activities.

Building partnerships has been Jones's mantra for the past 21 years. Whether it was with local community leaders or state and national funding agencies, Jones worked tirelessly to form strong alliances across the

region, state and nation. One of those key partnerships is with the Appalachian Regional Commission (ARC).

Earl Gohl, ARC federal co-chair, has worked with Jones on several key projects in recent years.

"Greg's leadership has made SKED what it is today," Gohl said. "What he has accomplished with the SKED entrepreneurship program and the Valley Oak Technology Complex has laid the groundwork for what Eastern Kentucky can be tomorrow."

Jones led SKED to receive designation as a Community Development Financial Institution (CDFI) in 1999. As a result, the organization received funding to implement several innovative regional projects including the Valley Oak Technology Complex, the Somerset Rail Park, the Southern Kentucky Information Technology Center and the Enterprise Center.

SKED received the National Association of Development Organization's (NADO) 2002 Innovation Award in recognition of its technology initiatives.

In 2009, SKED became a Certified Development Corporation (CDC) by the U.S. Small Business Administration. This designation authorized SKED to process SBA 504 loans throughout the state of Kentucky. The 504 Loan Program is the SBA's economic development tool to provide small-business financing and create jobs all across America.

To date, some 250 people have received entrepreneurial training from SKED thanks to a grant from the ARC in 2011. SKED established the Entrepreneurial SMARTs program designed to offer nationally acclaimed entrepreneurship classes at a reduced rate. A CDFI grant provided the funding to hire a professional to teach the classes.

SKED is governed by a 12-member, volunteer board of directors. Over the past 21 years, Jones has worked with a number of successful men and women on the board, each with different areas of expertise and from a variety of career fields, but all leaders in their own communities. As board members, they share SKED's mission of job creation in Southeast Kentucky.

SKED President Tim Barnes is one of those community leaders. President and CEO of Hometown Bank, he's led the SKED Board of Directors for the past three years.

"Greg has been the face of SKED for so long, it's hard to imagine ever being able to replace him," Barnes said. "Let's just say there will be no replacing Greg. He's one of a kind. His legacy of caring professionalism will live on through the lending programs and other initiatives he's worked so tirelessly to develop over the past two decades. We wish him all the best in his future endeavors, and speaking on behalf of all board members past and present, I say a hearty thank you."

The SKED Board of Directors plans a national search for Jones's successor.

A native of Laurel County, Jones has served on numerous boards and commissions both locally and nationally. These positions include being past president of the Appalachia Development Alliance. He is currently on the board of directors for both TOURSEKY and the National Institute for Hometown Security. He was named East Kentucky Power Community/Economic Development Professional of the Year in 2007.

He earned his B.S. in industrial technology at Morehead State University in Morehead, Ky. He also holds a master of public administration degree from Southern Illinois University—Edwardsville. He also attended the Institute for Organization Management and Economic Development Institute.

In 1995, he received the Certified Economic Developer designation from the American Economic Development Council.

He is married to Belinda Taylor Jones and they have a son, Christopher.

REMEMBERING THE NEWTOWN TRAGEDY

Mr. DURBIN. Madam President, this Saturday will mark 1 year since one of the most horrific tragedies in our nation's history: the murder of 26 innocents at Sandy Hook Elementary School in Newtown, CT on December 14, 2012. All of us remember the shock we felt when we heard the news reports. Twenty first graders—only 6 or 7 years old—were gunned down in their classrooms, and six educators were killed while trying to protect their students from harm.

The events of that day were heart-breaking. As we come upon the grim 1-year anniversary of that event, our thoughts and our prayers are with the families and friends of the victims. Many of them stood in a nearby firehouse on that day waiting for first responders to bring them any word about their loved ones in the school. One by one, the first responders brought down children and teachers to the firehouse to reunite them with their families—until the families of the victims were the only ones left. Then it became clear that no more would be coming.

These families have suffered immensely. But in the face of their grief and loss, they have shown incredible strength and courage. They have supported one another with a strong sense of community and faith, and they have dedicated themselves to the cause of sparing other families what they have gone through.

I have met with many of these families over the past year. They have come to meet with Members of Congress, and with lawmakers in many States, to share their ideas for how to reduce the devastating toll of gun violence. I salute them for their courage, and I thank them for standing up on behalf of so many families across America who have lost a loved one to gunfire.

Over 11,000 Americans are murdered with guns each year. If we count suicides and accidental shootings, the death toll from guns rises to more than 31,000 Americans each year. This epidemic of gun violence is unacceptable. We cannot simply shrug our shoulders and write off these shootings as the cost of living in America.

In my home State of Illinois, I have met too many grieving mothers who have lost their children to senseless gun violence—mothers such as: Annette Nance-Holt, who lost her son Blair in the crossfire of a gang shooting; Mary Kay Mace, whose daughter Ryanne was killed in her classroom at Northern Illinois University; Pam Bosley, whose son Terrell was shot and killed outside of church; and Cleo Pendleton, whose daughter Hadiya was gunned down at a bus stop where she was seeking shelter from the rain.

I do not want to go to another funeral for a police officer like Chicago

Police Officer Thomas Wortham IV, who was killed by gang members with a straw-purchased gun. I do not want to hear about any more killers who couldn't pass a background check but still were able to buy guns through a private sale—such as the man who murdered Ricky Byrdson, the former Northwestern University basketball coach, in Skokie, IL.

We need to take proactive steps, consistent with the Constitution and the Second Amendment, to stop these situations from happening. We need to reduce this high number of violent shootings. We can do this by working for better gun safety laws that will spare other families what these families have gone through. No matter how long it may take, no matter how challenging the road may seem, this is a goal worth fighting for.

We have seen some positive steps forward when it comes to gun safety in the past year. For the first time ever, the Senate confirmed a director to head the Bureau of Alcohol, Tobacco, Firearms and Explosives. We have seen an end to the federal funding restrictions on research into the causes of gun violence. We have seen significant growth in crime gun tracing, especially with the eTrace program that has helped catch criminals and gun traffickers in Illinois and nationwide, and important new gun safety laws have passed in States such as California, Colorado, Connecticut, Maryland, New Jersey, New York, and my home State of Illinois, where universal background checks and mandatory reporting of lost and stolen guns are now the law.

We know that more needs to be done. Earlier this year, we failed to get the 60 Senate votes we need to ensure that a criminal background check is conducted on every gun sale. The Senate also fell a few votes short when it comes to toughening our laws against straw purchasing and illegal gun trafficking. Of course, the House of Representatives has not even tried to pass legislation to reduce gun violence.

I know it is frustrating to many Americans when Congress fails to act on commonsense steps such as these. It is frustrating for me too, but I am not giving up. The goal of reducing gun deaths in America is worth fighting for. We may not have the votes we need in Congress today, but if the American people speak out and work hard for commonsense reform, we will achieve it.

I salute my colleagues in both parties who have worked hard this past year to push for commonsense gun safety laws especially the Senators from Connecticut, Senators BLUMENTHAL and MURPHY, who have become such admirable leaders on this issue. I also commend Senators MANCHIN and TOOMEY, who have crafted a balanced background check bill to make sure that we aren't selling guns to criminals; and Senators LEAHY, KIRK, COLLINS and GILLIBRAND, who have worked with me on a bill to crack down on the straw

purchasers and gun traffickers who supply criminals with weapons.

The votes haven't been there yet, but we will keep at it. It may not happen right away, but we are in this for the long haul. The families from Newtown are going to keep working for these reforms, and so must we. I am confident that working together, we will pass commonsense reforms that save lives.

REMEMBERING MICHAEL JOSEPH O'SHEA

Mr. DURBIN. Madam President, as I often point out, our country is a country of immigrants. And the City of Chicago, almost without rival, is a city of immigrants.

Earlier this week, Chicago lost a wonderful adopted son.

Michael Joseph O'Shea—"Joe," as his friends and family called him—was born in Ballynacally, County Clare, Ireland in 1937.

He came to America in 1959, when he was just 18 years old, and like so many sons and daughters of Ireland before him, he quickly made Chicago his home.

You knew Joe O'Shea was Irish before he ever opened his mouth. To borrow a phrase from Eugene O'Neill, he had the map of Ireland all over his face. And his face was rarely without a smile.

There's an old Irish saying: "Bricks and mortar make a house, but the laughter of children makes a home." Well, there was a lot of laughter in the home that Joe and his wife Mary made on the South Side of Chicago.

Joe and Mary were blessed with four children: Michael, Daniel, Colleen, and my friend Sean, through whom I got to know Joe.

In addition to the laughter of children—and later, grandchildren—the O'Shea home was filled with something else almost as beautiful: the sounds of Irish music.

Joe O'Shea was a past president of the Chicago Irish Music Association and he was one of the best Irish accordion players you have ever heard, or ever will hear.

In 2000, Joe was honored to play for President and Mrs. Clinton at their annual St. Patrick's Day celebration at the White House. In the audience were many of the leaders of his adopted land as well as the Prime Minister and other visiting dignitaries from Ireland. It was a proud moment that Joe treasured.

Joe's love of Irish music and dance and his masterful, joyful performances will help to keep that part of Chicago culture vibrant for many years to come.

Like many Chicago families, the O'Shea family has split loyalties when it came to baseball. But they are united in love and support for each other.

Loretta and I wish to express our deep condolences to Joe's wife, Mary, their children and their two beloved

grandchildren, Declan and Delaney O'Shea, and to Joe's many friends in this Nation and in Ireland. May your cherished memories comfort you in this time of sorrow.

UNEMPLOYMENT INSURANCE EXTENSION

Mr. HARKIN. Madam President, today I wish to speak about one of the most important jobs the Senate must do before we go home for the holidays—extend Federal unemployment insurance benefits. This is a program that has helped tens of millions of Americans weather the storm of the difficult economy over the last several years. It has helped workers put food on the table, kept a roof over their heads, and kept millions out of poverty.

But this program is at risk. If Congress fails to extend it, then just 3 days after Christmas on December 28, 1.3 million Americans will be abruptly cut off from their vital unemployment insurance benefits. But it does not stop there: by the end of next year another 3.6 million Americans will be cut off from unemployment insurance. That's a total of 4.9 million Americans—including 35,500 Iowans, who have spent 6 months or more trying to find new work, going out and pounding the pavement day after day, who will now have to spend this holiday season worrying about how they and their families and children are going to survive. How will they pay their heating bill, their rent, or their mortgage, much less afford gifts for their family?

Congress has a moral responsibility to continue the Federal unemployment insurance program to ensure that Americans and their families can survive while trying to get back on their feet and find new work. It is simply unacceptable for us to return to our home States to celebrate the holidays without answering our constituents' call to keep this critical lifeline going. They are depending on us.

Unfortunately, some people seem to think that the misfortune of losing a job means that these hardworking folks are to blame, or that they do not deserve this basic lifeline. But they are not. In fact, participation in the unemployment program requires that workers have a significant work history, which means they have paid into the system and earned these benefits. Collecting benefits also requires workers to have lost their job through no fault of their own, and to be actively looking for work. The fact is times are still tough and jobs are hard to come by. For every job opening there are three job seekers. That is why so many millions of workers have been searching for new work for such a long period of time. Our economy still needs more jobs, and in the meantime, we must make sure that workers who are out of luck in this economy have some basic income to make ends meet. We cannot abandon them now.

These benefits are crucial for keeping households afloat. For many, this is

their last lifeline. If Congress fails to act, millions of people will face real economic devastation. The Council of Economic Advisers found that in 2012 unemployment benefits kept 2.5 million people from falling below the poverty line, including 600,000 children.

By helping families to make ends meet, unemployment benefits are a help not just to jobseekers and their families, but to our economy as a whole. After all, one of the best ways to grow our economy and to create jobs is to support spending power. And that is exactly what unemployment benefits do. When unemployed workers can continue to pay their bills, businesses can continue to make sales and provide services, and the economy grows. The Congressional Budget Office finds unemployment benefits to be one of the most efficient fiscal policies to improve economic growth. If Federal unemployment benefits are extended through 2014, it would increase GDP by 0.2 percent and create 200,000 jobs. Those jobs could be lost if we do not extend this program.

It's important to remember who is most affected by long-term unemployment. Unfortunately, it is older workers. In a cruel state of affairs, those who have been working for decades, but who are not yet at retirement age, have the hardest time finding new work. According to the Bureau of Labor Statistics, over half of jobseekers between ages 55 and 64 have been searching for work for over 6 months. That is compared to 42 percent of those between 25 and 54. These older workers can't yet afford the luxury of retirement. They need to continue working to support their families and hopefully one day save enough to retire with security.

Congress has a long history of acting to ensure basic security for working people during tough economic times. Over the last 50 years, during seven different economic downturns, Congress has provided Federal unemployment benefit programs to assist workers when unemployment is high. The current program was put in place in 2008 by President George W. Bush when the unemployment rate was 5.6 percent. While unemployment is falling, it is still at a high rate, 7 percent. Long-term unemployment has been at record highs for years. Currently 37 percent of unemployed workers have been looking for new work for at least 6 months. Congress has never allowed Federal unemployment benefits to expire while the long-term unemployment rate was above 23 percent. Our economy is recovering, but we are not there yet. While the duration of Federal benefits has appropriately been scaled back as the recovery has progressed, there is no question that American families are still depending on Federal unemployment benefits, and there is no justification for letting the current program expire now.

We cannot let vulnerable Americans be cut off from their unemployment in-

urance during their time of need. We cannot turn the lights out on millions of Americans. Working families deserve peace of mind and our continued support while they look for jobs during these tough times. I urge the Senate to act to extend unemployment benefits, so that families do not have to wonder how they will survive in the New Year.

MAJOR MEDICAL FACILITY LEASE AUTHORIZATION ACT OF 2013

Mr. INHOFE. Madam President, I am pleased that the Senate is scheduled, hopefully, to pass H.R. 3521, the Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013, known as S. 1740 in the Senate, which I proudly cosponsored. The treatment of our country's veterans is of great importance to me, and I believe that it is the government's duty to honor the promises made to our veterans.

My constituents have written to me many times regarding the worsening conditions of the VA outpatient clinic in Tulsa. The building currently lacks the space to care adequately for the large number of veterans that receive their medical treatment at the facility. Due to the size of the facility, services such as the behavioral health services were located several miles away. Additionally, the parking lot capacity was not acceptable. It is because of my constituents that I have worked vigorously to ensure that their voices were heard.

With the passage of this bill, there will be funding to improve and expand this clinic. The new VA outpatient clinic in Tulsa would include primary care, women's health, imaging, specialty care, physical therapy, audiology, optometry, mental health, prosthetics, dentistry, and a pharmacy. The facility would then be able to provide the services that were promised to our men and women who were willing to make the personal sacrifices necessary to serve in the defense of our country.

HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2013

Mrs. GILLIBRAND. Madam President, I rise today to join my colleagues from Louisiana and New Jersey—who know as well as anyone about all the struggle of rebuilding after a major disaster—in calling on the Senate to pass the Homeowners Flood Insurance Affordability Act before the Senate adjourns next week. I am deeply dismayed that my colleagues on the other side of the aisle have objected to allowing the Senate to vote on this commonsense and bipartisan bill to help homeowners.

I want to especially thank Senator LANDRIEU for her strong leadership and support for families who took the worst of Superstorm Sandy—a massive storm that claimed the lives of 61 New Yorkers, shattered countless others,

damaged or destroyed 300,000 homes, and hurt a quarter million businesses.

While the road to recovery is long and hard, New Yorkers are strong. I know we will rebuild better and stronger. But we in Congress have to continue to do our part. And to this day, more than a year later, homeowners are still struggling to rebuild, facing costly repairs to storm damage and what could be even costlier flood insurance premiums.

They survived Sandy, are trying to put their lives back together, but the premium increases mandated by the Biggert-Waters Flood Insurance Reform Act of 2012 is what threatens to force many New Yorkers out of their homes and the communities they love.

We can and must prevent this—by passing our legislation to prevent a spike in flood insurance premiums until after FEMA fulfills its responsibility, and reports to Congress with a plan to make these rates more affordable. That's just common sense, and it's the right thing to do for homeowners across the Northeast, who are still putting their lives back together in the wake of this storm. The last thing they need is another burden like this.

I hope our colleagues reconsider their objection, and allow us to vote on this bipartisan bill and join us in helping these families rebuild and stay in their homes.

HUMAN RIGHTS IN HUNGARY

Mr. CARDIN. Madam President, earlier this year I chaired a Helsinki Commission hearing on the situation in Hungary. Today, I would like to revisit some of the issues addressed by our witnesses.

Since the April 2010 elections, Hungary has undertaken the most dramatic legal transformation that Europe has seen in decades. A new Constitution was passed with votes of the ruling party alone, and even that has already been amended five times. More than 700 new laws have been passed, including laws on the media, religion, and civic associations. There is a new civil code and a new criminal code. There is an entirely new electoral framework. The magnitude and scope of these changes have understandably put Hungary under a microscope.

At the Helsinki Commission's hearing in March, I examined concerns that these changes have undermined Hungary's system of democratic checks and balances, independence of the judiciary, and freedoms of the media and religion. I also received testimony about rising revisionism and extremism. I heard from Jozsef Szajer, a Member of the European Parliament who represented the Hungarian Government at the hearing. Princeton constitutional law expert Kim Lane Scheppele, Dr. Paul Shapiro from the U.S. Holocaust Memorial Museum, and Sylvana Habdank-Kolaczowska from Freedom House presented compelling testimony.

Unfortunately, developments in Hungary remain troubling.

Even though Hungary's religion law was tweaked after the Constitutional Court struck down parts of it, it retains a discriminatory two-tier system. Moreover, the Parliament is empowered with the extraordinary and, for all practical purposes, unreviewable power to decide what is and what is not a religion.

This month, the government announced it is launching an investigation into the Methodist Evangelical Church, a church persecuted during communist times. Today, the Methodist Evangelical Church is known for its outreach to Roma, work with the homeless and is one of the largest charitable organizations in Hungary. As I noted at the Helsinki Commission hearing in March, it is also one of the hundreds of religious groups stripped of official recognition after the passage of Hungary's new religion law.

The church has now complied with submitting the necessary number of supporters required by the law and, as a reply, the government has announced an unidentified "expert" will conduct an investigation into the church's beliefs and tenets. This step only reinforces fears that parliamentary denial of recognition as a so-called "Accepted Church" opens the door for further repressive measures.

Veneration of Hungary's wartime regent, Miklos Horthy, along with other anti-Semitic figures such as writer Jozsef Nyiro, continues. In November, a statue of Hungarian Jewish poet Miklos Radnoti, who was killed by Hungarian Nazis at the end of 1944, was rammed with a car and broken in half. At roughly the same time, extremists staged a book burning of his works along with other materials they called "Zionist publications." At the beginning of December, two menorahs were vandalized in Budapest.

Reflecting the climate of extremism, more than 160 Hungarian nationals have been found by Canada this year to have a well-founded fear of persecution. Almost all are Romani, but the refugees include an 80-year-old award winning Hungarian Jewish writer who received death threats after writing about anti-Semitism in Hungary, and was stripped of his honorary citizenship of Budapest on an initiative from the far-right Jobbik party, supported by the votes of the ruling Fidesz party.

While there are many who suggest the real problem comes from the extremist opposition party Jobbik, and not the ruling government, it seems that some members of Fidesz have contributed to a rise in intolerance.

I am particularly troubled that the government-created Media Council, consisting entirely of Fidesz delegated members, has threatened ATV—an independent television station—with punitive fines if it again characterizes Jobbik as extremist. If you can't even talk about what is extremist or anti-Semitic in Hungary without facing

legal sanctions, how can you combat extremism and anti-Semitism? Moreover, this decision serves to protect Jobbik from critical debate in the advance of next year's elections. Why?

Other new measures further stifle free speech.

Unfortunately, and somewhat shockingly, last month Hungary amended its defamation law to allow for the imposition of prison terms up to 3 years.

The imposition of jail time for speech offenses was a hallmark of the communist era. During the post-communist transition, the Helsinki Commission consistently urged OSCE countries to repeal criminal defamation and insult laws entirely. In 2004, for example, the Helsinki Commission wrote to Minister of Justice Peter Barandy regarding the criminal convictions of Andras Bencsik and Laszlo Attila Bertok.

This new law, raced through under an expedited procedure in the wake of a bi-election controversy in which allegations of voter manipulation were traded, was quickly criticized by the OSCE representative on Freedom of the Media. I share her concerns that these changes to the criminal code may lead to the silencing of critical or differing views in society and are inconsistent with OSCE commitments.

Hungary was once held up as a model of peaceful democratic transition and is situated in a region of Europe where the beacon of freedom is still sought by many today. I hope Hungary will return to a leadership role in the protection of human rights and the promotion of democracy.

FARMLAND PRESERVATION

Mr. CASEY. Madam President, today I wish to honor Lancaster County, Pennsylvania's impressive feat of preserving 100,000 acres of farmland. Lancaster County became the first county in the Nation to preserve this many acres of farmland, a full 25 percent of all land available for farming in the county. My father, Governor Robert P. Casey, served as Governor of Pennsylvania from 1987 to 1995 and signed into law the State farmland preservation program. Governor Casey made preserving farmland a high priority to ensure that Pennsylvania's farmers could continue to produce agricultural products and sustain the Commonwealth's number one industry.

Farmland preservation is one of Pennsylvania's noblest accomplishments. There are a lot of words that can describe this achievement. But the one word that I think is most important is the word sacred. This is truly a sacred act. Reflecting on this tremendous milestone, I am reminded of a line from the Prayer of Saint Francis, which reads "For it is in giving that we receive." When I think about conservation, I am inspired by the gifts which flow so directly from the preservation of land. Conserved lands purify our

water, clean our air and maintain open spaces. Conserved lands serve as precious wildlife habitat, allowing species to forage and to flourish.

We know that bees, which provide sweet honey and pollinate our crops, are searching for habitat in these modern times. Lancaster County's triumph in conservation helps afford bees, which have lived on Earth for more than 100 million years, a place to inhabit. Another gift created when farmers, foresters and ranchers conserve lands is the knowledge that these critical professions—these cherished ways of life—will continue to have a valued role in American society for many generations to come.

In giving lands over to the committed purpose of conservation, people receive bountiful rewards. As a government official, I believe in the transformative and restorative qualities of conservation easements. I will work to ensure vital conservation programs continue to work for Pennsylvanians and partner organizations, such as the Lancaster Farmland Trust and the Lancaster County Agricultural Preserve Board.

Furthermore, more than half of Pennsylvania and most all of Lancaster County lies within the Chesapeake Bay watershed—and approximately 3 million people live in this area. The challenges of farming in this region are significant. Thus efficient, effective and relevant Federal conservation programs are critical to farmers' success. In advance of the Senate agriculture committee's consideration of the 2012 farm bill, I introduced the Chesapeake Bay Watershed Fairness Act, legislation aimed at helping farmers to better implement beneficial conservation practices and to meet water quality goals in the watershed. The 2013 Senate bill contains portions of this legislation and features additional improvements that better ensure that the remodeled conservation programs will serve the needs of farmers in the Chesapeake Bay watershed.

As we move forward with the farm bill, providing farmers in the watershed with the conservation tools included in the Senate bill is extremely important. Federal farm land conservation programs must remain strong. The voluntary conservation programs in the farm bill provide important tools to help farmers comply with Federal and State regulations while keeping farmers in business. Of particular importance to Pennsylvanians are programs like the proposed Agricultural Land Easements program, designed to take over the current Farmland Protection Program, which helps to preserve working farm lands from development. These conservation programs must continue to work for Pennsylvanians and those across the Nation who desire to perform the sacred act of preserving farmland so our future generations can continue to provide us with food, fiber and fuel for the benefit of all.

REMEMBERING ALBERT HENRY HAAS

Mrs. McCASKILL. Madam President, I ask that the Senate join me in honoring the life of Albert Henry Haas. Albert was killed November 29 in a mortar attack at Bagram Air Force Base in Afghanistan, where he was serving as a civilian aircraft mechanic.

Albert had a long career in service to our country, dating back to his service in the U.S. Army during the Vietnam war and continuing in the Army Reserves during the conflict in Bosnia. Following 30 years of military service, Albert retired and began a 30-year career in aircraft maintenance for companies such as TWA and American Airlines.

Albert had a passion for life that he shared with those around him. He especially enjoyed spending time with his grandchildren and learning about different cultures. He was fascinated with and very knowledgeable about all mechanical things that move like trains, helicopters, and planes. Those around him will remember him as a comical person who was able to make all around him feel comfortable and welcomed.

As the daughter of a caring, loving father who always told me I could achieve anything, and that there were no jobs too tough for me, I was especially happy to hear about Albert's advice for his two daughters. He instilled in them from an early age that they could do anything they put their mind to, without regard to their gender. This resulted in them helping rewire the entire house and working on roof repairs with Albert. Just as I am thankful on a daily basis for the lessons my father taught me, I know Albert's children are thankful for the memories and teachings of their father.

On behalf of the Senate, I wish to offer my condolences to Albert's wife of 41 years, Bay Thi, their three adult children, Thao Haas of Texas, Tina V. Smith of Belleville, IL, and Lisa R. Carnahan of St. Louis, MO, and his eight grandchildren. Albert's life was an example to those around him and I hope his family can take comfort in the memories they shared with him.

TRIBUTE TO MAJOR BOBBY J. COX

Mr. CHAMBLISS. Madam President, I wish to pay tribute to MAJ Bobby James Cox for his exemplary dedication to duty and his service to the U.S. Army and to the United States of America. Major Cox has spent the last year serving in my office as a U.S. Army congressional fellow, and it is my distinct pleasure to congratulate him as he concludes an exemplary tour of duty in the Senate.

Major Cox was born in Spartanburg, SC. He commissioned into the infantry in 2002 upon graduation from the Citadel, the Military College of South Carolina, as a distinguished military graduate and the cadet regimental

commander of the South Carolina Corps of Cadets.

Major Cox was first assigned as a platoon leader in A Company, 3-187 Infantry Regiment, Rakkasans, 101st Airborne Division at Fort Campbell, KY, deploying in support of Operation Iraqi Freedom in 2003. Upon return from Iraq, Major Cox was selected to be a Ranger platoon leader in A Company, 2nd Battalion, 75th Ranger Regiment, at Fort Lewis, WA, deploying twice in support of Operation Iraqi Freedom. After the Maneuver Captains' Career Course at Fort Benning, GA, Major Cox was assigned to 4th Ranger Training Battalion, Fort Benning, GA, to be a platoon Ranger instructor, Company Commander, and Battalion S-1.

Major Cox then moved to Fort Bragg, NC, to become the 3rd Brigade Combat Team air officer at the 82nd Airborne Division. He assumed command of A Company, 1-505 Parachute Infantry Regiment, 82nd Airborne Division while deployed in support of Operation Iraqi Freedom. Following company command and battalion staff, he was selected to be an Army congressional fellow attending the George Washington University, where he earned a master's degree and subsequently joined my personal office on Capitol Hill.

Over the past year, Major Cox has distinguished himself among his fellowship peers as a leader in the Senate. From his legislative contributions supporting my role on the Senate Armed Services Committee to his dedication to constituent services, Major Cox has deftly applied his military expertise to elevate the performance of my personal office. Across my 19 years in office, Major Cox ranks among the very best of a select group of fellows.

The Army says that "Rangers Lead The Way!" Major Cox has served as an inspiration and model Airborne Ranger to me and my colleagues in the Senate. I am deeply grateful for his significant contributions and leadership over the past year. He has certainly lived up to the Ranger motto.

It is my great pleasure to congratulate Major Cox, his wife Joscelyn, and their two children, Reagan and Seth, as they leave the Senate and continue to serve our great Nation. I wish them the very best of luck.

TRIBUTE TO LIEUTENANT COLONEL KELLY MARIE LAUREL

Mrs. MURRAY. Madam President, today I wish to pay tribute to an exemplary leader, an accomplished Soldier, and an extraordinary American, as she retires from Active Duty with the U.S. Army. LTC Kelly Marie Laurel has dedicated nearly 25 years of service to our great Nation and has set the very standard of leadership, strategic thinking, and selfless service that we expect of our finest Army officers. Culminating her career as the hand-picked Deputy Chief of the Secretary of the Army's Strategic Initiatives Group,

Lieutenant Colonel Laurel has served and excelled at every level of our Army, and she exemplifies the patriotism, fidelity, and commitment to which every citizen should strive.

From her early enlisted career as an airman in the Wyoming National Guard to her Active-Duty service in key positions ranging from medical platoon leader and company commander to personally advising the Army surgeon general and the Secretary of the Army, Kelly has been exceptional in every respect. Examples of her ever-increasing responsibilities include medical platoon leader, 61st Area Support Medical Company at Fort Hood, TX, company commander, Headquarters, 52d Medical Evacuation Battalion; and later the chief of the Management Division, 18th Medical Command in Korea; and the chief financial officer for the widely dispersed Heidelberg Hospital and its nine outlying clinics in Germany. Her work and potential was so great that then-Major Laurel was soon personally selected to serve the Army's surgeon general as the senior budget analyst, the chief of the Financial Health Policy Division, and finally as the senior congressional affairs coordinating officer.

Fortunately for me and so many Members of Congress, the Assistant Secretary of the Army for Financial Management and Comptroller soon recognized her outstanding abilities and selected Kelly to serve as the Army's senior budget legislative liaison. I and my colleagues in both Chambers have personally benefited from Kelly's extraordinary intellect, keen analysis, and unmatched determination. During her tenure in this position, Kelly routinely worked the most sensitive, complex, and critical Army actions involving the Senate and House Appropriations Committees. Her wisdom and unmatched expertise led the Army to extraordinary success in obtaining vital funding for the most critical medical, environmental, and behavioral health programs and ensured that our soldiers and their families had the necessary support they needed during these years of war. Moreover, she was instrumental in obtaining vital funding for the restructuring and expansion of the Army National Cemeteries Program. Most recently, recognizing her leadership and exceptional intellect, the Secretary of the Army selected Kelly to be his deputy chief of strategic initiatives. In this capacity, Kelly advised the Secretary and other Army senior leaders on the development and implementation of critical service-wide policies and programs that will benefit the Army for many years to come.

Kelly's superb career and character is also a true testament to the exceptional support and example provided by her family. As the daughter of first-generation Americans, Kelly was taught early the value of hard work, commitment, and selfless service by her parents Jose and Dolores Montemayor. Moreover, as a child of a

career military family, Kelly learned to embody the values of loyalty, duty, respect, selfless service, honor, integrity and personal courage before she even knew there was an Army. As she has repeatedly demonstrated, to Kelly, these are not ideals but character traits; not platitudes, but requirements and expectations of every citizen. Clearly, her character, work ethic, and patriotism are examples to us all. We owe the highest praise and tribute to this great American and her family.

Accordingly, on behalf of a very grateful nation, I join my colleagues today in recognizing and commending LTC Kelly Marie Laurel for nearly 25 years of service to this country. Although, to the Army, Kelly is irreplaceable, I am certain this exceptional citizen will continue to make great contributions to the United States as she embarks on the next chapter of her life.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. LEVI WATKINS, JR.

• Mr. CARDIN. Madam President, today I wish to salute Dr. Levi Watkins, Jr., a renowned cardiac surgeon who will retire at year's end from Johns Hopkins Medicine. During his 4-decade-long career, Dr. Watkins has had a profound impact on American health care—through the countless patients he has treated, the students he has recruited and mentored, and the cultural diversity he has advanced.

Levi Watkins, Jr. grew up in Montgomery, AL, the third of Dr. and Mrs. Levi Watkins, Sr.'s six children. At the Alabama State Laboratory High School, Watkins excelled in academics and athletics: he graduated valedictorian and was selected for the Montgomery All-Star basketball team. It was in Alabama that he witnessed the early days of the civil rights movement. As a member of the First Baptist Church of Montgomery, Watkins developed a close friendship with his pastor, the Reverend Dr. Ralph David Abernathy, and later he attended Dexter Avenue Baptist Church, where he was introduced to the Reverend Dr. Martin Luther King, Jr. and the King family.

Watkins majored in biology as an undergraduate at Tennessee State University, where he was elected president of the student body and joined Alpha Phi Alpha Fraternity, Inc., Alpha Kappa Mu honor society, Beta Kappa Chi honor society, and many other notable organizations. Watkins also led many student movements on campus and graduated with highest honors.

Dr. Watkins' medical career has been one of monumental firsts. In 1966, he integrated the Vanderbilt University School of Medicine as the first African-American student ever admitted. He was later selected to become a member of Alpha Omega Alpha medical honor society. Watkins arrived at Johns Hop-

kins Hospital in 1970 as a general surgery intern and became the first African-American chief resident in cardiac surgery in the institution's history. There, in 1980, he performed the world's first implantation of an automatic heart defibrillator in a human—a procedure that is now performed worldwide and has since saved tens of thousands of lives. In 1991, Dr. Watkins became the first African-American at Johns Hopkins promoted to full professor of cardiac surgery. He was named the first African-American associate dean in the School of Medicine and established the nation's first postdoctoral association, helping to revolutionize the culture of postdoctoral education in the United States. Today, there are more than 50 such associations across the nation.

Dr. Watkins has been a fierce advocate for fairness and diversity. He joined the Hopkins School of Medicine's admissions committee in 1979, and began recruiting minority applicants and sponsoring an annual welcoming and networking reception for new students. In 1982, he founded the Martin Luther King, Jr. Commemoration at Hopkins, an annual event that has brought an illustrious array of speakers to Baltimore, including Coretta Scott King, Rosa Parks, Maya Angelou, Stevie Wonder, and Taylor Branch.

In October 2002, Vanderbilt University established a Professorship and Associate Deanship in his name; in October 2005, Dr. Watkins' portrait was unveiled at the Vanderbilt University School of Medicine honoring his life's work; and, in 2008, Vanderbilt bestowed upon Dr. Watkins its "Most Distinguished Alumnus Award."

Since 2006, when he stopped performing surgery, Dr. Watkins has remained a powerful presence and an important influence on Johns Hopkins and the city of Baltimore. In December 2008, he was honored by the National Black Caucus of State Legislators with the Nation Builders Award, along with President-Elect Barack Obama, and James H. Meredith. In January of 2012, he was appointed co-chair of Mayor Stephanie Rawlings-Blake's transition team for health and human services.

I ask my colleagues to join me in wishing Dr. Levi Watkins, Jr. well as he embarks upon the next phase of his lifelong journey to improve the health and well-being of others. •

TRIBUTE TO DR. LYNN KILCHENSTEIN

• Mrs. SHAHEEN. Mr. President, I wish to recognize Lynn Kilchenstein, president of the New Hampshire Technical Institute, who will step down from her position at the end of the year. Dr. Kilchenstein has demonstrated exceptional leadership at NHTI for the last 10 years, and I thank her for her strong commitment to the students of New Hampshire. While I know she will be missed by the school

and the community, I join Dr. Kilchenstein's family, friends, and colleagues in acknowledging her many achievements and celebrating her service.

Dr. Kilchenstein's substantial contributions to NHTI began when she joined the faculty as an English professor 26 years ago. Prior to becoming president, she also served as head of the English Department, faculty forum president, and associate vice president of academic affairs. In each position Dr. Kilchenstein made an impact, from her direct instruction of students to the development of NHTI's Academic Success Council.

In 2003, Dr. Kilchenstein was named the president of NHTI, and under her leadership the campus has been transformed with numerous projects that have improved social and academic spaces. Dr. Kilchenstein has overseen the growth of NHTI's health programs, including the construction of the LEED-certified Beverly D. Grappone Hall and the renovation of MacRury Hall, both of which feature new facilities and equipment that allow students to learn in hands-on medical environments.

During Dr. Kilchenstein's tenure, NHTI expanded class offerings, created new liberal arts programs and teacher education classes, grew existing programs, and successfully completed the reaccreditation process.

In addition to her leadership role at NHTI, Dr. Kilchenstein is also an involved and dedicated member of the Concord community. She served for 8 years on the Greater Concord Chamber Board of Directors and currently sits on the Governor's Advanced Manufacturing and Education Advisory Council, the Capitol Center for the Arts Board, the Creative Concord Committee, and the Concord Housing Commission. To recognize her service, the Greater Concord Area Chamber of Commerce presented Dr. Kilchenstein with the Pinnacle Award for Business Leader of the Year in 2011.

I know that everyone at the New Hampshire Technical Institute and in the community of Concord joins me in thanking Dr. Kilchenstein for her service and wishes her well in all her future endeavors.●

TRIBUTE TO JOSEPH BLISS

● Mr. THUNE. Mr. President, today I recognize Joseph Bliss, an intern in my Sioux Falls, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Joseph is a graduate of Roosevelt High School in Sioux Falls, SD. Currently, he is attending University of South Dakota, where he is majoring in political science and criminal justice. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Joseph for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO BRANDON FUSARO

● Mr. THUNE. Mr. President, today I recognize Brandon Fusaro, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Brandon is a graduate of Burncoat High School in Worcester, MA. Currently, he is attending George Washington University, where he is majoring in exercise science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Brandon for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO ISAAC HARRINGTON

● Mr. THUNE. Mr. President, today I recognize Isaac Harrington, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Isaac is a graduate of Mitchell High School in Mitchell, SD and the University of Notre Dame, where he majored in computer science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Isaac for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO ISAAH WONNENBERG

● Mr. THUNE. Mr. President, today I recognize Isaiiah Wonnemberg, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Isaiiah is a graduate of Gregory High School in Gregory, SD. Currently, he is attending University of South Dakota, where he is majoring in political science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Isaiiah for all of the fine work he has done and wish him continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 1:45 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1447. An act to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

H.R. 3458. An act to treat payments by charitable organizations with respect to certain firefighters as exempt payments.

H.R. 3509. An act to direct the Secretary of State to submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 71. Concurrent resolution providing for corrections to the enrollment of the bill H.R. 3304.

The message further announced that the House concurs in the Senate amendment to the title of the bill (H.R. 3304) to authorize and request the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; concurs in the first three amendments to the text of the bill, without amendment; and concurred in the fourth amendment to the bill, with an amendment.

The message also announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 3, 2013, the Speaker appoints the following individual on the part of the House of Representatives to the United States-China Economic and Security Review Commission, for a term expiring on December 31, 2015: Mr. Daniel M. Slane of Ohio.

The message further announced that effective December 16, 2013, pursuant to section 2 of the Civil Rights Commission Amendments Act of 1994 (42 U.S.C. 1975 note), and the order of the House of January 3, 2013, the Speaker appoints the following individual on the part of the House of Representatives to the Commission on Civil Rights for a term expiring December 15, 2019: Mr. Peter N. Kirsanow of Cleveland, Ohio.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1447. An act to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

H.R. 3509. An act to direct the Secretary of State to submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti; to the Committee on Foreign Relations.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1824. A bill to amend the Safe Drinking Water Act to exempt certain lead pipes, fittings, fixtures, solder, and flux that contain brass.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 13, 2013, she had presented to the President of the United States the following enrolled bill:

S. 1471. An act to authorize the Secretary of Veterans Affairs and the Secretary of the Army to reconsider decisions to inter or honor the memory of a person in a national cemetery, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SANDERS, from the Committee on Veterans' Affairs:

Special Report entitled "Legislative and Oversight Activities during the 112th Congress by the Senate Committee on Veterans Affairs" (Rept. No. 113-125).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. BAUCUS for the Committee on Finance.

* Sarah Bloom Raskin, of Maryland, to be Deputy Secretary of the Treasury.

* Rhonda K. Schmittlein, of Missouri, to be a Member of the United States International Trade Commission for a term expiring December 16, 2021.

* John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue for the term expiring November 12, 2017.

* Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO (for himself and Mrs. HAGAN):

S. 1823. A bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent human trafficking of children and serve the needs of children who are victims of human trafficking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mr. ROBERTS, Mr. BARRASSO, Mr. RISCH, Mr. MORAN, Mr. HATCH, Mr. CRAPO, and Mr. THUNE):

S. 1824. A bill to amend the Safe Drinking Water Act to exempt certain lead pipes, fittings, fixtures, solder, and flux that contain brass; read the first time.

By Ms. COLLINS (for herself, Mrs. MCCASKILL, and Mr. MANCHIN):

S. 1825. A bill to improve the management of the Job Corps program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. BURR, Mr. COCHRAN, Mrs. HAGAN, Mr. HELLER, Mr. NELSON, Ms. LANDRIEU, Mr. MORAN, Mrs. SHAHEEN, and Mr. WICKER):

S. 1826. A bill to provide predictability and certainty in the tax law, create jobs, and encourage investment; 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 Ms. COLLINS (for herself and Mr. KING):

S. Res. 320. A resolution designating December 14, 2013, as "Wreaths Across America Day"; considered and agreed to.

By Mr. REID (for himself, Mr. MCCONNELL, Mr. COONS, Mr. FLAKE, Mr. MENENDEZ, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 321. A resolution honoring the life, accomplishments, and legacy of Nelson Rolihlahla Mandela and expressing condolences on his passing; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1562

At the request of Mr. SANDERS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1562, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 1708

At the request of Mr. MERKLEY, the names of the Senator from Illinois (Mr.

DURBIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1708, a bill to amend title 23, United States Code, with respect to the establishment of performance measures for the highway safety improvement program, and for other purposes.

S. 1779

At the request of Mr. TOOMEY, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1779, a bill to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

S. RES. 317

At the request of Mr. SESSIONS, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Res. 317, a resolution expressing the sense of the Senate on the continuing relationship between the United States and Georgia.

S. RES. 319

At the request of Mr. MURPHY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 319, a resolution expressing support for the Ukrainian people in light of President Yanukovich's decision not to sign an Association Agreement with the European Union.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mrs. MCCASKILL, and Mr. MANCHIN):

S. 1825. A bill to improve the management of the Job Corps program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today with Senator MCCASKILL and Senator MANCHIN to introduce the Securing Job Corps Centers Act, a bill that seeks to address the Job Corps' recent management challenges.

Job Corps is an educational and vocational training program administered by the Department of Labor, DOL, that helps at-risk young people ages 16 through 24 by giving them the tools they need to succeed. Job Corps has been training young adults for meaningful careers for nearly 50 years and is committed to offering its students a safe, drug-free environment where they can train and learn.

Job Corps' mission is to attract eligible young people, teach them the skills they need to become employable and independent, and help them find meaningful jobs or further their education. This mission has been threatened, however, by the Department of Labor's mismanagement.

Earlier this year, the DOL ordered a temporary suspension of new student enrollments as its way to address a significant Job Corps program shortfall of \$61.5 million. This was in addition to the \$39 million shortfall in the previous

program year. The suspension of enrollments decimated the program, setting it back for years to come, which is especially upsetting considering Job Corps has compiled an impressive record over five decades in preparing at-risk youth for the workforce or higher education.

According to DOL, several factors contributed to Job Corps' financial problems, but the most significant was unchecked growth in expenditures due to serious weaknesses in the financial management processes. I wrote to DOL officials for clarification, and they responded with the following:

Job Corps lacked appropriate program monitoring tools and control protocols, including those to sufficiently analyze contractual spending trends. In turn, this led to inadequate spending projections for the Operations account.

It is clear that the Department of Labor has mismanaged this program, and the students suffered the consequences. There are two Job Corps centers in Maine that do excellent work to help these young adults become productive members of society. The Penobscot Job Corps Academy and the Loring Job Corps Center have the capability to serve nearly 800 at-risk youth on a daily basis. These centers put these young men and women on a path to earning their high school diploma and to gaining the necessary skills to enter the workforce or the military or go on to college.

However, the shortfall caused by DOL mismanagement forced these centers to furlough and lay off staff to reduce costs—jeopardizing the long-term sustainability of these centers and their important work.

Studies have found Job Corps to be among the most effective of all federally supported programs that serve youth between the ages of 16 and 24 who are disconnected from both school and work. Even in the face of unprecedented budget shortfalls and enrollment freezes, Job Corps has continued to produce impressive results—85 percent of graduates obtain a job, enroll in higher education, or enlist in the military.

To ensure recent management challenges are addressed as transparently and effectively as possible, our bill would create an advisory board responsible for working with the DOL to develop policy and programmatic recommendations related to Job Corps' administration. The advisory panel will provide a series of reports directly to the U.S. Secretary of Labor and Congress on budget and financial management protocols, cost efficiencies, and maximizing the number of youth served. Our bill will also require earlier notifications of management decisions at DOL that could affect student enrollments.

Job Corps' recent management challenges have had ripple effects throughout the communities served by Job Corps centers and continue to have an impact on center operations. The fact

that every Job Corps center continues to operate at 21 to 25 percent below full capacity is the result of a management structure that forced operational decisions to be made in haste and without proper consideration of alternatives. An advisory board of experienced Job Corps operations experts can help the program and its new leadership to emerge from the crises of the last year and ensure that, in the future, Job Corps policy decisions are always guided by what is in the best interests of Job Corps students and communities.

Job Corps' value remains clear. Studies suggest that leaving behind the youth served by this program could cost our states and our economy hundreds of thousands of dollars per youth. I urge my colleagues to support our bill to ensure that Job Corps returns to the operational efficiency that characterized its first 50 years and remains among the nation's most successful workforce programs.

Mr. President, I ask unanimous consent that a letter be printed in the RECORD.

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

DEPARTMENT OF LABOR,
EMPLOYMENT AND TRAINING,
Washington, DC, February 21, 2013.

Hon. SUSAN M. COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: Thank you for your letter to Acting Secretary of Labor Seth D. Harris regarding the U.S. Department of Labor's (Department) oversight and administration of the Job Corps program. Job Corps is part of the Employment and Training Administration (ETA) and the Acting Secretary referred your letter to me for response. Although we are not placing a moratorium on suspension of enrollments at this time, I hope you will find the following information to be helpful.

The Employment and Training Administration administers Job Corps through 147 contracts for the program's 125 centers and educational and vocational programs. Private contractors operate 97 centers and the U.S. Department of Agriculture (USDA) runs the remaining 28 centers. This letter discusses the financial problems experienced by Job Corps in Program Year (PY) 2011 and PY 2012, their causes, what we should have done better, corrective actions we have taken, and the steps we will take to ensure that the Job Corps program can continue to provide high-quality programming to some of our nation's most disadvantaged youth. We would welcome the opportunity to provide you and your colleagues with a more in-depth briefing at your earliest convenience. We are continuing to analyze the matters discussed in this letter. The description we have set forth below reflects our current understanding.

Several factors contributed to the financial problems with Job Corps in PY 2011, including growth in expenditures (such as student-related expenditures and those associated with the opening of three new Job Corps centers in PY 2010 and PY 2011) and serious weaknesses in ETA's and Job Corps' financial management processes that led to a failure to identify and adjust for rising costs in a timely manner. In PY 2012, Job Corps again experienced financial problems because the cost-savings measures taken by ETA and Job Corps management were not aggressive enough to allow the program to stay within budget.

For example, Job Corps opened three new centers in PY 2010 and PY 2011 on a delayed schedule. Funding that had been provided to Job Corps to cover the costs of operating these centers in prior years was no longer dedicated to these sites as a result of the delays, and we did not appropriately plan for the increased costs resulting from the opening of these centers.

While these and other costs escalated during the course of PY 2011, the extent of the financial problems went unrecognized. This is largely because Job Corps lacked appropriate program monitoring tools and control protocols, including those to sufficiently analyze contractual spending trends. In turn, this led to inadequate spending projections for the Operations account.

As you know, Congress provided ETA with authority in PY 2011 to transfer up to \$26.2 million in funds from the Job Corps Construction, Rehabilitation and Acquisition (CRA) account to the Operations account. In April 2012, I concluded that Job Corps would need to transfer this full amount. At the end of May 2012, I notified the Secretary of the need to transfer the funds. It also became apparent that this transfer would not be sufficient to meet PY 2011 operating needs.

Thus, ETA obtained approval from the Office of Management and Budget (OMB) in June 2012 to transfer up to an additional \$5.37 million from the Training and Employment Services (TES) and State Unemployment Insurance and Employment Service Operations (SUIESO) accounts to the Job Corps Operations account. The Department notified the Appropriations Committees of its intent to transfer these funds. In the end, only \$2.2 million of this initial request was transferred to Job Corps' Operations account.

In addition to the fund transfers for PY 2011, ETA implemented a variety of programmatic changes to control costs. These changes focused on non-mission critical administrative expenses to ensure that student academic, career technical training, and post-graduation placement activities were not affected. These included negotiating across-the-board cost-savings targets with each Job Corps center to deobligate PY 2011 funds and suspending enrollment for new students in the month of June, except for homeless youth. ETA also conducted additional oversight on travel by requiring center operators to report all bus and airfare travel directly to the national office prior to arranging travel with ticketing agencies, thus allowing for real-time accounting of June's travel costs. We also required Job Corps center operators to submit their financial reports every three days during the month of June.

Concurrently, ETA implemented several initiatives to strengthen and coordinate existing controls and created new controls where appropriate to track contractor expenditures, and certify adequate funding throughout the rest of PY 2011. On May 22, 2012, the Department established a Job Corps working group within DOL to provide weekly oversight of the remediation efforts during the end of PY 2011. In addition, in June 2012, Secretary Solis requested that the Inspector General (IG) perform a comprehensive review of the Job Corps financial control system.

We understood at the outset of PY 2012 that we needed to take measures to ensure that program obligations remained within Job Corps' appropriated levels. Even before the program year started, we began to develop a comprehensive plan for cost-cutting measures, which was updated throughout the Program Year. In addition, the improvements made to Job Corps' financial management allowed us to make projections earlier in the program year about the overall budget situation.

Given our strong interest in not reducing student services and minimizing disruption to the Job Corps Program, we proceeded cautiously in evaluating and implementing cost saving measures in PY 2012. In retrospect, it is clear that we did not act as quickly or decisively as circumstances required. As the Assistant Secretary, I take full responsibility for our failure to manage these issues more aggressively.

Although they ultimately were insufficient, we did take several significant steps throughout PY 2012 to gain better control of Job Corps' expenses. For example, in August a newly-created Office of Financial Administration (OFA) within ETA, headed by a Senior Executive Service-level Comptroller, began operating. OFA oversees the now-centralized budget and financial operations of Job Corps. After OFA began operating, we developed initial targets for both savings and what we believed would be a sufficient reserve for the Job Corps program. We also eliminated a contract for accounting services within the Job Corps Operations account, reduced USDA costs, and negotiated with contractors to identify additional cost-savings measures.

In September 2012, the Secretary approved several additional measures for PY 2012: a reduction in new student biweekly stipend and transition pay to graduates, suspension of enrollments in late November and December, centralizing student transportation costs, and reducing the national academic support contract and career technical support contract. In October 2012, we issued guidance informing the Job Corps community that we would be suspending enrollment from November 26 through December 31, 2012. We also announced that, effective November 1, 2012, Job Corps would reduce the stipends and transition pay for new enrollees.

Despite these cost-cutting measures, our analysis of data in November showed that Job Corps would need to implement additional savings because costs were again exceeding budgeted amounts. Therefore, in December, we took additional steps, including eliminating the student stipend for days when a Job Corps student is not present for duty, which took effect immediately, and reducing the student clothing stipend, effective January 1, 2013. We reduced Job Corps' national media buy by \$4 million for PY 2012. In mid-December, we increased the student to teacher ratio from 15:1 to 18:1 in order to save costs, while properly accounting for the special academic needs of at-risk youth.

In January 2013, we also issued guidance to reduce health care-related costs, including by modifying the current health staffing requirements, adjusting the hours for center physicians, dentists and Training Employee Assistance Program specialists based on center usage, and requiring applicants to provide a current record of immunizations in order to eliminate duplicative care. We also continued our work to cut administrative costs. Among other things, we have issued a solicitation that we anticipate will help Job Corps right-size its career technical training and academic programs and we are exploring the best way to centralize utility and other procurements.

Notwithstanding these efforts to reduce costs for PY 2012, as of the beginning of January 2013 we continued to project insufficient cost savings to remain within budgeted levels for the program year. On January 18, 2013, Job Corps instructed all centers to temporarily suspend outreach and admission activities, effective January 28, except for runaway, homeless and foster care candidates. The length of the suspension will be determined by the time it takes to achieve the necessary savings, but we do not expect it to last past June 30, 2013.

The decision to temporarily freeze Job Corps enrollment nationwide was extremely difficult. It came after we implemented many alternative cost-savings measures, albeit insufficient ones. We also considered other alternatives before deciding to implement the temporary enrollment freeze.

Some of the options we considered include an abbreviated program year, slot reductions at a specified number of centers, cutting student stipends and transition pay to current students, and adopting a student leave policy in lieu of scheduled holiday and other school breaks. Ultimately, we rejected these and other options because of their more harmful effect on the Job Corps program and the students that it serves as well as the insufficient savings we would have obtained. Our conclusion was that the most certain and least detrimental savings Job Corps could achieve for the remainder of PY 2012 was from the temporary suspension. This will result in reduced center operating expenses, lower Outreach/Admissions contract costs, as well as savings in student stipend and transportation costs.

Notwithstanding the temporary enrollment suspension, on January 28, 2013, Job Corps continued to serve 44,268 students as of that date. With the suspension of new enrollments, Job Corps will be able to keep its commitment to students who are already in the program.

In closing, the Department deeply regrets the current situation facing the Job Corps program. I personally take responsibility for not acting more quickly to ensure that the program was operating within its appropriated levels. The decision to temporarily suspend enrollment at all centers is the most balanced, efficient way to achieve the savings now in order to avoid a shortfall in PY 2012. However, we clearly recognize that a comprehensive review and assessment of the Job Corps program, contracting, budget, and management is needed to ensure that we do not face this situation again. We will keep your office updated. Please contact Michelle Rose in the Department's Office of Congressional and Intergovernmental Affairs with any questions. She may be reached at (202) 693-4600.

Sincerely,

JANE OATES,
Assistant Secretary.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 320—DESIGNATING DECEMBER 14, 2013, AS "WREATHS ACROSS AMERICA DAY"

Ms. COLLINS (for herself and Mr. KING) submitted the following resolution; which was considered and agreed to:

S. RES. 320

Whereas 22 years ago, the Wreaths Across America project began an annual tradition, during the month of December, of donating, transporting, and placing Maine balsam fir holiday wreaths on the graves of the fallen heroes buried at Arlington National Cemetery;

Whereas more than 1,000,000 wreaths have been sent to locations, including national cemeteries and veterans memorials, in every State and overseas;

Whereas the mission of the Wreaths Across America project to "Remember, Honor, Teach" is carried out in part by coordinating wreath-laying ceremonies at Arlington National Cemetery as well as veterans cemeteries and other locations in all 50 States;

Whereas the Wreaths Across America project carries out a week-long veterans parade between Maine and Virginia, stopping along the way to spread a message about the importance of remembering the fallen heroes of the United States, honoring those who serve, and teaching the people of the United States about the sacrifices made by veterans and their families to preserve the freedoms in the United States;

Whereas in 2012, wreaths were sent to more than 800 locations across the United States and overseas, 100 more locations than the previous year;

Whereas in December 2013, the Patriot Guard Riders, a motorcycle and motor vehicle group that is dedicated to patriotic events and includes more than 250,000 members nationwide, will continue the tradition of the group of escorting a tractor-trailer filled with donated wreaths from Harrington, Maine to Arlington National Cemetery;

Whereas thousands of individuals volunteer each December to escort and lay the wreaths;

Whereas December 15, 2012, was previously designated by the Senate as "Wreaths Across America Day"; and

Whereas the Wreaths Across America project will continue the proud legacy on December 14, 2013, bringing approximately 130,000 wreaths to Arlington National Cemetery on that day: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 14, 2013, as "Wreaths Across America Day";

(2) honors the Wreaths Across America project, the Patriot Guard Riders, and all of the volunteers and donors involved in this worthy tradition; and

(3) recognizes the sacrifices that our veterans, members of the Armed Forces, and their families have made, and continue to make, for our great Nation.

SENATE RESOLUTION 321—HONORING THE LIFE, ACCOMPLISHMENTS, AND LEGACY OF NELSON ROLIHLEHLA MANDELA AND EXPRESSING CONDOLENCES ON HIS PASSING

Mr. REID (for himself, Mr. McCONNELL, Mr. COONS, Mr. FLAKE, Mr. MENENDEZ, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr.

SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 321

Whereas Nelson Mandela was born on July 18, 1918, as Rolihlahla Mandela, to Nonqaphi Nosekeni and Nkosi Mphakanyiswa Gadla Mandela in Transkei, South Africa;

Whereas Nelson Mandela's defiance of injustice, and his commitment to peace and reconciliation, played critical roles in the negotiation process that led South Africa to abolish apartheid, a system of racially focused social, political, and economic discrimination, and to ultimately adopt in its place a system of multiparty democracy and universal suffrage for all South Africans;

Whereas Nelson Mandela became a political activist as a young man and rose through the leadership ranks of the African National Congress (ANC), becoming the ANC President;

Whereas, on August 5, 1962, Nelson Mandela was arrested for his political activism to end the discriminatory policies of apartheid;

Whereas, despite calls for clemency on behalf of Nelson Mandela by the international community, including the Security Council, the General Assembly, and the Secretary General of the United Nations, he was found guilty of all charges against him and sentenced to life in prison;

Whereas, during 18 of his 27 years of imprisonment on Robben Island, Nelson Mandela was permitted only one visitor a year, and for only 30 minutes;

Whereas Nelson Mandela remained resolute, refusing offers to renounce his struggle against the Government of South Africa in exchange for his freedom, and became widely viewed as a martyr for the anti-apartheid movement;

Whereas, during his imprisonment, Nelson Mandela was confined to a small cell where he slept on the floor, and he was sentenced to hard labor while being gravely mistreated by prison officials;

Whereas, on February 11, 1990, under growing international pressure and national campaign efforts, Nelson Mandela was released from prison, marking the end of his 27 years, 6 months, and 1 week of continuous incarceration;

Whereas, upon his release, Nelson Mandela resumed a top leadership role in the ANC and led the party in negotiations that resulted in South Africa's first multiracial elections;

Whereas, in 1994, following the first fully representative, multiracial national elections, Nelson Mandela was elected on May 9 and inaugurated on May 10 as President of the Democratic Republic of South Africa under a Government of National Unity;

Whereas President Nelson Mandela led the transition from minority rule and apartheid to multicultural, multiracial democracy, and played a critical role in initiating South Africa's ongoing efforts to foster national reconciliation and end the diverse, deep-rooted, and enduring social, political, and economic inequalities created by apartheid;

Whereas President Nelson Mandela sought to promote equal opportunity for jobs and education, access to social services, and quality-of-life improvements for all South Africans;

Whereas, during the presidency of Nelson Mandela, South Africa established the Truth and Reconciliation Commission to inves-

tigate gross human rights violations committed under the apartheid regime;

Whereas Nelson Mandela's decision to step down after one term as South Africa's elected President serves as a commendable example of commitment to democratic principles for elected national leaders in new democracies around the globe;

Whereas Nelson Mandela continued his social justice and human rights work upon his retirement in 1999, primarily through the Nelson Mandela Foundation and its two sister organizations, the Nelson Mandela Children's Fund and the Mandela-Rhodes Foundation;

Whereas, on July 18, 2007, Nelson Mandela convened the Elders, a group of world leaders including Desmond Tutu, Graca Machel, and former United States President Jimmy Carter, to contribute their wisdom and insight towards addressing some of the world's toughest problems;

Whereas the 1993 Nobel Peace Prize was jointly awarded to Nelson Mandela and Frederik Willem de Klerk "for their work for the peaceful termination of the apartheid regime, and for laying the foundations for a new democratic South Africa";

Whereas Congress contributed to the attainment of the political ideals and goals for which Nelson Mandela struggled, by enacting the Comprehensive Anti-Apartheid Act of 1986 (Public Law 99-440) on October 2, 1986, and has honored Nelson Mandela by passing the Mandela Freedom Resolution in the House of Representatives on September 18, 1984 (H. Res. 430, 98th Congress), and in the Senate on October 10, 1984 (S. Res. 386, 98th Congress), by adopting the resolution concerning United States support for the new South Africa on October 5, 1994 (H. Res. 560, 103rd Congress), and by awarding Nelson Mandela the Congressional Gold Medal on July 29, 1998;

Whereas former United States President Bill Clinton honored Nelson Mandela with the Philadelphia Liberty Medal in 1993, and former United States President George W. Bush honored Nelson Mandela with the Presidential Medal of Freedom in 2002;

Whereas, on July 18 of each year, people around the world celebrate Nelson Mandela Day, in recognition of Nelson Mandela's birthday, by devoting their time to community service in honor of his legacy;

Whereas, in 1995, Nelson Mandela wrote: "I have walked that long road to freedom. I have tried not to falter; I have made missteps along the way. But I have discovered the secret that after climbing a great hill, one only finds that there are many more hills to climb. I have taken a moment here to rest, to steal a view of the glorious vista that surrounds me, to look back on the distance I have come. But I can only rest for a moment, for with freedom come responsibilities, and I dare not linger, for my long walk is not ended."; and

Whereas Nelson Mandela leaves a legacy that transcends his time and place in history, which will guide and inspire generations to come: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life, accomplishments, and legacy of former South African President Nelson Mandela;

(2) extends its heartfelt sympathies and condolences to the members of the family of the late President Nelson Mandela and his fellow citizens;

(3) requests the Secretary of State to communicate these expressions of honor and condolence to Nelson Mandela's family and to the Parliament of the Republic of South Africa; and

(4) requests the President to identify an appropriate and lasting program of the

United States Government to honor Nelson Mandela's legacy.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2546. Mr. REID (for Mr. WHITEHOUSE) proposed an amendment to the resolution S. Res. 263, designating the week of September 23 through September 29, 2013, as "National Estuaries Week".

TEXT OF AMENDMENTS

SA 2546. Mr. REID (for Mr. WHITEHOUSE) proposed an amendment to the resolution S. Res. 263, designating the week of September 23 through September 29, 2013, as "National Estuaries Week"; as follows:

In the seventh whereas clause of the preamble, strike "extreme weather events" and insert "hurricanes and storms".

In the ninth whereas clause of the preamble, insert "some" before "bays in the United States".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on December 13, 2013, at 11 a.m., in room SD-215 of the Dirksen Senate Office Building.

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

CONGRATULATING THE AMERICAN JEWISH JOINT DISTRIBUTION COMMITTEE

Mr. REID. I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 299, and the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 299) congratulating the American Jewish Joint Distribution Committee on the celebration of its 100th anniversary and commending its significant contribution to empower and revitalize developing communities around the world.

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

Mr. REID. I ask unanimous consent 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. 299) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Tuesday, November 19, 2013, under "Submitted Resolutions.")

NATIONAL ESTUARIES WEEK

Mr. REID. Madam President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 263 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 263) designating the week of September 23 through September 29 as "National Estuaries Week."

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

Mr. REID. I ask unanimous consent the resolution be agreed to, the Whitehouse amendment to the preamble, which is at the desk, be agreed to; the preamble, as amended, 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. 263) was agreed to.

The amendment (No. 2546) was agreed to, as follows:

In the seventh whereas clause of the preamble, strike "extreme weather events" and insert "hurricanes and storms".

In the ninth whereas clause of the preamble, insert "some" before "bays in the United States".

The preamble, as amended, was agreed to.

(The resolution will be printed in a future edition of the RECORD.)

WREATHS ACROSS AMERICA DAY

Mr. REID. I ask unanimous consent we now proceed to S. Res. 320.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 320) designating December 14, 2013, as "Wreaths Across America Day."

The PRESIDING OFFICER. There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, 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. 320) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

HONORING THE LIFE AND LEGACY OF NELSON ROLIHLAHLA MANDELA

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to S. Res. 321.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 321) honoring the life, accomplishments, and legacy of Nelson Rolihlahla Mandela and expressing condolences on his passing.

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

Mrs. BOXER. Madam President, last week the world lost a true hero with the passing of Nelson Mandela. His determined and courageous advocacy helped end South Africa's disgraceful system of apartheid, while his enlightened leadership set an example for national reconciliation.

Apartheid was a policy of hate. It was a severe form of segregation that denied the non-White population their basic human rights. Millions of non-Whites lost their homes and were forced from their lands.

In order to travel or work in a restricted White area, special passes were necessary. Non-Whites could not participate in national government and were segregated in almost every way imaginable—from education to transportation to health care.

Nelson Mandela dedicated much of his life to ending this injustice. After years of protesting the harsh policies of the South African Government, he was imprisoned for 27 years—18 of which were spent at the infamous maximum security prison on Robben Island that was surrounded by shark-infested waters.

There he suffered in a cell that he described as "perpetually damp" and only measured 7 feet by 8 feet.

From prison, Nelson Mandela was an inspiration to those fighting apartheid both inside South Africa and throughout the world. And as pressure grew, the South African Government initiated secret talks with Mandela for the first time in 1986.

That same year, I was a Member of the House of Representatives when Congress voted to impose sanctions against the South Africa Government—overriding a Presidential veto to do so.

Two months before that historic and long overdue vote, the President gave a speech opposing comprehensive sanctions against South Africa. That same day, I went to the House floor to respond, asking:

How many children have to die? How many funeral mourners have to die? How much bloodshed will be spent before the President decides that words are no longer enough—that 'constructive engagement' has done nothing to prevent 2,000 deaths since late 1984?

In that same statement, I spoke about the "concerned citizens all over the country who have emphasized the need to do something specific to demonstrate our abhorrence of the policies of the South African government." Those concerned citizens included the Solano County board of supervisors, who sent me a resolution in 1985 that declared, "Acquiescence to South Afri-

ca's apartheid policy, whatever the rationalization would be a rejection of the ultimate sacrifices made by those who died to ensure justice for all human beings . . ."

It was the grassroots movement against apartheid in the 1980s that pushed Congress to enact sanctions, and this grassroots movement was inspired by the example of Nelson Mandela.

In 1990, Nelson Mandela was finally released from prison, and in 1994 he was elected as South Africa's first Black President.

Despite more than 40 years of suffering under the brutality of apartheid, Nelson Mandela chose reconciliation over resentment.

During his inauguration, he declared, "The time for the healing of the wounds has come . . . the moment to bridge the chasms that divide us has come. The time to build is upon us."

The legacy of Nelson Mandela lies not just in his courage to fight repression but in his courage to forgive his enemies.

In his words, "Courageous people do not fear forgiving for the sake of peace."

My deepest sympathies go out to Nelson Mandela's family, the nation of South Africa, and all those who are mourning the loss of this great man.

Mr. REID. Madam President, I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered 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. 321) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ FOR THE FIRST TIME—S. 1824

Mr. REID. Madam President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 1824) to amend the Safe Drinking Water Act to exempt certain lead pipes, fittings, fixtures, solder, and flux that contain brass.

Mr. REID. Madam President, I ask for a second reading, and in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

Mr. REID. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

FALLEN FIREFIGHTERS ASSISTANCE TAX CLARIFICATION ACT OF 2013

The PRESIDING OFFICER. Under the previous order, having received from the House H. R. 3458, the bill is considered read three times and passed, and the motion to reconsider considered made and laid upon the table.

ADJOURNMENT UNTIL SUNDAY,
DECEMBER 15, 2013, AT 1 PM

Mr. REID. Mr. President, if there is no further business to come before the

Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 2:11 p.m., adjourned until Sunday, December 15, 2013, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate on Friday, December 13, 2013:

DEPARTMENT OF STATE

PETER A. SELFRIDGE, OF MINNESOTA, TO BE CHIEF OF PROTOCOL, AND TO HAVE THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE, VICE CAPRICIA PENAVIC MARSHALL, RESIGNED.

DOUGLAS ALAN SILLIMAN, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF KUWAIT.

ROBERT A. WOOD, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING

HIS TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE CONFERENCE ON DISARMAMENT.

DEPARTMENT OF LABOR

PORTIA Y. WU, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE JANE OATES.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

THOMAS EDGAR ROTHMAN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016. (NEW POSITION)

CONFIRMATIONS

Executive nominations confirmed by the Senate: Friday, December 13, 2013:

DEPARTMENT OF DEFENSE

DEBORAH LEE JAMES, OF VIRGINIA, TO BE SECRETARY OF THE AIR FORCE.

DEPARTMENT OF STATE

HEATHER ANNE HIGGINBOTTOM, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF STATE FOR MANAGEMENT AND RESOURCES.