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House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, December 19, 2013, at 11 a.m.

Senate

WEDNESDAY, DECEMBER 18, 2013

The Senate met at 10 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

Our Father, the giver of every good and perfect gift, live within us so that we will be established in faith and abounding in thanksgiving. Today, help our lawmakers to seek the things that are above, as You empower them to embrace kindness, compassion, humility, patience, and forbearance. May they give You preeminence in all things, rejoicing even in the trials they must endure for Your sake. Lord, inspire them to persevere with joy in the calling You have given them to protect freedom and to keep America strong. Enable them to bear fruits that will bless this Nation and our world.

We pray in Your great Name. Amen.

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.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

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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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PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 18, 2013.

To the Senate:

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

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

WORKFORCE INVESTMENT ACT OF 2013—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I move to proceed to Calendar No. 243, S. 1356.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the motion to concur in the House message with respect to the bipartisan budget agreement postcloture.

Rollcall votes are possible throughout the day. We will notify Senators as soon as we know that votes will be forthcoming.

MEASURES PLACED ON THE CALENDAR—S. 1845, S. 1846

Mr. REID. Mr. President, I am told there are two bills at the desk due for a second reading.

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

The legislative clerk read as follows.

A bill (S. 1845) to provide for the extension of certain unemployment benefits, and for other purposes.

A bill (S. 1846) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings with respect to these two bills.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

UNFINISHED BUSINESS

Mr. REID. Mr. President, today the Senate is debating the House-passed budget agreement which was an important step in avoiding another dangerous and costly government shutdown to our economy such as we had in October. Another shutdown caused by the Republicans would undercut the economic progress of the last 4 years. When Republicans closed the Federal Government for business in October, it cost $2 billion in lost productivity alone. The combined cost of the shutdown and the Republican threats to force catastrophic default on the Nation's bills cost the economy 120,000 private sector jobs in the first 2 weeks of October alone—120,000 jobs.

But the agreement the Senate is considering today will help us avoid another costly shutdown. The bargain rolls back the painful and arbitrary cuts of sequester, including devastating cuts to education, medical research, infrastructure investments, and defense jobs.

This is not a perfect bargain. No compromise is ever perfect. But the Senate should pass this agreement quickly so the Appropriations Committee, under the leadership of Chairwoman MIKULSKI, can begin crafting appropriations bills.

It is unfortunate the Republicans have forced the Senate to run out the clock on this measure, even though it passed the House on an overwhelmingly bipartisan basis and has the support of the majority in the Senate. Why are we wasting time? It is time to get back to setting fiscal policy through the regular order of the budget process rather than the hostage taking which takes place so often here by my Republican colleagues. It is time for Congress to show the American people that Democrats and Republicans can compromise rather than lurching from crisis to crisis. Yet Republicans have insisted on wasting 30 hours of the Senate's time before allowing a final vote on this measure, even though they know it will pass with bipartisan support.

I read that the Republican leadership may also force the Senate to work through the weekend and next week by dragging out the consideration of several important executive nominations. That would be unfortunate. But if it happens, it happens. The Senate could wrap up work on the budget bill, pass a defense authorization legislation, and confirm these nominees by tomorrow afternoon. The only thing keeping us here is more Republican obstruction.

I was also troubled to hear the senior Senator from Kentucky say that the nominations we have considered this session and those on which I filed cloture yesterday are nonessential. Nonessential? How about the Secretary of the Department of Homeland Security? That is nonessential, the person assigned the task of protecting us from terrorist attacks is nonessential? I think that is wrong.

Does the Republican leader consider the Secretary of the Air Force or the diplomats who run the State Department nonessential? There is a long list of people who have been confirmed who are essential to running this government.

Does the Republican leader consider the judges who try criminal and civil cases in overcrowded courtrooms across the Nation nonessential? We confirmed talented and dedicated individuals to all of those essential posts last week.

Does the Republican leader consider the Chairman of the Federal Reserve who sets this Nation's monetary policy to be nonessential? We will consider Janet Yellen's nomination to lead this very important part of our government, the Federal Reserve—we will do it this week. We will also vote on a number of other nominations, including a new Director of the Internal Revenue Service. Nonessential? And the Deputy Secretary of the Department of Homeland Security.

We will consider the nomination of Brian Davis of Florida—a perfect, classic example—to fill a district court seat that has been declared a judicial emergency. His nomination has been pending for more than 650 days. Nonessential? I do not think so.

On the contrary, these are absolutely essential nominees. It is their job to carry out justice, protect our country, and safeguard the economy. It is the Senate's job to confirm them. But how long will it take the Senate to complete its job? It is up to my Republican friends.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

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

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.J. Res. 59, which the clerk will report.

The legislative clerk read as follows:

Resolved, that the House recede from its amendment to the amendment of the Senate

to the resolution (H.J. Res. 59) entitled, ''A joint resolution making continuing appropriations for fiscal year 2014, and for other purposes,'' and concur with a House amendment to the Senate amendment.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the joint resolution, with Reid amendment No. 2547, to change the enactment date.

Reid amendment No. 2548 (to amendment No. 2547), of a perfecting nature.

Mr. VITTER. Mr. President, I ask unanimous consent to speak for 2 minutes.

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

Mr. VITTER. Mr. President, obviously I will be brief. I was simply trying to engage the majority leader in a simple question. I will lay out the question here. I think it deserves an answer, not for me but for the American people. Last week I had written the majority leader noting that several press reports have stated that he has exempted much of his staff, specifically leadership staff, from ObamaCare, from the mandate of the ObamaCare statute that we and our staffs go to the exchanges for our health care. He has exempted much of his staff from that. So I laid out some specific and pertinent and important questions related to that in a letter to him dated December 10, last week. I have gotten no response. I obviously got no response this morning. In fact, he would not even yield for my question.

I think that is unfortunate. It is unfortunate not because I personally deserve an answer, it is unfortunate because this is important. I think his constituents and the American people deserve an answer. So I restated those four specific questions in my letter. They are in my letter. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Hon. Leader HARRY REID (D–NV),
Office of the Senate Majority Leader,
The Capitol, Washington, DC.

DEAR MAJORITY LEADER REID, It has been reported that you are the only Member of top Congressional leadership—House and Senate, Democrat and Republican—who has exempted some of your staff from having to procure their health insurance through the Obamacare Exchange as clearly required by the Obamacare statute.

Millions of Americans are losing the health care plans and doctors they wanted to keep and are facing dramatic premium increases, all as Washington enjoys a special exemption. Given this, I ask you to publicly and in writing answer the four important questions below regarding your office's exemption. I will also be on the Senate floor to discuss this at approximately 4:15 pm today and invite you to join me there.

First, how did you designate each member of your staff, including your leadership staff, regarding their status as ''official'' (going to the Exchange) or ''not official'' (exempted from Exchange)? Did you delegate that designation to the Senate Disbursing Office, which would have the effect of exempting all of your leadership staff from going to the Exchange?

Second, if any of your staff is designated as ''not official'' (exempted from Exchange), are any of those staff members receiving official taxpayer-funded salaries, benefits, office space, office equipment, or any other taxpayer support?

Third, if any of your staff is designated as ''not official'' (exempted from Exchange), did any of these staff members assist you in drafting or passing Obamacare into law? If so, which staff members exactly?

Fourth, how are the above designations of yours consistent with the clear, unequivocal statement you made on September 12: ''Let's stop these really juvenile political games—the one dealing with health care for senators and House members and our staff. We are going to be part of exchanges, that's what the law says and we'll be part of that.''

I look forward to your clear, written responses to these important questions. I also look forward to having fair, up-or-down votes on the Senate floor on my ''Show Your Exemptions'' and ''No Washington Exemptions'' proposals in the new year.

Sincerely,

DAVID VITTER.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, I know we are going to be voting on the budget that was negotiated by Senator MURRAY and PAUL RYAN. Sixty-seven Senators voted for cloture on that, so we will have a vote on passage this afternoon, I think about 4:30.

But I wanted to raise an issue that has been raised previously—yesterday; that is, the process by which the Senate is operating where no amendments are being allowed either on the budget or on the Defense authorization bill, which is the next bill we will turn to by the decision of the majority leader.

I have congratulated Senator MURRAY and I congratulate Congressman RYAN for their negotiation. But I do think there is an error that has been identified that needs to be corrected in the bill and which could easily be corrected if the majority leader would reconsider his decision not to allow any amendments. This specifically has to do with the discriminatory way in which Active-Duty military pensions are being penalized in a unique way that not even Federal workers who are going to be treated differently prospectively, not even civilian Federal workers, are being treated in the same way our Active-Duty military are.

Several of my colleagues came to the floor yesterday—the Senator from New Hampshire, the Senator from South Carolina and others—and pointed out the discriminatory treatment which could easily be fixed. I do not have any doubt but that the Senate would—as we attempted to do yesterday, the Senator from Alabama offered an attempt to take down the amendment tree the majority leader has filled.

For people who do not follow the minutiae and the detail of what happens here in the Senate, the majority leader has basically blocked any opportunity to offer an amendment that would remedy this discriminatory treatment for our military servicemembers.

I have heard at least two of my colleagues on the other side of the aisle say: We can come back and do it next year.

Why do it next year if we could do it now? I believe that if the Senate was given an opportunity to make this correction—I don't blame the Senator from Washington and Congressman RYAN in their efforts to come up with a budget to do what they did. I do blame us if we don't fix it this week when it is within our power to do so, and it is within the power of the majority leader to allow us to vote on that and to make that happen.

I don't have any doubt whatsoever that if we were able to come up with an appropriate pay-for and a substitute for this cut in military pensions, it would pass like a hot knife through butter in the House of Representatives when they reconvene.

Unfortunately, this is a product of the way the majority leader has decided to run the Senate. I have another example of that, which I wish to turn to. This has to do with an amendment that I have offered on the Defense authorization bill, which is a bill we will turn to after authorization of the budget. The Defense appropriations bill is a very important piece of legislation, and I congratulate Senator INHOFE and the House, both in the majority party and the minority party, for coming up with a pretty good bill. The problem is once again the majority leader has decided to transform the Senate into basically a railroad and to jam this bill through this week, probably by tomorrow night, without any opportunity to offer any amendments.

That is a terrible mistake. The last time in recent memory that the majority party decided to jam through a piece of legislation was ObamaCare. I remember voting on Christmas Eve—something I hope we don't repeat this year—and that was a party-line vote in the House and the Senate.

We are discovering, as ObamaCare is being implemented, that a lot of the promises that were made to the American people, such as: If you like what you have, you can keep it, and the cost of your health care will go down an average $2,500 for a family of 4—all of those were false.

That is what happens, the kinds of mistakes that are made, when there are not bipartisan efforts to come up with compromise legislation. Instead, the majority party uses the power it has to jam things through. We make mistakes. Things aren't adequately considered.

I don't care who you are; we all can benefit from other people's ideas and suggestions, and that is the genius of the checks and balances under the Constitution and under our form of government. But the majority leader has decided to put all of that aside.

I read today in Politico that he has said he doesn't care that people are complaining about his ''my way or the highway'' approach. But it is not only about our rights as Senators to participate in the process—it is not only

about the rights of the 26 million people that I represent in Texas, who are essentially being shut out of the process—this is about making mistakes that hurt people, mistakes that we would not make if we had taken the time in a bipartisan way to try to address some of these concerns. This discriminatory treatment of the military pensions is one example.

Another example is when members of Al Qaeda struck our Nation on September 11, 2001, they made it clear they viewed the entire American homeland as the battlefield.

We were reminded of this again about 4 years ago when a radical jihadist, who happened to be wearing the uniform of the U.S. Army, MAJ Nidal Hasan, opened fire at a Fort Hood Army base in Killeen, TX. That shooter killed 12 American soldiers, 1 civilian, and shot and injured 30 more.

This is a terrible tragedy. I remember President Obama coming down for the memorial service where we honored the lives of these people who lost their lives in this terrible attack. But no matter how we slice it, this was a terrorist attack on American soil, not much different—except in the means by which it was carried out—than what happened on September 11, 2001.

Prior to committing this terrible terrorist attack, the Fort Hood shooter exchanged no fewer than 20 emails with a senior Al Qaeda operative, al-Awlaki, who was subsequently killed by a U.S. drone attack in Yemen by the President of the United States.

The shooter, Major Hasan, had become more radicalized over time—and this is a problem with our military that seemed to have turned a blind eye. But there is also a problem when the Federal Government calls this workplace violence and doesn't call it a terrorist attack, which it actually was. He opened fire in the name of global jihad in the hopes of defending the Islamic empire and supporting his Muslim brothers.

That is why he asked the late Mr. al-Awlaki if Islamic law justified ''killing U.S. soldiers and officers,'' and that is why he yelled out ''Allahu Akbar'' before committing this massacre.

If a U.S. soldier is killed in Afghanistan by an Al Qaeda-inspired terrorist alongside the Taliban, he or she will posthumously be given a Purple Heart award and his or her family will receive the requisite benefits that go along with losing your life in service to your country.

Yet the U.S. Government has chosen to discriminate against these people who lost their lives at Fort Hood 4 years ago at the hands of a terrorist, who tragically happened to be a member of the uniformed military of the United States, MAJ Nidal Hasan, who has subsequently been convicted of these crimes.

Even though Major Hasan saw himself as an Islamic warrior serving the cause of an officially designated terrorist organization, the U.S. Government has chosen to treat this as something that it is not, which is an ordinary crime or, in the Orwellian use of the phrase, workplace violence. It is an exercise in political correctness run amuck. But the government's argument is that because the Fort Hood shooter was not acting under the direct and explicit direction of a foreign terrorist group, the victims of this terrorist attack 4 years ago were not eligible for the Purple Heart awards or the benefits that they deserve.

Al Qaeda, as we know, doesn't issue business cards or staff IDs, so sometimes it is a little bit difficult to say which terrorists are ''officially'' part of Al Qaeda and which ones are not, but the distinction is irrelevant. The war on terrorism, as we know, has evolved considerably since September 11, 2001. Al Qaeda has evolved too. Whether it is in Iraq, Afghanistan, or now Yemen and in other places, Al Qaeda has morphed.

Several months ago, the group's top leader, al-Zawahiri, urged his followers to conduct exactly the kind of terrorist attack that occurred at Fort Hood and occurred in Boston in 2013. Zawahiri said, ''These dispersed strikes can be carried out by one brother, or a small number of brothers.''

Let us imagine that a radical Islamist heard these words, contacted an Al Qaeda cleric to ask about killing Americans, and then went on to slaughter a number of U.S. soldiers. It shouldn't matter where those killings took place, and it shouldn't matter whether the killer had ''formal'' ties with Al Qaeda or not. There really isn't any doubt about Hasan's ties to Al Qaeda or his being inspired by someone who the President of the United States put on a kill list for a drone because he knew they were recruiting and inspiring attacks against the American people.

If it is good enough for the President of the United States to order a drone attack on an American citizen in Yemen, it ought to be good enough for this body to recognize this was a terrorist attack because of Hasan's inspiration and communication with this very same terrorist. We ought to award these families the Purple Heart awards that these servicemembers are entitled to and the benefits that they deserve.

It is clear that these casualties at Fort Hood were part of America's struggle against Al Qaeda and the global war on terrorism. They were casualties of a war that continues to rage in Afghanistan and that only recently claimed an additional four American lives. It also extended to places such as Benghazi, Libya, where four Americans were killed.

Whether or not the Fort Hood shooter had Al Qaeda stamped on his forehead is irrelevant. He was unquestionably a disciple of Al Qaeda's poisonous ideology, which has fueled death and destruction around the globe and here in our homeland.

As I have indicated at the beginning, I have sponsored legislation that would make the Fort Hood victims eligible for the honors and benefits available to their fellow U.S. soldiers and troops serving in overseas combat zones. I offered a modified version of that bill as an amendment to the Defense authorization bill, which we will take up immediately following the passage of the budget legislation this afternoon.

The majority leader has refused to allow a vote on it. We may recall, before the Thanksgiving recess, we had, I believe, two amendments to the Defense authorization bill, and then the question was what other amendments might be offered. The majority leader made clear he wasn't going to allow any other amendments—except of his own choosing—thus denying the minority any opportunity to help amend and improve the Defense authorization bill, one of the most important pieces of legislation this body takes up every year.

So cloture was not invoked, and now in the waning days before the Christmas holidays, the majority leader seeks to jam through this bill that was agreed upon by basically four people behind closed doors and deny me—representing 26 million Texans—and deny those of us who care about calling a spade a spade when it comes to terrorism an opportunity to offer an amendment on the Defense authorization bill. It is a mistake, no less a mistake than denying an opportunity to fix the mistake of discriminatory treatment of our servicemembers whose pensions are being cut as a result of the budget negotiation.

Not only has the majority leader refused to allow a vote on this Purple Heart awards amendment, he has refused to allow any other amendments, both on this budget negotiation or on the Defense authorization.

As I said, the budget agreement passed by the House of Representatives would slash military retirement benefits by about $6 billion over the next decade. I have heard on cable TV at least two Members of the other party of this body who said we need to fix that. The Senator from New Hampshire has offered legislation, I believe. I heard the Senator from Virginia, Mr. KAINE, say we could come in and fix this with a scalpel after the fact.

We don't need to wait; we could do that today. I am confident that we could reach an agreement in this body today to remove that discriminatory treatment for our active duty military contained in this underlying bill, if the majority leader would only listen, listen to his own Members, listen to the American people, and listen to those who care about our servicemembers and want to make sure that they are not treated in such an unfair and discriminatory fashion. But, instead, the majority leader has decided ''it is my way or the highway.''

We know these cuts will even affect combat-wounded veterans who have been medically retired.

My State is the proud home to more veterans than any other State other

than California, and many of my constituents are outraged that the majority leader won't even allow us to vote on this issue.

I would tell my friends across the aisle, it is going to come up again. It came up yesterday, and it will come up again. We will be reoffering these amendments to fix this discriminatory treatment as long as we are in session, and I hope Members of both parties can put politics aside for 1 minute, come together, and address the needs of our military families and those who have worked so hard and sacrificed so much to preserve our freedom.

I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Maine.

Mr. KING. Madam President, I ask unanimous consent to address the Senate for 15 minutes.

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

Mr. KING. Madam President, we are going to have a historic vote this afternoon—historic at least in recent history—because for the first time in 3 or 4 years we are going to pass a budget—at least I certainly hope so. It is historic because, while the process was not perfect, it is a budget that was arrived at fundamentally through negotiations, through discussions, and through compromise between the chairman of the Senate Budget Committee and the chairman of the House Budget Committee. We are finally talking to each other.

This agreement is important. This vote is important for three basic reasons. One is that the agreement maintains the momentum of deficit reduction that has been in place here since the summer of 2011 when the Budget Control Act was passed. In fact, rather than breaking the budget numbers, it actually improves them in terms of deficit reduction by some $22 billion. And it maintains, as I said, the momentum.

One of the points that has been lost in the discussion about the budget and the budget deficit is that the Federal budget deficit has fallen faster in the last 2½ to 3 years than at any time in the past 40 or 50 years. It has fallen from almost 10 percent of GDP to under 4 percent of GDP over the past 2½ years. That is progress.

I think one of the problems we have around here is that often we don't know how to declare victory. We don't celebrate our successes. I am not prepared to declare victory in the fight for fiscal responsibility, but I am prepared to declare progress, and I think that is what we have made when we have more than trillion-dollar deficits that have been cut more than in half.

So the first reason I think this bill should be supported is that it is not a budget buster by any means; instead, it is a continuation of the momentum toward rational fiscal policies that we have been on, and I think it is something we should continue.

No. 2, this budget bill will finally get us out of the business of governing by crisis, of lurching from crisis to crisis and threats of shutdown and continuing resolutions year to year, month to month, quarter to quarter. It will provide some certainty to the Congress, to the government, and to the country about what the budget numbers are going to be.

I think it is important that people realize exactly what it is we are voting on today. Essentially, it is one number. It is what is called a top-line number. This is not the budget that embodies all the detailed decisions about where those dollars go. Those decisions will be made by the two Appropriations Committees of the two Houses between now and the middle of January. But by providing a number, those committees now know what their targets are. They know what their limits are. They know what they have to work with. It will enable them to make the kinds of decisions on priorities and spending that we should have been making all along.

By governing by continuing resolution, essentially what we are doing is using the priorities of last year and the year before and the year before that. And then, of course, the sequester on top of a continuing resolution is really a double budgetary whammy because the sequester is a cut. That is difficult enough to deal with, but it is a cut that was designed to be stupid, and it succeeded. It was designed to be so unacceptable that Congress would feel they had to find an alternative. Unfortunately, this past March that didn't happen. So the sequester, which was across-the-board cuts by account, went into place. That meant that within the military, within the Pentagon, within the Navy, within the FAA, and within the Department of Transportation, each account had to be cut. Some accounts probably could use some cutting and other accounts desperately needed the funding that was made available. This bill relieves the irrationality of the sequester while maintaining the sequester's downward pressure on spending.

Finally, and I think most importantly, what this bill we will be voting on this afternoon will do is demonstrate to the country that we can do our job.

I was talking to people in Maine yesterday, and they said: Well, why should you be puffing up your chest and pounding your chest about just doing what you ought to be doing all along?

I couldn't really argue with that, except that we haven't been doing our job. And the fact that we are now at least inching toward doing it in the manner we are supposed to is progress—at least it is progress in recent history. I think that is one of the most important parts of this bill. I think that is the signal it sends to the country—that we can, in fact, talk to each other; we can compromise; we can make financial and fiscal arrangements around here that make sense, that are rational, that are prioritized, and we can do our job.

When I was in Maine last weekend, the most common question I got was this: Why can't those people down there talk to each other? Why can't they work things out? We do that in our town meetings, we do that in our businesses, and we do that in our families. Why can't they?

Well, in this case, they have. It wasn't a perfect process, but at least it involved bipartisan, bicameral negotiations that get us to the point where we have a budget we can vote on today. Do I like it? I don't like every piece of it. I don't like the pension hit the Senator from Texas described. That wouldn't have been in my proposal. In fact, I made a proposal at the budget conference that was quite different from this one. It wasn't accepted. That is how this place works.

My favorite philosopher, Mick Jagger, said, ''You can't always get what you want, but if you try sometimes, you just might find you get what you need.'' What we need right now is a budget. It is something we can work from that gives us some certainty.

I believe we can fix this pension problem. In fact, I have joined with Senator SHAHEEN of New Hampshire on a bill that would replace the cuts to the military pension, dealing with some offshore tax benefits that I think is a much more sensible way to fill that $6 billion gap. We can do that because the pension proposal doesn't take effect for 2 years—not until December 2015. So we can fix that, but we have to get this budget passed now.

To answer the question ''Why can't they talk,'' they have talked, and I think that is important.

Now I would like to turn to a slightly different topic, but it is related to the budget. In 1997 the Congress passed something called the sustainable growth rate, which was designed to control reimbursement rates for physicians and providers under Medicare. The problem is that it has turned into a monster that reduces physician fees to the point where they won't serve Medicare patients unless it is fixed. Each year since 2002 we have fixed it year by year, but it is always temporary. It is always a patch. In fact, it has gotten its own name in the lexicon of Washington: the ''doc fix.'' It is something we have to do. Everybody knows we have to do it. But why not fix it for good?

The Congressional Budget Office tells us that if we fix it once and for all, it would cost $116 billion over the next 10 years. That sounds like a big number, but it happens that there is a place we can go to get that money that I think fits with it very well. In 1990, under President George H.W. Bush, the Medicaid drug program was created, and because the government was buying drugs under Medicaid in very large quantities, they sought a volume discount from the pharmaceutical companies—perfectly rational; any of us would ask for a volume discount if we

were buying in large quantities—and, indeed, Medicaid-eligible beneficiaries had discounts or rebates on their drugs from 1990 to 2006.

In 2006, Part D of Medicare was passed. We provided a drug benefit to Medicare recipients. But one of the wackiest parts of that bill said that the government could no longer negotiate for volume discounts. I hear a lot of discussion around here about private enterprise and business and how we should run the government like a business. No rational business would buy any product—cars, gasoline, drugs, or anything else—in enormous quantities and not seek and gain from the sellers some kind of volume discount.

Senator ROCKEFELLER has introduced S. 740, which essentially says: Let's return Medicaid beneficiaries—not all Medicare beneficiaries but Medicaid recipients—to the status of prior to 2006, where they will get applied to their drug purchases—or the government actually gets—the same kind of rebates they got for the 16 years from 1990 to 2006. This will produce $140 billion over the next 10 years. It will not cut expenses to recipients; it will only save the government money.

It seems to me this is a sensible way to fix the doc fix once and for all and to do something that makes sense for the taxpayers, which is to acquire for them volume discounts, volume rebates that are available today for other Medicaid recipients who aren't under Medicare and for the VA, and it puts them on the same status, these so-called dual-eligibles, people who are eligible for Medicaid and Medicare. Just this change would save $140 billion, and it would enable us to fix the doc fix permanently. It would also contribute about $30 billion to deficit reduction over the next 10 years.

I think we have a historic opportunity this afternoon to pass a budget—the first budget, by the way, produced by a divided Congress, where the two Houses were in different political hands, since 1986. And I think that is an achievement. It is something that a month ago I wouldn't have bet too much on, but I am very appreciative and admiring of Chairman MURRAY and Chairman RYAN for coming together and putting their ideological issues aside and coming up with an arrangement, an agreement which allows us to have some certainty and which can signal to the country that we are, in fact, capable of doing the most fundamental responsibility we have, which is to pass a budget.

Madam President, I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. I thank my colleague from Maine for his statement and support for this effort. This is a historic moment. It has been 4 or 5 years since we have enacted and passed a budget agreement between the House and Senate. In a divided government, we have found many excuses and ways around it, but we are facing our responsibility today in the Senate. We are hoping that yesterday's procedural vote, with 67 Democrats and Republicans joining together, is an indication of the success we will find later today when this measure comes up for a final vote.

Before I go any further, I wish to salute my colleague, my friend, and my fellow leader in the Senate, Senator PATTY MURRAY of Washington.

A few years ago PATTY was given a tough assignment. She was given the assignment to chair the so-called supercommittee. I had been involved in a lot of deficit negotiations up to that point, and I thought, oh my goodness, she is walking into a minefield. Well, she did a professional job, a bipartisan effort. It didn't succeed, but she learned in the process not only more about our budget challenge but also more about the leaders in the budget process. And I think it was that painful experience with the supercommittee that set the stage for the much more successful negotiation over this budget agreement with PAUL RYAN.

PAUL RYAN is no stranger to those of us in Illinois. His congressional district borders on our State in Wisconsin. I know PAUL. I like him. I respect him. We disagree on a lot of substantive issues, but I respect him as a person of substance and a person of values who tries to solve problems. He showed, with Senator PATTY MURRAY, that Democrats and Republicans can sit down in a room together, respect one another's differences, and still come to an agreement. What a refreshing development in this town where so many times we fall flat on our face trying to come up with a solution.

I also want to commend PAUL RYAN, while I am on the subject, for his leadership on the immigration issue. It is not easy for him to step up as a conservative Republican and support comprehensive immigration reform, but he has done it. He came to Chicago and made that announcement with LUIS GUTIÉRREZ, the Congressman from the city of Chicago who is the national leader on immigration.

I only say that because if we have more of that kind of dialogue, more of that kind of agreement, we will have a better Congress and the American people will know it. Right now we are languishing in approval ratings across the country, and a lot of it has to do with the fact that we spend too much time fighting and not enough time trying to find solutions.

This budget agreement is a solution. Is it perfect? Of course not. There are parts of this budget agreement I don't like at all. But I have come to learn that if we are going to get anything done in Washington for the good of the people of this country, we have to be prepared to accept in an agreement some things we might not agree with. We found that with comprehensive immigration reform. We will find it today with this budget agreement.

This plan isn't perfect, but it is going to enable us to avoid a shutdown of the government. Did we or did we not learn a lesson just a few months ago? We shut down the government of the United States of America for 16 days. One Senator came to the floor on the other side of the aisle speaking 21 hours in an effort to inspire others to join him in the shutdown—and, sadly, it worked. For 16 days, 800,000 Federal employees or more were sent home with the promise that eventually they would be paid, and millions of Americans were denied the basic services of our government during that government shutdown.

We managed to emerge from that with the promise that we would fund our government with a continuing resolution until the middle of January. But then the burden fell on PATTY MURRAY and PAUL RYAN and the members of that conference committee to come up with a solution, and they did. That is what is before us today.

Those who are voting no don't have an alternative. They don't have a plan. They are just angry or upset or basically opposed, but they don't have an alternative. If it means they would want another government shutdown, so be it. But thank goodness an overwhelming bipartisan majority in the House of Representatives voted for this plan. Yesterday, if I am not mistaken, we had 12 Republicans join us and all 55 Democrats, so 67 voted in favor of this bipartisan budget plan.

What is especially important to me as a member of the Appropriations Committee is not only is it avoiding another government shutdown, it is a 2-year plan. I said to Senator MURRAY when she called me with the details: That is one of the strongest arguments in favor of this I can imagine, to think now that the Appropriations Committee can sit down and do its work for the rest of this year with a budget target number.

I have a pretty substantial responsibility on the Appropriations Committee. I chair the subcommittee on defense and intelligence. In that subcommittee, our bill alone is about $600 billion, or just a little south of that, and it embodies almost 60 percent of all discretionary spending of the Federal Government. We are going to get a chance now—and I have already sat down with Congressman FRELINGHUYSEN of New Jersey, who chairs the same subcommittee in the House—to work out a bipartisan appropriations bill for the defense of America. Is there anything more important than our national security? We have to start there, and we are going to be able to do it now in a thoughtful way because of this budget number. Those who are voting no would cast us again into the darkness—a continuing resolution.

For those who are on the outside looking in, a continuing resolution is akin to saying to a family: Listen, next year we are going to give you the checkbook ledger from last year. Keep writing the same checks for the same amount, and we are sure everything will work out. It doesn't.

Instead, because of this budget agreement we can start looking at ways to save money which will not harm our men and women in uniform and will keep America strong and create a national defense.

We are going to also work in this bill to start to repair America's fraying social safety net—in other words, protecting the most vulnerable in America—because this agreement stands for the premise that we are going to treat defense and nondefense spending and cuts equally. That was an agreement we started. It is one they honored with us.

We have made real progress in the last 4 years to cut our Federal deficit in half. We are going to cut the deficit even further under this bipartisan plan but in a much more thoughtful way. I am going to be voting yes for the budget and I urge my colleagues to do the same.

I see the Republican leader on the floor, and I know he has a very busy schedule. I do want to leave with one closing thought. There is another deficit in America beyond our shrinking budget deficit that is even more dangerous to America's future; that is, the rapidly deteriorating situation many working families are facing. We have an opportunity deficit in America. President Obama called this opportunity deficit the defining challenge of our time, and I believe he is right.

We don't begrudge anyone wealth and success in America. We celebrate it. But we also believe in fairness. We believe in the dignity of work. We believe, if you work hard and follow the rules, you ought to be able to provide for your family with the basics of life and with the dream of an even better life for the next generation. That is the promise at the heart of America's economy, and for too many families today, it feels like a broken promise. We are losing the balance between personal wealth and our commonwealth to a winner-take-all ideology that is hurting our economy and our democracy.

Market capitalism has generated enormous wealth for America's economy. But for more than 40 years, the benefits of economic growth in America have gone increasingly to those at the top—while the middle class shrinks and the poor slip deeper into the quicksand of inescapable poverty. Think about this: in 1970, the top 1 percent of earners took home 9 percent of America's income. Today they take home nearly a quarter. The top 1 percent holds more than one-third of the Nation's overall wealth, while the bottom half of America controls less than 3 percent. The richest 400 Americans—the top one-tenth of one percent—now own more wealth than the bottom 150 million Americans combined. America is the wealthiest Nation on Earth. Corporate profits and the stock market are hitting records highs. Yet millions of workers are actually making less money today in real dollars than they did 20 years ago. We have more children growing up in poverty than in any other industrialized Nation. And our infant, maternal and child mortality rates are the highest among advanced Nations. Social mobility—the ability to work your way up the economic ladder—is now lower in the United States than it is in Europe.

What does that tell you about the American Dream? Income inequality is worse in America today than it is in Egypt, Tunisia, Yemen, the Ivory Coast, Pakistan, and Ethiopia. And then there is this: Since the official end of the Great Recession in 2009, 95 percent of all income gains in the U.S. have gone to the wealthiest 1 percent. There's a reason the YouTube chart Wealth Inequality in America has gotten more than 13 million views. The American people know that our economy isn't working for average working folks. It's like a bumper sticker that said, ''The economy isn't broken, it's fixed.'' The rules have been rewritten over the last four decades to concentrate more and more wealth at the very top, at the expense of everyone else.

The United States is not alone in this; growing income and wealth inequality are global problems. But these problems are growing faster in America than in any Nation. We would do well to listen to Pope Francis, who, in his recent ''apostolic exhortation''—a sort of open letter to the faithful—described trickle-down economics as a system that ''has never been confirmed by the facts.'' It is created, in the Pope's words an ''economy of exclusion and inequality'' and ''a globalization of indifference.''

Pope Francis asks:

> How can it be that it is not a news item when an elderly homeless person dies of exposure, but it is news when the stock market loses two points? We are thrilled if the market offers us something new to purchase, in the meantime all those lives stunted for lack of opportunity seem a mere spectacle; they fail to move us.
>
> Today everything comes under the laws of competition and the survival of the fittest, where the powerful feed upon the powerless. As a consequence, masses of people find themselves excluded and marginalized: without work, without possibilities, without any means of escape.

Economic justice must be a central concern of the Catholic Church, the Pope says. But it is not the Church's responsibility alone. The Pope writes that mere handouts are not enough. I quote:

> We must work to eliminate the structural causes of poverty. It is vital, that government leaders and financial leaders take heed and broaden their horizons, working to ensure that all citizens have dignified work, education and health care. I beg the Lord to grant us more politicians who are genuinely disturbed by the state of society, the people, the lives of the poor.

Those who are unmoved by moral appeals might want to listen instead to the economic case for reducing economic inequality. America's widening income and wealth inequities have recently drawn warnings from the Federal Reserve Board, the Organization for Economic Cooperation and Development, and the IMF, the International Monetary Fund. Listen to this warning, from a recent IMF analysis. I quote:

> Some dismiss inequality and focus instead on overall growth—arguing, in effect, that a rising tide lifts all boats. [But w]hen a handful of yachts become ocean liners while the rest remain lowly canoes, something is seriously amiss.

In countries with high levels of inequality like the United States, the IMF warns, ''growth becomes more fragile,'' economic crises like the Great Recession become more frequent, and economic expansions are shortened by as much as one-third. Slower growth leads to fewer jobs created and even greater inequality—a vicious cycle. In fact, IMF economists found that inequality seems to have a stronger effect on growth than several other factors, including foreign investment, trade openness, and exchange rate competitiveness. Rather than being conflicting goals, the IMF economists concluded, reducing inequality and bolstering growth, in the long run, might be ''two sides of the same coin.'' That is certainly true in an economy such as ours, in which 70 percent of the U.S. economy depends on consumer spending.

It has taken years to reach these levels of inequality in America and it may take years and sustained effort by Congress to restore broad-based growth to our economy, the kind of growth that benefits all Americans, not just the wealthiest few.

The Affordable Care Act is a powerful start. No longer will tens of millions of Americans—most of them working people—have to worry that they are just one illness or accident away from bankruptcy. Small business owners will be able to spend less time searching for affordable health plans, and more time creating jobs.

Next, we need to restore the bottom rung on the ladder out of poverty and into the middle class by raising the federal minimum wage to $10.10 an hour. According to a Wall Street Journal/ABC News poll, 63 percent of Americans—two-thirds of Americans—strongly favor boosting the federal minimum wage from $7.25 to $10.10 an hour. $7.25 an hour, 40 hours a week, 50 weeks a year, works out to $14,500 a year—40 percent below the poverty line. Clearly, we can't boost the American economy on poverty wages. Studies and our own history show that raising the minimum wage will create jobs—because in America, consumers are the biggest job creators.

If you want to help poor children escape poverty, one of the best investments you can make is in effective preschool. We know that. It's been proven. Yet, according to the OECD, the U.S. ranks 28th out of 38 leading economies in the proportion of four-year-olds in education. The budget before the Senate restores funding so that many of

the children kicked out of Head Start classes because of sequester cuts will be able to return to school. This is still only a fraction of the children who need quality pre-school. President Obama has set universal pre-school for every child in America. That should be our goal. Because the future belongs to those who are best-educated.

Here's another staggering fact about the new economy: For reasons that include automation, globalization and the loss of good-paying manufacturing jobs, more than half of Americans will experience near-poverty for at least some part of their lives. More than half. Here's another sobering fact: According to the National Employment Law Project, about two-thirds of the American jobs lost in the Great Recession were in middle-wage occupations—the kind of jobs that don't require a safety net. But these middle-wage occupations have accounted for less than one-fourth of the job growth during the recovery. Weakening the social safety net at the same time America is losing middle-class jobs can only hurt families and our economy. We need to strengthen America's social safety net so that temporary economic setbacks don't spiral and trap families in inescapable poverty.

We need to invest in infrastructure.

And we need to restore the ability of working people to choose to join or form a union so that they can bargain collectively for fair wages and safe working conditions. Labor and management, working together, built the American middle class. Labor and management, working together, can help to restore and grow America's middle class.

Years ago, Bobby Kennedy said that America's gross national product measures a seemingly endless variety of commercial transactions. But, he said, the gross national product does not measure many other things, such as ''the health of our children.''

> It measures neither our wit nor our courage; neither our wisdom nor our learning; neither our compassion nor our devotion to our country; it measures everything, in short, except that which makes life worthwhile. And it tells us everything about America except why we are proud that we are Americans.

For 40 years, a series of political and economic choices has widened economic inequality in America. Those choices have hurt many families. They have made our economy less fair, less stable, and less prosperous. And they have hammered away at one of the promises that made us most proud to be Americans: the promise that if you work hard, you can make a better life for yourself and your family. This budget will help us redeem that promise and reclaim that pride. I ask my fellow Senators to vote with us for economic fairness and shared prosperity.

After we pass this budget, after we get our appropriation bills underway, we are going to come forward and—I hope in a bipartisan manner—address some of these pillars of income equality in America: an increase in the minimum wage, an opportunity to make sure through the Affordable Care Act that every family has an opportunity for health insurance in America, a press conference which I will have later today with Senators WARREN and REID on the whole student loan debt crisis facing so many families. We have reached a point now where the student loan debt in America is greater than the credit card debt. It has devastating impacts on working families across America.

These and so many others should be part of an agenda to repair the opportunity deficit, and I hope Republicans will join us in a bipartisan effort.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Madam President, I am going to proceed on my leader time.

The PRESIDING OFFICER. The leader has that right.

PIKEVILLE LISTENING SESSION

Mr. MCCONNELL. Madam President, I rise to give voice to the people of eastern Kentucky who are hurting due to this administration's war on coal.

Recently, I traveled to Pikeville, KY, in the central Appalachian coal fields to hear firsthand from coal miners, their families, those in the energy industry, and others about how their communities are being ravaged by EPA's excessive, overly burdensome regulations on coal.

The EPA didn't want to listen to these folks. I tried to get the EPA to have a hearing in eastern Kentucky, and they refused. So I did it. I held this listening session to put a human face on the suffering that is being felt in Appalachia due in large part to this administration's war on coal. I want to share with my colleagues just a little bit of what I heard in that listening session down in Pikeville a few days ago.

This is a picture of Howard Abshire. He is a former production foreman and a fourth-generation coal miner. In the audience during his testimony was his son right behind him, right here, Griffin. He is a fifth-generation coal miner. What the father and son have in common is they are both out of work. Both the father and the son are 2 of over 5,000 Kentuckians who have lost their jobs in the war on coal—two of the casualties of the President's war on coal, Howard and Griffin, out of work.

Howard is holding up a piece of coal in his left hand. Coal mining is what the EPA wants to stamp out, but coal is also the powerful substance which powers our homes, provides light and heat and fuels the commerce of goods and services worldwide.

''This is coal,'' he said. ''This keeps the lights on.'' Howard is only one of many coal miners laid off for lack of coal mining work. This is what he said:

> Look in our schools. Look in our nursing homes. Look in our pharmacies. We're hurting.
>
> We need help. We don't want to be bailed out. We want to work.

Howard doesn't want to be bailed out. He wants to work.

Seated next to Howard is Jimmy Rose. Jimmy Rose is a veteran. He fought in Iraq. He is a former coal miner. Jimmy was perhaps the most famous attendee at the listening session because he brought attention to the war on coal to a national television audience on ''America's Got Talent.'' Jimmy is a songwriter and singer. He used his song ''Coal Keeps the Lights On'' in his competition in ''America's Got Talent,'' and it spoke directly to the hardship in his community caused largely by the war on coal. This is Jimmy Rose right here, and here is what he had to say:

> It's in our heritage, it's in our blood.

Addressing the Obama administration, Jimmy said:

> Look at what you're doing, and who you're affecting . . . Coal mining is a way of life, just like I say in the song. Don't kill our way of life. I hope one day I can always say coal kept the lights on.

I also heard from Monty Boyd, the owner of Whayne Supply Company and Walker Machinery, mining and construction equipment distributors that serve Kentucky, Indiana, West Virginia, and Ohio. The companies employ 1,900 people and operates 25 stores.

Whayne Supply this year celebrated 100 years of operation. Yet this is what Monty had to say:

> At a time when I should be excited about our future, I am full of concern and uncertainty because our future outlook is bleak due to the regulatory ambush on the coal industry by the EPA.

He went on to say:

> Coal in Kentucky is more than just mining. It is the driving force that keeps our energy rates affordable, keeps our manufacturing sector competitive, and is the economic life blood of eastern Kentucky.

Monty went on:

> I am disheartened to continually see the federal government and the EPA take such an anti-business stance that destroys an industry that is vital to our regional economy. The federal government appears to be choosing the winners and losers in regard to the energy sector of America.

Those are strong words from someone with a good perspective on Kentucky's coal industry.

I also heard from Anita Miller, over here in the photograph. She is a manager of safety for Apollo Fuels in my State. She has worked in the industry for more than 15 years. Here is what Anita had to say:

> My son walked earlier than my daughter . . . every time she would try to stand up, he would either knock her down, or put his hand on her head so she couldn't stand. This is what is happening to the coal industry.

Anita went on to say:

> Every time we try to stand up for ourselves, someone either knocks or holds us down. . . . You can't really buy anything or make plans for the future because you don't know what the future holds.

My wish is that the people who are trying so hard to destroy the coal industry would just stop for a minute and think about the hot showers they take, the lights they turn on, and that first hot cup of coffee in the morning, and remember that it came from electricity powered by coal.

I couldn't agree more with what Anita says. It is apparently too easy for EPA bureaucrats and the Obama administration to make decisions that have a huge impact on the people of eastern Kentucky. They don't think about the consequences and, I might add, without bothering to meet face to face with the people they hurt.

The EPA schedules listening sessions for its new regulations only in cities far away from coal country, both geographically and philosophically; cities including New York, Boston, Seattle, and San Francisco. They held 11 listening sessions in all, but the closest one to eastern Kentucky was in Atlanta, requiring Kentuckians to make a 14-hour round-trip drive simply to attend. So it is pretty clear from the location of all these listening sessions the EPA did not want any real input.

That is why I convened a listening session in Pikeville that resulted in the powerful testimony I have shared with my colleagues today. Since the Obama EPA would not come to Kentucky, I brought the voices of Kentuckians to EPA. We held three panels composed of those in the coal industry, miners and their families, and local elected officials to illuminate the disruption in these communities caused in large part by the war on coal. Many of my constituents filled out comment cards and my office delivered them yesterday to the EPA, along with the hearing testimony.

I want to leave my colleagues with the comments of one Kentuckian, Justine Bradford, who is a retired teacher in Pikeville. Here is what Justine wrote:

Dear EPA, will you please tell Santa Claus all we want for Christmas this year is to be able to work.

This is Justine Bradford: Tell EPA to tell Santa all we want for Christmas this year is to be able to work.

Here in eastern Kentucky we, too, are real people. Please help us find a job. Come and walk in our shoes.

The people of eastern Kentucky believe in coal, and with good reason. The abundance of coal in America and in Kentucky in particular is a God-given resource. For decades it has powered our factories, transported our goods, and warmed our homes.

Yes, the blessings of coal come with the responsibility to use it in an environmentally friendly way. But they also come with the responsibility to see that hard-working Kentuckians who rely on coal for an honest day's work and steady pay are given every chance to earn that. And they come with the right of all Americans to take full advantage of this God-given domestic resource to produce clean, cheap, and safe energy.

These things have been true for many decades. There is no reason they should not still hold true now. Eastern Kentucky must look for some economic opportunities beyond coal, and I support that, and I know the people of the region can accomplish greatness. It is vital that we consider eastern Kentucky's future. But let me make this point: It is equally vital that we not give up on eastern Kentucky's present. As we consider eastern Kentucky's future it is important that we not give up on eastern Kentucky's present, and coal is the key to the present in eastern Kentucky.

The Obama EPA has the testimony I heard in Pikeville. Whether they want it or not, they have it. Eastern Kentucky is going to continue to push back in this war on coal. The war is not over yet, not by a long shot. This President will be gone in 3 years and the coal will still be in the ground. The people of the region are resilient and they will keep fighting.

I am very hopeful for a positive outcome in eastern Kentucky and the Appalachian region and I am going to defend them in every way I can.

NDAA

Madam President, the National Defense Authorization act is one of the essential pieces of legislation the Senate considers every year. This is legislation, obviously, that authorizes funding for our troops and the equipment and the support they need to carry out their mission. This is legislation that—along with the funding that follows in the appropriations bill—puts muscle behind America's most important strategic objectives across the globe.

Yet, under the Democratic majority, this bill has basically languished since last summer. About 6 months—6 months—have elapsed since the Armed Services Committee first reported the bill out of committee. Now, with just days to go before Christmas, after wasting valuable time ramming through political appointee after political appointee, the majority wants to rush this crucial legislation through without the debate it deserves. They want to push it through the Senate without even giving the minority the ability to offer more than a single amendment—just one.

To give some perspective, 381 amendments were proposed to this bill last year. We agreed on 142 of them. The year before that, hundreds were again proposed and many were agreed to. That is the way the Senate used to operate.

Keep in mind that all this follows right on the heels of the Democrats' ''nuclear'' power grab just a few weeks back. So this is what has become of the Senate under the current Democratic majority—rules and traditions of the Senate that have served us well for years are broken or ignored in the interests of a short-term power grab. Some of the most important legislation that we consider as a body is rushed through at the last minute without any real opportunity for debate or amendment.

As some have suggested, the Senate has become a lot like the House under the current Democratic leadership. From the standpoint of the minority, it is actually a lot worse. Committee chairmen have been cut out of the process. Senators who thought they would have an opportunity to legislate have been told they are basically irrelevant, and evidently so are the rules. Senate rules are now just as optional to Washington Democrats as the ObamaCare mandates they decide they do not like—the Senate rules are just as optional as the ObamaCare mandates they decide they do not like—all of which obviously makes a mockery of our institutions and our laws, and all of which suggests this is a majority that has zero confidence in its own ideas. This is a majority that cannot allow the minority to have a meaningful say when it comes to nominees. This is a majority that will not allow Members to offer amendments when it counts.

Why? Because of a fear that the minority might actually win the argument and carry the day. That is exactly what we are seeing with the NDAA. The majority leader will not allow a robust amendment process because he cannot stomach a vote on Iran sanctions. He knows the administration would lose that vote decisively, and he knows that many members of his own caucus would vote alongside the Republicans to strengthen those sanctions. So, rather than allow a Democratic vote that might embarrass the administration, the majority leader simply will not permit that vote to happen.

Here is another consequence. By denying the Senate the ability to legislate, debate, and amend the National Defense Authorization Act, the Defense Appropriations Act and additional Iran sanctions, and by refusing the Senate the ability to vote on the authorization for the use of force against Syria, the majority leader has abdicated this Chamber's constitutional role in shaping and overseeing national security policy.

Without considering these matters, the Senate has been unable to address the programs, policies, and weapons systems necessary to make the President's strategic pivot to the Asia-Pacific theater real. Are the programs in place adequate to address China's aggressive encroachment upon the territorial and navigational rights of other nations in the region? Through defense legislation have we considered the necessary tradeoffs to fund adequate force structure—have we done that? Can we execute this pivot and maintain adequate force structure in the Persian Gulf and the Mediterranean? We will not have any of that debate—no debate at all.

We have been denied the opportunity to consider additional Iran sanctions.

Despite the assertions of the administration that it has worked with Congress to craft the current sanctions regime, each time sanctions have been enacted during the Obama administration these bills have basically been forced upon the President. He did not want any of them. Despite the fact that the administration concedes that sanctions have brought the Iranians to the negotiating table, it is actively working to forestall additional sanctions tied to the verification of the interim agreement.

The Senate should not be denied a vote concerning Iran. The President retains the power to veto anything we pass. What are our policies preventing the ungoverned portions of Syria from becoming a terrorist safe haven? Unfortunately, we will not be having that debate this session of Congress. What is our policy on capturing, interrogating, and detaining terrorists? And if we had a coherent policy, would it survive after we draw down our forces in Afghanistan? We will not have a chance to have that debate either.

This is not simply a matter of denying the minority a voice in shaping foreign policy; it is an erosion of the responsibility of the Senate. We have given President Obama a free rein in shaping these matters, and our allies in Asia and the Arab world are now questioning our commitment to remaining forward deployed and combat ready.

More importantly, the courageous men and women who defend us every day should not have to suffer from these tactics.

Still, despite the egregious abuses we are seeing here of the legislative process, the underlying bill is an important bill. It contains the authorization needed for key military construction projects on our military bases, for multiyear procurement that is more efficient—that actually saves taxpayers money—and for the combat pay and special pay our troops deserve. It also, fortunately, extends the prohibition on bringing Guantanamo Bay prisoners into the United States, a provision that I and many other Americans strongly support. It also authorizes funding for the next generation of aircraft carriers, something central to the success of the President's pivot to the Asian theater, something I mentioned earlier.

In short, there are a lot of good things in this bill, even if the process that got us here was completely unacceptable.

Let me be clear: The bill before us would be markedly improved if Senators were allowed to offer amendments and more than just a day or two to debate them. The Democrats who run the Senate need to think hard about what they are doing. This is just about the only regular order legislation we ever consider anymore. It is one of the only chances Senators can count on to offer important amendments. Now the Senate Democratic majority is even trying to shut that down too. We do not even do Defense authorization anymore, open to amendment.

I remind my colleagues on the other side, one day they will find themselves in the minority again. One never knows how soon that might occur. They should think long and hard about what they are doing to this institution, because the Senate is bigger than any one party or presidential administration.

Mr. WHITEHOUSE. Mr. President, I rise today with my colleagues, Senator BLUNT, Senator BLUMENTHAL, and soon to be joining us Senator GRAHAM, to speak about our Cybersecurity Public Awareness Act of 2013.

It is now broadly accepted in this body that the cyber threat posed by criminals, foreign intelligence, and military services, and even terrorists, is enormous and unrelenting. But useful information about cyber attacks and cyber risks still is not consistently available to consumers, to businesses or to policymakers.

The legislation the four of us have introduced, the Cybersecurity Public Awareness Act, is an important first step toward fixing this problem.

Senator BLUNT has earned a reputation for working with colleagues on both sides of the aisle, particularly on issues of national security. I was very glad to have the opportunity to work with him last year as part of a bipartisan group of Senators seeking a sensible middle ground on cyber security legislation. He has brought his keen understanding of national security issues to bear on this important problem, as well as his expertise on public and private collaboration. So I thank the good Senator from Missouri for the opportunity to work together.

Likewise, Senator GRAHAM, as my colleagues know, has a long track record of bipartisan legislative accomplishments and a passion for issues of national security. On our Judiciary Committee Subcommittee on Crime and Terrorism, where together we are the chair and ranking member, Senator GRAHAM has been a worthy partner in our work to improve America's cyber readiness, including our readiness against economic espionage and trade secret threat. I thank Senator GRAHAM for his continuing leadership and partnership as we introduce this bill to improve public awareness of the cyber threats facing our country.

I am pleased also to be joined by my colleague Senator BLUMENTHAL. We were attorneys general together. We serve on the Judiciary Committee together. We are northeasterners together. I know he brings to this Chamber a deep understanding of the tools at the disposal of law enforcement, as well as the challenges of adapting to a swiftly evolving threat.

Americans' privacy is routinely violated by criminals who steal credit card information and Social Security numbers or even spy on us through the webcams of our personal computers. Bank accounts and businesses, local governments and individuals have been emptied overnight. Sensitive government networks have been compromised. The networks that run our critical infrastructure, the basics we depend on for heat, for communications, for commerce, have been compromised, raising the prospect of a cyber attack that could bring down a portion of the electric grid or disrupt our financial system.

Even our Nation's long-term economic competitiveness is at risk. General Keith Alexander, the head of the National Security Agency and Cyber Command, has said, for example, that the theft of trade secrets through cyber hacks has put us on the losing end of the largest illicit transfer of wealth in history. Yet most Americans are still unaware of the full extent of this threat.

Why? Cyber threat information is often classified when it is gathered by the government or is held as proprietary when collected by a company that has been attacked. As a result, Americans are left in the dark about the frequency, extent, and intensity of these attacks. Raising awareness of cyber threats is an important element of Congress's work to improve our Nation's cyber security.

The Cybersecurity Public Awareness Act of 2013 takes up that challenge. Building on legislation I previously introduced with Senator John Kyl, it will increase public awareness of the cyber threats against our Nation and do so in a matter that protects classified, business-sensitive, and proprietary information.

The bill addresses several different elements of the cyber security awareness gap. It enhances public awareness of attacks on Federal networks by requiring that the Department of Homeland Security and the Department of Defense report to Congress on cyber incidents in the ''.gov'' and ''.mil'' domains. As we work to protect the American people from cyber attacks, we must first understand the nature of attacks on our own systems and what we can do to ensure that those attacks are not successful.

The bill tasks the Department of Justice and the FBI to report to Congress on their investigations and prosecutions of cyber intrusions, computer or network compromise, or other forms of illegal hacking. Those reports also must detail the resources they devote to fighting cyber crime and any legal impediments they find that frustrate prosecutions of cyber criminals. It is not enough just to try to stop hackers when they are coming after us; we must also identify and prosecute the people responsible for cyber crimes wherever they may be.

In addition, the bill requires the Securities and Exchange Commission to report to Congress on the corporate reporting of cyber risks and cyber incidents in the financial statements of publicly traded companies. The purpose of this requirement is to make

sure American businesses are adequately informing their shareholders of any material information shareholders should know relating to cyber security.

Last, the bill requires the Department of Homeland Security to report to Congress on the vulnerabilities to cyber threats in each critical infrastructure sector: the electric grid, the gas and oil markets, the banking sector, and others. When it comes to protecting our critical infrastructure from cyber attacks, there is no margin of error. Failure in this area could mean a blackout in a major American city or a serious disruption of the banking system on which our economy depends. That is why we must fully understand the threats to these sectors and do what we can to stop them.

These are ways in which the Cybersecurity Public Awareness Act will help to better inform the American people about the nature of the cyber threats we face and help us in Congress make the informed decisions about how to better protect against these threats.

We have more work to do to improve our Nation's cyber security, but a key first step is to ensure that members of the public, businesses, shareholders, policymakers, and other cyber security stakeholders have an appropriate awareness of cyber vulnerabilities, threats, and opportunities. I look forward to working with Senator BLUNT, with Senator GRAHAM, and with Senator BLUMENTHAL to get this bill passed into law, and I thank them each for their helpful cooperation and their insight.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I will follow up on what Senator WHITEHOUSE has been talking about. Last year he and I tried to find the middle ground on this issue where Members of the Senate and the House would be willing to move forward together to try to deal with it. Largely, the potential damage and the potential danger of what the cyber threat means are both unknown and, if we do know about it, we don't quite understand what we could do about it or should do about it. So we are coming together here with Senator BLUMENTHAL and Senator GRAHAM to try to do what we can to have more information available as we move forward.

There is no question that cyber breaches are serious. There is no question that they are a growing threat to our country's security. In my view, there is no question that it is our greatest vulnerability and a threat we might not see coming if we don't do the right things, particularly as it might relate to the critical infrastructure outside of what the government monitors. Cyber attacks by criminals, foreign intelligence, military service, and terrorists have increased in frequency and increased in what we see as the sophistication of those attacks. These are very dangerous for our country. They are certainly potentially dangerous in terms of the financial infrastructure, the critical infrastructure, the ability to defend the country. These incursions have already resulted in billions of dollars of lost intellectual property, millions of Americans have had their identities stolen, increased vulnerability to our critical infrastructure that is now so dependent on the cyber network for it to function. Also, of course, what happens to that infrastructure, whether it is the transportation infrastructure or the energy infrastructure or the utility infrastructure if they are compromised, and we don't know where that attack is coming from or how to meet it or how to prevent it, that is what we are trying to talk about in this legislation and trying to deal with.

As early as 2007, cyber intrusions into the U.S. Government agencies and departments resulted in the loss of data that would be equal to everything across the street in the Library of Congress. Walk through the Library of Congress. Look at everything that is there. We have lost that much government data since 2007. At the same time, reliable information about cyber attacks and about cyber risks remain largely unavailable to consumers, unavailable to businesses, and unavailable to policymakers. Threat information affecting, as my friend from Rhode Island said, ''.gov'' and ''.mil''—the military side of what we do in the government and the nonmilitary side of what we do in the government—is largely classified. So we, frankly, don't have much information about what they are doing every day, what they are fighting every day, and what the increased threat may be.

There are other entities people may be familiar with, such as ''.com,'' ''.net,'' and ''.org,'' domains that withhold information from the public because they don't want to needlessly concern their customers with using what is available or, in some cases, impact stockholders, if the stockholders knew how vulnerable a particular network might be. So I am glad we are working together to try to make this legislation, the Cybersecurity Public Awareness Act of 2013, just that.

The two key words here are ''public awareness.'' We have looked at this long and hard to figure out where the path is that we can move forward on, not just to introduce a piece of legislation but a piece of legislation that our colleagues would respond to, a piece of legislation our colleagues will look at and say: Of course, we need to know more than we know now about this and, through us, the people we work for need to know more. This gives us a greater understanding of the number of threats and the tools available to repeal those threats without needlessly compromising any of those tools that would be available to repel threats.

This bill works to provide public awareness of the danger of cyber attacks in our government and in private sector networks. It does that by instituting new reporting requirements for Federal agencies charged with monitoring and responding to cyber threats. Specifically, the bill would require national security and law enforcement agencies, including the Department of Homeland Security, the Department of Defense, and the Department of Justice, to submit reports to the Congress on what the attacks were on the Federal network and what the level of investigations are of cyber crime. What other obstacles are out there to appropriate public awareness of what they put on the Internet, how they put it on the Internet, how vulnerable we may be to things that happen now that manage so many of the daily aspects of our lives in the cyber world, and what we are doing about it. We want to know what the cyber security threats are, and we want to create an understanding so that there is a way to respond, so there is a way to share information, and so there is a way to make this work better.

This bill includes provisions to enhance awareness of threats against our critical infrastructure. As I have said before, the critical infrastructure, whether it is financial, utility infrastructure or transportation infrastructure, all are things that now are so woven into the cyber networks that the ability to suddenly manipulate, the ability to infiltrate, is all there, and we want to be sure we are looking at those threats in the right way. It is clearly complex. There is somebody out there right now thinking about things that we wouldn't want them to think about as to how they can manipulate and use these networks in dangerous ways.

It is complex, and it is critical to our national security challenges. Our response cannot and should not be to break down on partisan lines. It should not be a response that we decide we can't do anything because we can't figure out how to work together.

Again, I am pleased to be working with my colleagues on this issue. Senator BLUMENTHAL and Senator WHITEHOUSE both have backgrounds as attorneys general of their States and understand the importance of both honoring and enforcing the law and protecting us in this new area of vulnerability.

We can't prevent cyber security threats, but we can respond to those threats; however, in my view, we can't really respond to those threats—and in the view of I think everybody who will be speaking about this issue today—without public support. Having more information will make a difference. Understanding how big this problem is will make a difference. Working together to try to solve it is absolutely essential. I believe this is our greatest vulnerability as a society, and it is a vulnerability that will increase over time or decrease over time, and that largely is up to how we deal with it.

Again, I am glad to join my colleagues, and I look forward to hearing what Senator BLUMENTHAL has to say

about this, and I appreciate the important background he brings to this debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am pleased and honored to join my colleagues this morning, Senators BLUNT, WHITEHOUSE, and GRAHAM. They have been leaders on issues involving national security and defense and particularly in the intelligence and cyber area.

Senator BLUNT has a long record of bipartisan leadership in this body, as well as in the House of Representatives and in government generally, in addressing issues without regard to partisan predilections or biases. He has not only led but produced results.

Senator WHITEHOUSE has tirelessly pursued this area of cyber security. To his great credit, he has been with the movement for making our Nation more secure and also making the public more aware about the need for action in this area.

In truth, there is a saying that ignorance is bliss, but in truth, in areas of national security, that is rarely the case. In this instance, ignorance can do great harm and it is a source of peril. Our Nation is largely ignorant about the threats posed by national security and, more importantly, about the potential responses that must be mobilized to secure our infrastructure, our critical innovative information, and many other areas where we are at risk from a diverse source of threats. It is not only foreign governments, such as China; it is teenage hackers in eastern European countries, it is terrorists around the world who mean to do us harm and put their own movements at an advantage, and it is also competitors in the private world who seek competitive advantage against our own private enterprise companies that have intellectual information and assets. As a result of these cyber attacks, intellectual property is lost, identities are stolen, and America is made less safe.

Every day, the United States is under attack—literally every minute of every day—by individuals wishing to steal sensitive information from our government, from our Department of Defense, and from corporate information systems as well as home networks of individual Internet users. The cyber threat has become almost conventional wisdom in some quarters because we know that our military and intelligence communities are certain that this threat must be met. In fact, the next Pearl Harbor will come not from the sky but from a computer network that links to essential sources of intellectual assets and information in this country and degrades or, in fact, destroys them.

Senator WHITEHOUSE and I, along with Senators GRAHAM and BLUNT, have introduced legislation that would institute new reporting requirements. These requirements apply to Federal agencies charged with reviewing and responding to cyber attacks. In effect, the Federal Government would lead by example. Leadership is important not only for State and local governments but also for the private sector. The legislation would help us better protect our country from hackers wishing to do harm, and it is based on the simple premise that we need to know about the threats we face.

The President has taken action—and I credit him—with the Executive order he has instituted, but that Executive order leaves great gaps. The legislation introduced by Senator WHITEHOUSE and me—along with Senators GRAHAM and BLUNT—will institute new reporting requirements to us by our Federal agencies. This bill will require that information to be submitted from a variety of agencies, such as the Department of Homeland Security, the Justice Department, the FBI, and—in my view, most critically of all—the Securities and Exchange Commission.

Most Americans have very little idea about what the Securities and Exchange Commission collects by way of information, but, in fact, it is a treasure trove, a panorama and window into the workings of corporate America. Very importantly in this area, they can tell us what corporations—big and small around the country—are doing to protect themselves. It can tell shareholders what they should know. The shareholders, after all, are the owners of these companies, and they will ultimately bear the financial burden of failures by corporate America if they fail in their duties to protect their critical infrastructure.

Not only are shareholders affected but neighbors living near powerplants, as well as customers—banking customers, for example, whose critical financial information is entrusted to financial institutions. A vast variety of clients, customers, owners, and others affected by these corporations have a right to know from the Securities and Exchange Commission what is being done to protect against cyber attacks.

Senator WHITEHOUSE and Senator BLUNT have described in very powerful terms the advantages of this legislation, but let me say that equally important is what it does not do. We need to be mindful that 90 percent of our Nation's critical infrastructure—that is right, 90 percent of it—is owned by private companies, and those private entities have a responsibility to our Nation to ensure that their security standards meet the task of fending off cyber attacks.

This legislation should not be the only action Congress takes. In fact, Senator ROCKEFELLER has championed legislation that is essential, and I am proud to be a supporter of it. I supported it in the Commerce Committee, and I am very grateful to him for allowing me to partner with him in helping to move it to the floor of the Senate.

This legislation is a very strong complement and supplement to that measure. In fact, that measure would require industry-driven voluntary cyber security standards for critical infrastructure. It would strengthen cyber research and development. It would improve the cyber workforce through development and education. It would increase public awareness of cyber risks and cyber security. I think the measure approved by the Commerce Committee is vital, and this measure very appropriately complements it.

America can't fully address a threat that it doesn't fully understand, and this legislation that Senator WHITEHOUSE, Senator BLUNT, Senator GRAHAM, and I have introduced would increase public understanding of an issue critical not only to the Federal Government but to all the American people, and it would ensure that Americans know how they are safer or less safe as a result of the extraordinarily dangerous menace posed by a potential cyber attack.

I will yield the floor with a question to Senator WHITEHOUSE regarding the Executive order issued by the President and ask, in light of that Executive order, does Senator WHITEHOUSE still feel this legislation will perform a service to protect our Nation?

Mr. WHITEHOUSE. I thank Senator BLUMENTHAL for that question, and I thank him for his work in this area. For some time he, Senator GRAHAM, Senator BLUNT, and I were part of a group that tried to pull together a bipartisan compromise, a meaningful piece of cyber security legislation, which, unfortunately, failed at the last minute.

As a result of that failure, the President began a process by Executive order for bringing together the various private sector industries in this country whose operations qualify as critical infrastructure, and that provide the basics for your lives—the basic heat, electricity, financial services, and communications on which modern, civilized life depends. From all the reports I have heard—and I have looked at it very closely—that process is actually going very smoothly. As a result, the administration is comfortable with deferring legislative activity in that area—in the area of trying to regulate and improve the cyber security of our critical infrastructure.

We are holding off for the time being on that, but the area of public awareness is still wide open. Legislative authorities are required—not just Executive order authorities—in many of these areas, particularly for organizations, such as the Securities and Exchange Commission, which is largely independent of direct Presidential control, because they are independent agencies under our constitutional system.

This bill would not interfere with what is going on under the authority of the Executive order. It is something we can do in a bipartisan way in the meantime while the Executive order process goes forward.

I believe it will be very productive because, as Senator BLUMENTHAL and Senator BLUNT have noted, we are a better country and more effective legislators in the Senate when the public knows what is going on and has had a chance to engage on an issue. For that to happen, the public needs the information, and for the public to get that information, they need to have it collected by these different agencies and presented to them. We can't expect an average American citizen to go out and try to do this research on their own if it has not been gathered anywhere.

I appreciate the question. I think what we are doing will be both very productive and consistent with what the President has done under his Executive order. I applaud him for picking up the baton after we failed in Congress. Certainly, that failure had nothing to do with the energy and determination to get something done on this issue with Senator GRAHAM, who has joined us on the floor.

I will yield the floor so Senator GRAHAM can offer his thoughts.

Mr. GRAHAM. I thank my colleague very much.

My first thought is that America is not nearly as aware as we should be about the threats of a cyber attack that could come from a terrorist organization, a nation state, or a criminal enterprise. We are a week before Christmas. We are going to be debating about how to deal with the NSA program and reforms that make it more acceptable to the American people.

I wish to lend my voice to the three Senators who have already spoken and, quite frankly, are far more knowledgeable about the technological aspects of this.

But when I look out over the next decade and I try to figure, Where are the threats against the American people coming from—well, first it is our debt problem, but we are not going to get into that today—when you look outside for foreign threats, obviously, radical Islam presents a threat to us all—just remember 9/11—but this emerging cyber threat really just scares the hell out of me. The FBI, the military, the CIA are telling us daily how the threat is growing.

The Congress could not get there, so the President had to take over by executive order. We had a couple good bipartisan proposals, legislative changes. Senator WHITEHOUSE's idea of incentivizing the private sector, creating a fort cyber where you will get rewarded, there will be no limited liability if you harden your infrastructure in the energy sector and other important financial sectors. Rewarding people for upgrading their systems to harden them against terrorist attack or criminal activity I think is a smart way to go. It is a complicated area of the economy and a complicated potential enemy to deal with, but this legislation I think is a good starting point.

I compliment Senator WHITEHOUSE, who has been really helpful. Senator BLUNT on the Republican side has been our leading voice, along with Senator CHAMBLISS, to try to bring awareness to the body. Senator BLUMENTHAL, as a former attorney general, understands very much the threats we face from a criminal enterprise, but he has also been very good on national security.

So a week before Christmas in 2013 we are trying to raise awareness because I am afraid if we do not get our house in order against cyber attacks, sooner rather than later, we will all regret it.

Thank you for allowing me to be part of this effort.

I yield.

Mr. BLUNT. Mr. President, I want to conclude our comments—at least my comments here—by saying we all believe that greater awareness of the size of this problem and the effort that is being made every day to deal with it will create an important set of information as we move forward.

This is a piece of legislation that is really focused on providing information, not in enough detail to weaken our efforts but enough information so people know this is not a casual conversation, that the cyber threat is real, that we are responding to it all the time, and, frankly, Members of Congress need to have even more information than we have on how much intensity, how much time, how much response is being made.

I say to Senator WHITEHOUSE, thanks for bringing us together.

Mr. WHITEHOUSE. Mr. President, let me conclude for our side with the observation that in this season of peace and reconciliation, perhaps this is an issue where a little peace and reconciliation, a little zone of peace and reconciliation can emerge through all of our partisan rancor so we can go forward and do something that will indeed protect this country that we love.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I offer my own concluding remarks by saying that Senator WHITEHOUSE earlier referred to our failure. He characterized it as a failure to accomplish legislation during the last session of Congress. Senators BLUNT and GRAHAM were very instrumental in that effort, and I was proud to work with them. But that failure had consequences in alerting the executive branch and galvanizing their will to act. So I would not say it was completely without consequence or benefit.

I hope we will actually be successful during this session in passing legislation that is so important to moving the Federal Government even further in a direction where it should be going.

Mr. WHITEHOUSE. Mr. President, if the Senator would yield for a question, I might inquire of him whether it is his view that if you actually take a look at what is being done by the administration under the executive order, it bears a considerable resemblance to the proposal we had worked on?

Mr. BLUMENTHAL. I thank Senator WHITEHOUSE for that question. I would observe, in fact, that the executive branch, very importantly, followed a number of the leading ideas Senator WHITEHOUSE and our group fashioned. Of course, we take no pride of authorship or ownership in those ideas, and many of them came from some of the best minds in the administration, who are, in fact, thinking seriously about this problem.

So I think it really has to be a partnership—not only a bipartisan partnership in the Senate and the Congress, but also a partnership between the executive and legislative branches.

I conclude with this thought: In many of the briefings we had as Senators, off the record or classified, I was struck by how horrified and at least alarmed most Americans would be if they heard some of the stories of how close America has come to the next Pearl Harbor, how close we have come to cyber catastrophe, and how vulnerable the Nation still is, despite the growing awareness in both the corporate and military sectors of our country about this threat.

So when we talk about creating awareness, we are talking literally about spreading information that is vital for Americans to know.

I will close with the thought that I hope the leaders of this country who have control over classifying information would seek ways to inform the American public about the risks and the dangers posed from cyber attack.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. I thank the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask if the chairperson of the Budget Committee will engage in a brief dialogue, colloquy.

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

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

Mr. MCCAIN. Madam President, I would ask my friend, the chairperson of the Budget Committee, who has done extremely hard work on the budget agreement, is the Senator aware that under the Simpson-Bowles plan—which was embraced by many, many Members of this body, including on this side, including on the other side, including those who have now announced their opposition to the agreement, the Ryan-Murray budget—that the Simpson-Bowles plan recommends scrapping COLAs, cost-of-living adjustments, entirely? It not just cuts them, but the Simpson-Bowles plan—I wonder if the

chairperson knows—eliminates COLAs entirely for working age military retirees?

The Simpson-Bowles plan, which was so embraced and everybody thought was the greatest thing since sliced bread, said:

> Defer Cost of Living Adjustment (COLA) for retirees in the current system until age 62, including for civilian and military retirees who retire well before a conventional retirement age. In place of annual increases, provide a one-time catch-up adjustment at age 62 to increase the benefit to the amount that would have been payable had full COLAS been in effect.

So basically what Simpson-Bowles recommended was scrapping the cost-of-living adjustment for working age military retirees. Please correct me if I am wrong, but the provision in the Senator's bill is a 1-percent reduction—far, far less than scrapping it entirely, as Simpson-Bowles recommended.

I would ask again, where was the outrage, to quote my old friend Bob Dole, where was the outrage when this provision in Simpson-Bowles was included, which would have scrapped it completely? It was not through the Armed Services Committee. It was the Simpson-Bowles plan, which was a commission. I would ask the distinguished chairperson.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, the Senator from Arizona is correct. The Simpson-Bowles Commission, in their report, asked for an elimination of the entire COLA, as the Senator outlined in his opening remarks today. The budget bill before us took a different approach, and I appreciate the Senator reminding all of us that is out there.

Mr. McCAIN. Madam President, could I ask the chairperson, is it not true that what you have proposed is 1-percentage point for military retirees—to reduce the annual cost-of-living adjustment by 1 percentage point for military retirees—which means, according to House Budget Committee staff: A person who enlisted at age 18 and retired at 38 as a sergeant first class in the Army would see approximately a 6-percent overall reduction in lifetime pay because of the COLA reduction; that is, that person would receive about $1.626 million in lifetime retirement pay instead of $1.734 million.

So that is as compared to what Simpson-Bowles envisioned: complete elimination, as opposed to this 1-percent reduction.

I would also ask, again, to the chairperson of the Budget Committee, is it not true that this cost-of-living adjustment reduction, the 1 percent, does not kick in until 2015, the end of 2015? And is it not true that Senator LEVIN, and I, and all others, have committed to reviewing this provision, with the outlook, at least in my view, to repealing it if necessary? But also there is a commission, supported by Members on both sides of the aisle, which looks at this entire issue of cost-of-living adjustments, of retirement, of TRICARE, of all of these issues because of the increasing costs of these benefits—in the words of Secretary Gates, former Secretary of Defense, who all of us admire so much—that are ''eating us alive.''

So again, the Simpson-Bowles plan, which was embraced almost unanimously on both sides of the aisle, eliminates the cost-of-living adjustments for any retirees during their working age. This plan, which is met with such outrage, is only a 1-percent reduction—by the way, I want revised as well—that they would receive $1.626 million instead of $1.734 million.

Finally, I would ask the distinguished chairperson, does she know of another plan, another idea, another legislative proposal that will prevent us from shutting down the government again—something I refuse to inflict on the citizens of my State? I refuse to disturb their lifestyles, to destroy their income, to shut down essential government services, the nightmare we just went through.

So I guess my question to the chairperson is, does the Senator know of another avenue between now and I believe it is January 15 when the government would be shut down again that we could pursue that would prevent another government shutdown?

Mrs. MURRAY. Madam President, the Senator from Arizona is entirely correct. There is no other legislation that can be brought before us at this time to prevent a government shutdown. As we know, the House of Representatives has gone home for the year. We know without the bipartisan agreement before us, the impacts across the country would be untenable. We have kind of been there. On top of that, if we do not have this budget agreement, the military itself will take another $20 billion hit, so those very military personnel whom all of us passionately care about would be facing layoffs, would be facing uncertainty, would be facing furloughs, would be facing tremendous hardship to themselves and to their families. So, yes, the Senator from Arizona is absolutely correct.

Mr. McCAIN. I would further ask the chairperson if she has, as I have, heard from every single uniformed service leader of the four armed services, including the Chairman of the Joint Chiefs of Staff, that further effects of sequestration will do unsustainable damage to our national security, that the pain inflicted because of the way that sequestration acts in 2014, the really significant effects, are that we will destroy or certainly dramatically impact our ability to defend this Nation? Is that not the unanimous opinion of our uniformed service commanders to whom we give the responsibility to defend this Nation? I would ask the chairperson if she has heard from our military leadership in uniform as well on this entire proposal, particularly its effect from sequestration?

Mrs. MURRAY. Madam President, the Senator from Arizona is correct. I have heard from every single branch of our military services that the impact in 2014, a few weeks from now, would be devastating if the current sequester continues to take place. I would add to the Senator from Arizona, coming from a State where we have a number of military bases, I have heard from the families of those soldiers and airmen and sailors that they are deeply worried about their loved ones and their lives if we do not replace the sequester.

I want to personally thank the Senator for his hard work and his support behind the scenes to help us get to where we are today, because without the Senator's voice in this, it would have been extremely difficult. I carry his voice and many voices into that conference room to take some very tough choices forward so those families, all the way up to those top generals, do not have to enact the further cuts of sequestration.

Mr. McCAIN. If I may ask the chairperson, in summary: One, there is no legislative proposal between now and January 15 that anyone sees that could pass both Houses of Congress and be signed by the President of the United States that would prevent another government shutdown on January 15. I would ask the chairman if that is true.

Second, is it not true that if we go through the sequestration again, particularly because of the nature of the sequester legislation, that there is a sharp drop in 2014, and then a sort of a restoration in following years? In other words, the worst year of the entire sequestration process would be next year, unless we soften the blow. Is it not true that nobody cares more about those who serve in the military than their uniformed leaders, and unanimously those uniformed leaders have said they support this legislation?

Is it not true that the chairman of the Senate Armed Services Committee, and the Armed Services Committee, will have an entire year, because this legislation will not take effect—this cost-of-living adjustment will not take effect until January 15, 2015, so we have an entire year of authorization committee consideration of this particular provision?

Is it also not true that it is recognized by all members of the Armed Services Committee and the Appropriations Committee and the chairman of the Budget Committee that we have continued increases in costs and benefits forever because of our inability to fund our national security? In other words, the dramatic increase in personnel and benefit costs are such that we are not going to have money left over for the mission, the equipment, and the capabilities?

Is it also not true—I would ask again what the obvious is: The Simpson-Bowles plan, which was embraced wholeheartedly by many of us, including this Senator, by the way, said to defer cost-of-living adjustment for retirees in all—that is all cost-of-living

adjustments for retirees in the current system until age 62.

Is this far more draconian, what is envisioned in Simpson-Bowles, than what is before the body today? So is it hard to understand why someone would embrace Simpson-Bowles and yet find this provision as objectionable as it is? I find the provision objectionable, but I have confidence, and I hope the budget chairperson would agree, that it deserves the review and legislating, if it needs to be fixed, because the fact is that we have to look at the entire retirement and benefits that are now present in the military—for example, TRICARE, where there has not been an increase in premiums I believe since 1985, while the cost of health care has skyrocketed.

So, again, I would ask the chairman of the Budget Committee if that is true. If it is true, then does it not deserve some consideration for those who care, as I do and I know the chairperson does, about the men and women who are serving in the military, and should we not listen to our military leadership who literally are saying they cannot defend this Nation if this sequester continues, particularly in the fashion, the meat ax fashion, with which sequestration is now impacting our Nation's defense?

Mrs. MURRAY. Madam President, I would agree with the Senator from Arizona. In fact, the often-touted and quoted Simpson-Bowles Commission report even in this debate over the last day is much more egregious in what they are seeking.

Secondly, I agree with everything he said except for one thing. The Senator from Arizona mentioned that we have 1 year to look at the commission report. It is actually 2 years before this goes into effect. Congress will have time to act. The Senate Armed Services Committee will be looking at the commission report. We will have an opportunity to look at this in its entirety before it is implemented. I truly want to thank the Senator for speaking up for our military, because I know more than any one of us on this floor that when the Senator speaks for the military, he understands the consequences of not enacting legislation today.

Mr. MCCAIN. I thank the chairperson for her hard work. I believe most Americans are a bit surprised that there is any agreement. I believe the chairperson would agree that this is a small step. But I think the chairperson should also deserve and be accorded great credit for tough negotiating, for a good agreement that I think will achieve many things, but, most of all, prevention of the shutdown of the government again which we should not and cannot inflict on the American people.

I am sure the chairperson would have had different provisions in it if she had written it herself, just as Congressman RYAN would say the same thing. But this is the essence of what we are supposed to be doing. The option of shutting down the government is something I do not really understand, why anybody, after what we just went through, would want to have as a viable option of our failure to act.

Again, I thank the chairperson.

I yield the floor.

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

Mrs. MURRAY. Madam President, I again want to thank the Senator from Arizona for his remarks. I appreciate his help and support.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. If there is not an objection, I ask unanimous consent to speak for 6 to 8 minutes as in morning business.

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

OSHA

Mr. JOHANNS. Madam President, I thank the Senator from Arkansas and the chair of the Budget Committee. I am here on the floor today to voice strong objection to a Federal agency that is disregarding the clear language of the law in pursuit of what has appeared time and time again to be what I describe as an antiagriculture agenda with this administration.

Let me explain. The Occupational Safety and Health Administration, which is known as OSHA, is now claiming jurisdiction, of all things, of family farms. But they are doing that in defiance of Congress. For the past 35 years, literally 35 years, Congress has included very specific language in appropriations bills. It prohibits OSHA from enforcement on small farms. Literally since 1976, the law has said very clearly: No funds appropriated for OSHA can be used for rules or regulations that apply to farming operations with 10 or fewer employees.

Clearly what Congress is trying to do is provide protection for the family farms that exist in our States across this country. Yet, lo and behold, OSHA has decided it can label certain sections of the farm something else by fiat and send in their inspectors. Let me explain what has happened in Nebraska.

OSHA targeted a family farm in rural Nebraska. They grow corn and soybeans and raise some cattle. This farm has one nonfamily employee on that farm. In other words, it is a very typical Nebraska farm, just the kind of farm Congress envisioned in creating the exemption dating back to 1976.

OSHA ignored what Congress directed. They ignored the law exempting farms and slapped this family farm with fines totaling more than $130,000. OSHA accused the farmer of willful violations. Let me give you a couple of examples: Failure to conduct atmospheric tests in a grain bin; failure to wear OSHA-approved gear when entering the grain bin, to name a few.

You cannot make this stuff up. I kid you not. The violations I listed were $28,000 each, with a long list of lesser violations piled on top. They threw the book at this farmer. Let me be clear that OSHA made no claim that anyone had been hurt. They claimed only that the farm failed to comply with the OSHA manual.

I am sure the farmer was stunned to find OSHA inspectors on his farm out in the middle of Nebraska, and be told he suddenly must comply with OSHA regulations, knowing the law says his farm is exempt from OSHA regulations. I suspect he was rightly confused, angry, and frustrated.

OSHA claimed it was not regulating the farming operation at all; rather, it was only regulating the nonfarming operations. Congress had not exempted the nonfarming parts of farms. Right? So what was this nonfarming activity that OSHA believes it can regulate? Grain storage. Grain storage.

I grew up on a farm. Every farm has grain storage. It has hay storage. It has silage storage. Can they regulate the farming operations relative to those items? Yes. That is right. OSHA in their wisdom says storing grain after a harvest allows them to go in and regulate this farm. I am not sure how many OSHA employees have spent much time on a farm. I suspect not very many.

But there are not too many grain farms that do not store some of their grain. An iconic part of the agricultural landscape is grain bins. They are fundamental to farming and have been since I grew up on a farm. If farmers had to sell everything at harvest, they would not make much money, because that is when prices are typically the lowest. So it is only responsible for a farmer in a part of the farming operation to have grain bins on the farm and it has been that way forever. OSHA's claim that the storage of grain is not part of farming is absolutely incredible and it is absurd.

It is also a blatant overreach in violation of the law, the law we have been passing in Congress dating back to 1976.

Whenever I meet the farmers and ranchers in Nebraska, they often raise concern about regulatory overreach. In fact, they feel as if they are targeted by this administration. OSHA's distorted definition of farming, in order to expand its jurisdiction, serves as evidence that farmers' concerns are legitimate concerns. OSHA should never be allowed to end-run the law in this manner.

I am asking Labor Secretary Perez to rein in OSHA and send a clear signal to America's farmers that they don't have a target on their backs. OSHA must rescind its absurd guidance suggesting that grain bins, of all things, are not a part of the farming operation, and it must stop sending inspectors on to family farms in violation of the law.

I have drafted, and I am sending a letter to Secretary Perez, a letter requesting that he make these changes in compliance with the law. I am inviting all of my colleagues to join me in signing that letter.

Let me conclude by saying let's stand with our Nation's family farmers,

which we have done since 1976. Let's rein in this regulatory overreach and send a message that Federal agencies must abide by the clear direction of Congress.

I thank the Senators on the floor for the courtesy, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. I rise to discuss the pending budget agreement.

First, I wish to praise Senator MURRAY and Congressman RYAN for their hard work. I think everyone around here and everyone around the Nation recognizes what they have done. Their efforts have allowed us to reach a bipartisan and bicameral agreement. They deserve our recognition, and we appreciate them for all their hard work. I am sure at times it seemed like endless hours of hard work, but it has definitely paid off with the big votes we have seen in the House and also in the Senate.

As anyone in this Chamber could tell us, bipartisanship is all too rare in Congress these days. I can only speak for myself, but I am tired of the gridlock, and the American people—especially those whom I talk to from Arkansas—are tired of it as well. We must work together to get work done and to keep our economy growing.

This agreement, in my view, is a positive step forward. It gives our business community and our economy the certainty it has been looking for. It also prevents the ''my way or the highway'' politics that have been so destructive and that have been practiced by an irresponsible few that have seemed committed to hurt our economy. It restores resources to our national security interests, which I think is extremely important.

I appreciate what Senator MCCAIN of Arizona said a few moments ago on the floor. It does all this while reducing the deficit. That being said, this agreement is not perfect, especially when it comes to the harmful budget cuts made at the expense of our men and women in uniform. I will be the first to say we need to cut our spending, but we need to do it in a responsible way. We need to cut waste, fraud, and abuse. We need to eliminate items such as unnecessary government purchasing and maintenance of real estate and buildings. We can end out-of-date and ineffective government programs, but we cannot balance the budget on the backs of our hard-working military members and their families.

As the Senator from Arizona said a few moments ago, he is hopeful—and many of us believe and agree—that we will have a chance to fix this someday soon. That is why I am here, to encourage my colleagues from both sides of the aisle to support commonsense solutions, commonsense provisions that will restore full retirement pay for our future military retirees and repeal section 403 of this agreement.

Our brave men and women in uniform have made many sacrifices for this country. When I think about their heroism and the what they have done, I think of a passage in the Book of Isaiah, when Isaiah is preparing to leave everything behind, go out, and preach the word of the Lord to the people who need to hear it.

Isaiah 6:8 states:

> And I heard the voice of the Lord saying, ''Whom shall I send, and who will go for us?'' Then I said, ''Here I am! Send me.''

Here I am. Send me. That is exactly what our men and women in uniform say. They leave their families behind. They leave behind their homes, their jobs, and in many cases a wonderful life to go out and protect the freedoms we all enjoy. So singling them out is not only unfair, it is also wrong. These heroes laid their lives on the line for us, and they deserve for us to work to fix this provision so they can receive the full benefits they have earned.

The good news is, as we have heard the Senator from Arizona and the Senator from Washington say a few moments ago, we can fix this and we can move forward. That is the good news today. We have this bipartisan, bicameral budget agreement, and it does move us forward. If we can get the votes necessary today to pass it, then we can swiftly move with another bill at some point in the near future to protect and fix what I am so concerned about.

Back to the bipartisan agreement, the bicameral agreement that the chairwoman of the Senate Budget Committee reached with the chairman of the House Budget Committee, this is a job well done. This is an effort. None of this is easy. There are always going to be decisions that are hard and difficult.

That is why balancing the budget is so hard, because there are popular provisions. We have to make tough choices, but these are tough times and we need to make these tough choices.

I join my colleagues in the hope we get a large bipartisan vote for the legislation and for the agreement Senator MURRAY and Congressman RYAN reached. I also hope we very quickly will act to fix the one provision that is causing so much heartburn.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Madam President, I ask unanimous consent to engage in a colloquy with the Senators from Georgia, who join me on the floor today.

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

Mrs. MURRAY. Madam President, I come today to address an unintended inclusion in the compromise deal that was worked out by the bipartisan budget conference and that was overwhelmingly passed in the House of Representatives earlier last week.

As a long-time champion myself of our Nation's veterans and military families, I want to make absolutely sure today that they know a provision included in this deal which mistakenly included disabled retirees and survivors for changes in pension growth will be addressed in short order following passage of this bill. In fact, I am going to be joining with the Senators from Georgia and others after passage of this bill to make that technical correction in a stand-alone bill.

I think all of us know our disabled veterans have made tremendous sacrifices for our Nation and deserve the peace of mind that their benefits will not be adjusted under this compromise legislation. They deserve to know also that government shutdowns and the constant crises that have unfortunately impacted wait times for our veterans' benefits, further growth in the disability backlog, and even jeopardizing their monthly checks should be a thing of the past. That is what is at the heart of this bill.

We are working to ensure the uncertainty and fear these veterans and military families faced last October is taken off the table for at least 2 years. We are working to ensure the government they fought for functions in a way that delivers on the promise we owe all of them.

In furtherance of that effort, this technical error certainly can, should, and will be addressed, and I join with the Senators from Georgia in ensuring our disabled veterans that it absolutely will be.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I wish to thank the Senator from Washington for all of her hard work as chairman of the Budget Committee and on this bipartisan compromise on the Budget Act. I want to thank my colleague, Senator CHAMBLISS of Georgia, for joining me to support the chairman in this effort.

I support the bipartisan Budget Act because, while I believe the reforms included in the agreement are modest, they will move America in the right direction. One of the most essential components of the deal between Senators MURRAY and RYAN is the avoidance of another devastating round of sequestration aimed squarely at the national defense capabilities of our country. This agreement will help us avoid cuts that would have caused long-lasting damage to the readiness of our military and will help us provide the best support and tools possible for our men and women in uniform.

While avoiding defense sequestration was key to gaining my support for this deal, I was concerned to learn that at the last minute disabled retirees and survivors were mistakenly included in the provision slowing the growth rate in terms of COLAs in the coming years. I believe this mistake must be corrected, and my continued support for

the budget agreement is predicated on the Chairman's commitment to correcting this mistake. I publicly thank the chairman this morning for making that commitment in this colloquy.

I know from my travels through the many military installations in Georgia with Senator CHAMBLISS, and through my work on the Senate Veterans' Affairs Committee with Senator MURRAY, that both Senators share my concern, and I look forward to working with the two of them to address this most important issue.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I am pleased to join Chairman MURRAY and Senator ISAKSON regarding our concern about the military retirement pay provisions in this budget proposal. As I mentioned yesterday on this floor, any pursuit of debt reduction should not come at the expense of our service men, women, and veterans.

As we have discovered, these cuts will not only apply to working military men and women but also to military widows and soldiers who have been medically retired from wounds received in the line of duty.

I recognize that in order to truly tackle our debt and deficit it will take all Americans making sacrifices, including our military. What we cannot do is ask those who have been injured defending our Nation to bear a disproportionate burden.

I thank Chairman MURRAY again for the leadership she has shown, along with Chairman RYAN, on these complex and divisive budget issues, and I stand with Senator ISAKSON and Chairman MURRAY in making the necessary changes to this legislation to ensure our disabled retirees and survivors are taken care of.

I thank the Chair.

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

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

The Senator from Georgia is recognized.

Mr. CHAMBLISS. I thank the Chair.

(The remarks of Senators CHAMBLISS and ISAKSON pertaining to the submission of S. Res. 323 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

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

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

The Senator from Wyoming is recognized.

(The remarks of Mr. BARRASSO pertaining to the introduction of S. 1849 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BARRASSO. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. COBURN. Madam President, I want to spend a few minutes talking about the bill we are going to vote on this afternoon. I am starting my 10th year in the Senate. During that period of time, my No. 1 goal in coming to the Senate was to try to right our financial ship and almost everything I have done in the Senate has been related to the fiscal consequences of our dereliction of duty as Members of Congress—of both parties. There is nothing partisan about that statement. We have seen different Presidents and different parties control both bodies, always to the same result.

We have before us a bill today that is a purported compromise. I want to describe who it is a compromise for. It is a compromise for the politicians. It is not a compromise for the American people because what it does is increase spending and increase taxes. The net effect, even if you take all the budget gimmicks that are in this bill that are not actual savings, and even if you believe people 10 and 11 years from now will actually hold true to what this bill pretends to have us do, which is what we are not doing—something we did 2 years ago through this bill, we are still going to spend more money than we would have and we are going to charge people revenues, some $24 billion—$28 billion, pardon me—increased revenues which we are not calling tax increases but Americans are going to pay that so it is money that is going to come out of their pocket.

What we have before us is a bill that is a political compromise for the parties in Washington to keep us from doing what we really need to do—the hard things. I am going to go through some criticisms of this bill. It is not meant to reflect on any one individual. It will apply just as much to the Republicans as it does to the Democrats. But we have a bill that supposedly fixes things until past the next election so we do not have to face these gigantic problems of ''deadlock.''

The other thing I would note as I go through this is it is my contention we do not have a problem getting along. It is my contention we get along way too well. We get along way too well; otherwise, we would not have a $17.7 trillion debt. We would not have $124 trillion in unfunded liabilities. And we would not have debt per American in this country which is now $57,000 per person and unfunded liabilities that are over $1 million per household, not including that debt repayment.

How did we do that? We had to agree to do that. Both parties had to agree to do that. The President had to sign it. My contention is we get along way too well, when it comes to ruining the financial future of our country. My main criticism—I do not criticize compromise, I criticize compromise that ignores the facts of our financial situation.

I want to make a point. I put a book out yesterday. It is called the ''Yearly Wastebook.'' I do it every year. I do it somewhat in jest but to make a very real point. I outlined over $31 billion, what I think and I think most Democrats would agree and that the American public, 95 percent of them, would agree with this—that when running a $700 billion deficit, maybe we should not be spending these moneys on these things which go far further in actually solving our problems for compromise in terms of creating a solution to the long-term problems and giving the American people what they want.

We really do have a 6-percent approval rating, right? That is true. I think we have earned it. This bill, I believe, proves it because we did exactly the opposite of what the American people would like to see us do. We solved our problem as politicians but we made their problem worse. We did not fix the things that are obvious to fix.

I was on the Simpson-Bowles Commission, I was a member of the Gang of 6, I have worked in a bipartisan fashion with anybody who will work with me to try to solve the big problems in front of our country, except we as a body, and the House, really don't want to solve them because the thing put at risk when you really solve them is political careers, and as a group of politicians, the people in Washington care much more about their careers—by their actions it is proven—than they do about the long-term fiscal health of this country. That applies to both parties.

So when we have a deal brought before us that will avoid confrontation come January 15 and we have all sorts of budget gimmicks in it that are not truthful, they are not real, in the hopes that somebody will grow a backbone 9 and 10 years from now and actually keep their word to the American public—and we are demonstrating right now we can't even keep our word from 2 years ago—why would we be proud to vote for that? Does it solve a real problem? No. It puts a real problem off and actually makes the problem worse to the tune of $68 billion. Through this bill we will borrow an additional $68 billion, $50 billion of it, close to, in the next year and $20 billion some after that, and in the year after, and then hope and pray that Congresses that follow us will do what we suggested.

Everyone in this body knows that is not going to happen. So when you vote

on this bill you are voting for your political career, you are voting for the Washington establishment, but you are not voting for the person out there who now has a $57,000 debt they are servicing, and their family, $1 million per household in this country in unfunded liabilities.

It will pass. I have no doubt it will pass. I feel like John the Baptist in the wilderness. But mark my words. If we continue to do what we are doing today, we will be remembered as the people who could have fixed the problem and didn't; who could have made the courageous decisions and chose not to; who could have stiffened their spines and said we don't care what Republican extremists or liberal extremists say, the future of our country is more important than any political career in this town. And what we have before us is just the opposite.

Why wasn't in part of this agreement some of the $250 billion that GAO has identified as waste, fraud, duplication, and mismanagement? There is not one thing in this bill that addresses one thing that GAO has recommended to Congress over the last 3 years—not one. So we have the ''Wastebook''—$31 billion of what I would consider—and it is not partisan. There could be a difference in terms of agreement about what is important and what is not. But, again, I would say in terms of the ''Wastebook,'' it is: Should we be spending money now when we are borrowing money, in light of the fiscal situation that we have, on some of the things that we outlined? It is a listing of 100. It has $31 billion worth of savings. I will outline a few of them for you.

We are going to be taking up NDAA next. None of the amendments that I offered are in the NDAA. Every one of them was structural to the Pentagon to make it more responsible and accountable to its constitutional duty, which it has not performed, of giving account to Congress on how it spent its money. For example, the Army commissioned a contract to have a warfare overseeing blimp. They spent $297 million on that blimp. It flew for a short period of time in this country. We sold it back to the contractor for $300,000.

I have two questions: No. 1. Whoever signed that contract and made that decision, did they get fired from the Federal Government? Did they get demoted in rank? And, No. 2, was the contract actually executed to the requirements that the military set out for it?

It is called accountability. The answer to both of those is no. There is no accountability. So we are going to have an NDAA bill come through that requires them to meet an audit. They have been required since 1992 to meet an audit. They did not do it in 2014 and they will not do it in 2017 and they won't do it in 2018, because there is no hammer on the Pentagon to make them do it. That is because all hammers have been taken out because we don't want to force them to meet their constitutional responsibility. It is too hard.

We never told them it was too hard to go to Iraq or Afghanistan. But it is too hard for them to follow their constitutional duty to report on how they spend their money. What I would put before us is, if you cannot measure what you are doing, you cannot manage what you are doing. What is obvious from the waste, fraud, and abuse, contract failures within the Pentagon, is they have no clue on what they are doing. All you have to do is take the Dwight D. Eisenhower carrier, the littoral combat ships, the F–35—all of those major defense programs are at risk, over budget, behind schedule. I am not talking a little bit over budget. We did not do the oversight; we have not forced that. You will never get control of those programs until you make them be able to account for what they are doing.

My first training, my first degree, is in accounting. I understand the reason accounting is important is because it tells you where to go to manage your problems. The Pentagon cannot do that. The Pentagon ordered—at the insistence of us, by the way—some airplanes for Afghanistan. Guess what we have done. We have taken delivery here and we have sent them straight to the Arizona desert, just $422 million worth of them. By the way, the ones that did go to Afghanistan, we are going to cut up, destroy. We are not going to send them to Africa for relief missions. We are not going to send them somewhere else. We are going to cut them into pieces, another $200 million worth of airplanes. And by the way, since the Afghan Air Force wants the same thing America has, we have already given them two C130–Hs, and we are going to give them two more. That is another $400 million. So what we have done through poor management is waste over $700 million on one item.

There is nothing in this bill that corrects that. Yet this bill is going to come to the floor—the NDAA—and not one of us who actually knows what really needs to be done in terms of changing the financial picture in the Pentagon is going to have an opportunity to influence that bill—not one of us. It doesn't have to be that way. That bill came out of committee in May of last year, but we have chosen to operate that way.

Camp Leatherneck, which is in Afghanistan, is a $34 million new camp for troops, and it sits abandoned today. It has never been occupied. Who was the general or colonel who authorized that in anticipation of our drawdown? Who executed the order to build it and then ordered that we abandon it? Is there any accountability in the Pentagon or in any other agency? Are we doing our job of holding them accountable?

The ''Wastebook'' is not all about the Defense Department, but I brought a couple of those up just so we could see what is going on. The ''Wastebook'' is about poor judgment across all the agencies. You may disagree with me about some of what is in the ''Wastebook,'' but the question you have to ask yourself is: At a time when we have done what we have done to the American people in terms of unfunded liabilities, in terms of individual debt—the average family now has over $220,000 worth of debt that they have to pay back which we borrowed—should we spend money the way we spend it?

We spent $978,000 to study romance novels. Certainly that is a priority right now in our government. Everybody would agree with that; right? Sure they would. They would agree with it. Yet we put that contract out last year and spent money to study the background of romance novels, both on the Web and off, and why people write them. We didn't just study about them here, we studied about them everywhere.

How about $400,000 to Yale University, by the National Science Foundation, to actually study whether people who align with the tea party have the cognitive capability in terms of science? Guess what. We spent that money and the professor got the biggest surprise of his life. Here is what the study said: People who are aligned with the tea party have far exceptional cognitive abilities when it comes to science, math, and financial aptitude. It totally surprised the professor because the whole purpose was supposed to undermine people who are constitutional conservatives. Yet we spent $400,000 on that study.

Those are just a few of the small examples of the silliness which goes on. People say: Well, $400,000 isn't much; $900,000 isn't much. The State Department spent $500 million during the last week of the fiscal year. What did they spend it on? Does anybody know? To buy brand-new crystal stemware for all the embassies throughout the world. We didn't need new stemware, but we had to spend the money, so we spent it.

Just think about that. We are responsible for that. We allowed that to happen. There is no oversight here. There is no aggressiveness in terms of controlling costs, and our default position is our agreement on this budget which doesn't address any of those problems.

The American people are going to be asking questions about why we get along so well. The political story is not that Washington spends out of conflict and partisan bickering because the facts don't lie. We get along way too well. We are going to get along so well that we are going to pass another bill that solves the problem for us, as politicians, but, in fact, actually hurts the American people.

I am not going to be a part of that, and I am going to keep yelling from the canyons and from the mountain tops until we start doing what we are supposed to do because this is not going to change.

It is my hope that some of us will wake up and start looking at some of

the real facts. So $30 billion can make a big difference. If we just eliminate the items in this ''Wastebook'' for next year, we would be able to take care of one-third of the sequester. There are just 100 items here. I can give you 300 items.

I can give you $150 billion worth of stupidity every year, but we choose not to do anything about it. We choose not to do anything about it because you have to be a committee chairman in order to have an oversight committee dig into this stuff. You actually have to do the hard work to find out where the administration is spending the money.

President Obama doesn't want money to be wasted this way. He needs our help. Yet we will not help him. We will not help the American people. Consequently, the future of our country is at risk when it should be gloriously great. It is at risk not because of the American people; it is at risk because of us. We ought to change that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. LANDRIEU. I ask unanimous consent to speak for up to 7 minutes as in morning business.

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

MAYORKAS NOMINATION

Ms. LANDRIEU. I appreciate the courtesies of the Senator from Washington, who is on the floor managing the bill. I thank her for allowing me to make these brief remarks regarding one of the nominees of President Obama—someone we will be confirming, hopefully, in the next short period of time.

I come to the floor to give my strong and unequivocal support to Alejandro Mayorkas as the Deputy Secretary of the Department of Homeland Security. Before I speak about his many extraordinary qualifications for this job, let me say that it has been very disappointing and very concerning to me that so many high-level leadership positions in this particular Department have gone unfilled for so long.

It has been 6 months since Secretary Janet Napolitano stepped down, having given notice of her departure after serving with such distinction and contributing so much to the strengthening of that agency. All agencies of the Federal Government are important and there are advocacy groups who argue for them, but I think everyone understands the real significance of the Department of Homeland Security. It is a relatively new agency. The Department is only 10 years old, but it plays a key role in the security of our homeland. Because it is new, it is still struggling with how to coordinate and unite all of the internal parts and coordinate effectively with the Department of Defense.

It has new and emerging technological challenges that are extremely demanding. The cyber attack which is happening daily and which is a growing threat to us is a very important part of their mission.

May I remind Senators that immigration, border control, and border security are right in the middle of the mission of this Department. So if we want to have strong immigration policies and smart immigration policies and secure our borders with smart fences, we better get somebody who is experienced and smart to run the operation.

That is why I am here to support Alejandro Mayorkas, who has been the Director of U.S. Citizenship and Immigration Services for the last several years. He has received many compliments from both Republicans and Democrats in his role as our chief immigration officer. He has worked to secure the border and has made tremendous improvements with the resources, which have been quite significant, that we have provided to strengthen the border. He brings tremendous experience as having run one of the most significant agencies within the Department.

Today we have a chance to start filling the leadership vacuum at the Department of Homeland Security not only with visionary leaders such as Alejandro Mayorkas but with leaders who have practical hands-on experience running the important parts of this Department.

As I mentioned, the nominee is the current Director of U.S. Citizenship and Immigration Services, which is really how I got to meet him and to know him and to work with him in such a close fashion.

Many of my colleagues know that I have the responsibility and privilege of informally heading up our Senate adoption caucus, and I do some international travel, helping to strengthen child welfare work around the world as well as, of course, in Louisiana and here domestically in the United States. We ran into a significant problem several years ago, which we are still trying to unwind, when Guatemala closed adoptions and our own State Department was a partner in that closure. There might have been—might have been—some good reasons for closure. The problem was that in the middle of that, there were 900 American families from every State in the Union who were caught. They were not placed on any transition list nor were they given any support—virtually no support from either our State Department or from the country of Guatemala. So some of us stepped in with partners at the State Department and others to see what we could do to help.

It has been a long, hard road for many of these parents and children who have now been stuck in orphanages, in group homes. They are no longer infants. Some of them are 8 years old and have waited 6 years for their adoption to be finalized. Some of them are 15.

Amidst all of the work the nominee had to do on immigration and so many conflicting pressures, Alejandro Mayorkas took the time to give leadership and voice and help to the powerless. That speaks a lot to me, and it should to the members of our coalition, which is very broad and completely nonpartisan, when a very important person with a lot of power steps out of that comfort zone and helps people who have no lobbyists, no power. Without his help, we would not be making the progress we are making. That is one example that proves to me he is the kind of leader we need more of, not less of, here in Washington.

I have full confidence that—based on my knowledge of his experience of running immigration and my personal knowledge of his character and his integrity and his tremendous ability in terms of diplomacy and negotiating, which I witnessed firsthand, working with many high-level government officials from outside of our own government—he has the skills to negotiate within this agency to bring everyone to a common cause, a common vision, and a common plan to move this very important Department forward.

Prior to his directorship as immigration director for the United States, he served for a good bit of time as a U.S. attorney prosecuting criminal and white-collar crime and gang violence in California. He is known very well to the two Senators from California. I think it was Senator FEINSTEIN who recommended him to that position. She has testified on his behalf and has submitted statements for the RECORD. Both Senators from California can also vouch for his almost flawless record of service.

He has already been confirmed twice by the Senate. Yet, unfortunately, there were some political concerns that are not valid that held him up. So we have moved him forward. He got a strong vote from the members of our committee who know him well and understand his high level of integrity and his proven record of service to the people of the United States.

Again, I urge my colleagues on both sides of the aisle to take a strong look at this nominee, understanding that he has been confirmed twice before. He is an outstanding, unblemished prosecutor of crime. He would be a perfect person, with his background and experience, to serve as a Deputy Secretary of the Department of Homeland Security. I, frankly, think he is one of the most qualified people whom I have seen nominated.

Today, we have a chance to start filling the leadership vacuum at the Department of Homeland Security with visonary leaders. Ali Mayorkas—the current director of the U.S. Citizenship and Immigration Services—is exactly

the type of leader we need in the deputy secretary position.

Since his confirmation as head of USCIS by voice vote by the Senate in 2009, Director Mayorkas has led the effort to turn around an agency that was widely considered to be foundering and helped build a professional and competent workforce.

Director Mayorkas brings all the right qualities for this critical position; these qualities include a pushing for collaboration and efficiency within the workplace. As a prosecutor and a former U.S. attorney for California, Mr. Mayorkas demonstrated his commitment to enforcing the law to protect U.S. citizens.

As Congress and our Nation move closer to comprehensive immigration reform, we must have the proper leadership in place in the Department of Homeland Security to ensure that the laws we pass are enacted with the same transparency and accountability that he brings to his current post. I can think of no better leader to guide DHS in this pursuit, as he will do so in a way that balances the needs of our business communities and families while keeping our border safe and secure.

Mr. Mayorkas' previous experience provides a solid foundation for his future work and an extensive knowledge of our immigration system and the overall mission of the Department of Homeland Security. As the chairman of the Homeland Security Appropriations Subcommittee, I am keenly aware how important it is to have strong management at the head of this Department and believe him to be uniquely qualified for the job.

I have every confidence in his devotion to safeguarding our Nation and his ability to effectively perform his duties in this new role. I will be proudly casting my vote in support of his nomination as Deputy Secretary of the Department of Homeland Security.

I yield the floor. I don't see any other Senator wishing to speak at this moment, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 1797

Mr. REED. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 259, S. 1797, a bill to extend unemployment insurance benefits for 1 year; that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Republican whip.

Mr. CORNYN. Reserving the right to object, Madam President, it is unfortunate that the Senate's schedule is completely full with pending cloture motions on controversial or completely nonurgent nominations. I ask if the Senator would consider amending his request to withdraw all of the pending cloture motions on executive nominations and that the Senate would proceed immediately to consideration of S. 1797, the unemployment insurance extension, and that the majority leader and the minority leader would be recognized to offer amendments in an alternating fashion so that these important issues can be considered this week. I ask the Senator to consider amending his request and reserve my right to object.

The PRESIDING OFFICER. Does the Senator so amend his request?

Mr. REED. Madam President, I will not amend the request. I respect the Senator's point, but I will not amend the request. I am here simply to ask for the unanimous consent as I presented it.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. CORNYN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REED. Madam President, I appreciate the Senator from Texas coming here, engaging, and I appreciate the fact that he is making a point. But I am trying to make a point which I think is very compelling. Within a few days—December 28—1.3 million Americans will lose their extended Federal unemployment insurance benefits. It will be a tremendous trauma to those families, and it will be a huge impact for our economy going forward.

I have renewed my request for a full 1-year extension, and it has been objected to. I recognize that. But, I believe it is urgent we extend unemployment insurance benefits.

I also have been working closely with my Republican colleague, Senator HELLER, on a bipartisan basis to introduce a bill to extend these benefits for 3 months, giving us the opportunity to go and take a more deliberate and careful review of the program and also to provide for a mechanism to extend the benefits for a full year.

I am very pleased we are beginning to build bipartisan support for this initiative for at least 3 months. It does reflect the fact that my colleagues from all across the country are recognizing the huge impact of this loss of benefits. This is not a problem that is restricted to a particular area of the country. Nevada has the highest rate in terms of unemployment numbers. Rhode Island trails behind, but not by much. We are at over 9 percent. But you have States with high unemployment throughout the country: Michigan at 9 percent, Illinois at 8.9 percent, Kentucky at 8.4 percent, Georgia at 8.1 percent, Arizona at 8.2 percent. These are States that have significant issues with respect to unemployment and need the continuation of this program to protect their families and also to provide stimulus for their local economies.

We have at this point in many of these places two unemployed workers for every available job. So this is not just a question of: ''The jobs are there. Just go get it.'' The job is not there. Also, we recognize—I think we all recognize—the skill sets that are increasingly in demand are some of the skill sets that mature workers—people who have been working for 20 years, who have been every day of their lives going to the office or going to the mill or going to the plant are now competing with 20-year-olds who have sophisticated information technology skills and other skills in a climate where manufacturing is becoming sophisticated. Every sort of enterprise seems to be much more sophisticated and demanding a higher level of skills than years ago. So this is a very difficult time for workers out of a job, and I believe in this difficult period of time we need to extend these benefits.

There is extensive research on unemployment insurance and the labor markets that also supports the point that people who are on unemployment insurance want to go back to work. This is a very sort of pragmatic insight. In Rhode Island, for example, the average benefit is $354 a week. For most workers, that is a fraction of what they were gaining in their job. They would love to be called back to work. They would love to find a job that fits their skills that is close to the pay they had or maybe less. But no one is getting this help and socking away a lot of money on their UI benefits.

Indeed, a recent report by the White House Council of Economic Advisers looks at the economic tradeoffs that are being faced. In their words:

> In choosing the optimal unemployment insurance policy, policymakers must weigh competing costs and benefits. On the one hand, some argue that extending benefits may dull the incentives for unemployed workers to exert effort to search for another job, leading to increased unemployment—the so-called ''moral hazard'' effect. But on the other hand, providing benefits gives families income that can in the limit keep them from poverty but more generally can help them to finance a longer job search that might ultimately result in a job better matched with their talents, resulting in higher overall labor market productivity. . . .

These are important aspects that have to be considered. I think the consensus of many in Congress is that this program is not only necessary and essential, but it also does not significantly inhibit the willingness, the ability, the desire of people to get back to work.

Raj Chetty is a noted economist who studies these issues. He concludes:

> Nearly a dozen economic studies have analyzed this question by comparing unemployment rates in states that have extended unemployment benefits with those in states that do not . . . . These studies have uniformly found that a 10-week extension in unemployment benefits raises the average amount of time people spend out of work by

at most one week. This simple, unassailable finding implies that policy makers can extend unemployment benefits to provide assistance to those out of work without substantially increasing unemployment rates.

That is the conclusion of a very well respected economist who has been looking at that issue for several years.

Once again, from the Council of Economic Advisers' report:

Finally, while economists have found only small disincentive effects of UI extensions, recent research shows that the effect of UI on job search behavior is even smaller in recessions as the moral hazard effect shrinks when jobs are scarce.

Let's get back to common sense. There are roughly two workers for every job. The benefits UI beneficiaries receive are a fraction of what they would get in the workplace. They want to get back into the workplace. The jobs are just not there. Frankly, we have not done enough, I would suggest, to put those jobs in place. We have to do more. But in the interim, we have to make sure these families have some benefits and some protection.

I am quite willing to work with my colleagues if there are changes that should be made, could be made. But we are facing this deadline. Unless we move—and I am disappointed we have not moved today—1.3 million people on December 28 lose their benefits. The checks will cease going out the following week, and our economy will take a hit next year of 200,000 jobs, about a 0.2-percent growth shrinkage in GDP. We can avoid that by moving today or moving tomorrow, certainly moving as soon as we get back, to make sure these benefits are in place.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. AYOTTE. Madam President, yesterday I came to the Senate floor to discuss two amendments I had filed to the budget agreement that would have addressed an egregious part of this agreement, which is the cuts to military retiree benefits. In particular, I think the most egregious part of it is to those who have been disabled. We have all been to Walter Reed and seen and met our brave heroes, some who have lost limbs, serving our country in Afghanistan and Iraq. Yet in this agreement we are cutting their cost-of-living increases for the retirement they earned on behalf of our country.

So yesterday I came to the floor to talk about what I think is an appalling part of this budget agreement, but also to say, Why can't we amend the budget agreement and fix this now?

I offered two possibilities of how we could do that with two amendments I filed on this budget agreement. I am sure others could find in the trillions of dollars CBO has said we are going to spend over the next 10 years—$47 trillion—we can find $6 billion rather than taking it from our military retirees.

What happened yesterday on the floor was there was a motion to take down the tree so we could actually amend this budget agreement and fix provisions such as that, and it was voted down. So now we have no ability to amend this budget agreement, so I cannot bring the amendments I talked about yesterday to help our military retirees and ensure they do not get singled out in this agreement, which I think is appalling and wrong.

But I also cannot bring an amendment that I also filed that addresses an issue that is very important to the State of New Hampshire. That deals with an objection I have to a particular provision in the budget agreement that would make it easier for the Senate to pass legislation requiring online retailers to become the tax collectors for the States and the rest of the Nation—this so-called Marketplace Fairness Act that the Senate passed earlier this year.

Within this budget agreement there is what is called a reserve fund that allows the chairman of the Budget Committee to bypass certain procedural limitations that are normally allowed and procedural objections you have and all Members have to these types of legislation—budgetary objections—and these procedural objections are waived when these types of reserve funds are passed.

This provision, which I fought on the Senate floor on the Senate's budget—it did eventually get passed—is included in this agreement, even though since this body passed the Marketplace Fairness Act, the House has refused to take it up. The House has wisely found that there are major objections to this piece of legislation, which would require businesses—many of these businesses around the country that we see thriving on the Internet—to become the tax collectors for the rest of the Nation.

In fact, my State of New Hampshire does not have a sales tax. What it would require is that businesses in New Hampshire—online businesses that have written to me—it would place tremendous burdens on them. They would have to become the tax collectors for nearly 10,000 tax jurisdictions in this country, trampling on New Hampshire's choice not to have a sales tax, and also putting a tremendous burden on businesses to do the jobs of the States in becoming tax collectors for the rest of the Nation.

This legislation is bad for the economy, and I think it is bad for businesses, and particularly businesses in my home State of New Hampshire. So I object to the provision, the reserve fund, that is in this budget. I have filed an amendment that would strike that provision. But, again, no amendments are going to be heard on this budget agreement because the majority leader has filled the tree and said there will be no amendments heard, no matter the merits of the amendment, no matter how important the amendments are, including amendments I talked about that impact and help address the real egregious provision that impacts our military retirees.

This is just another example of an issue that is very important to the State of New Hampshire. Were I allowed to bring my amendment forward, I would have again expressed my opposition to this reserve fund that is within this budget, that is objectionable, that makes it easier to pass future legislation, a future version of the Marketplace Fairness Act, that will put a tremendous burden on businesses in New Hampshire. It is wrong to have online businesses become the tax collectors for the Nation.

I believe we should be allowed to amend this budget agreement, to vote on these amendments, and particularly on issues that are important to our men and women in uniform, as I have described. But not only that, this issue on the remote collection of sales taxes by online businesses throughout the country is a very important issue to the State of New Hampshire—which does not have a sales tax—but not just to the State of New Hampshire, to online businesses across the country that do not and should not have to be the tax collectors for States throughout the Nation.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

HEALTH CARE

Mr. BLUNT. Madam President, I wanted to talk about some solutions to our health care problems that have been out there for a while. Every time I hear someone say: There were no alternatives to the Affordable Care Act, there were no alternatives to what the President wanted to do—in fact, I heard the President say that multiple times last week, though it might have been multiple reportings of him saying it the same time. But there is no question he said it, that there were no ideas out there except his ideas.

That is just not accurate. We had and still have the best health care system in the world. But it was not perfect. It does not mean it could not have been improved. It does not mean there were not ways to create greater access. For those of us who have held concerns from the very first about the proposals we are now seeing play out in front of American families and before the American people, before individuals who thought they could get insurance but did not, before individuals who had insurance that worked who are beginning to lose it—when we see that play

out and hear: Well, this was the only idea out there—not the only idea at all.

At the time I was in the House of Representatives and proposed these to the House. They were not just bills we filed and did not talk about. In fact, a lot of this was covered very widely, even on occasion we had to have Republican-only hearings because the other side did not want to talk about these issues. They just wanted to talk about one way to solve these problems that I think is more and more clear may not be solving the problems nearly as well as they would have hoped for.

There are a number of proposals that could have created more access to the good health care system we had, solved problems that individuals had. Bills that I introduced, that I was either the principal sponsor or the cosponsor of, one of those would have been to allow small businesses to band together in either what you want to call small business health plans or association health plans where people who had a common purpose could come together and figure out—actually in our State we allowed people to do it, the State of Missouri, to have those associated health plans, so your small group of 5 or 10 or 15 people did not become the universe of the group you were trying to insure, but you would have true access to small business health plans.

I will be truthful. The insurance companies, for whatever reason, never liked that idea very well. But association health plans or small business health plans were one of the things—in fact, I cosponsored that bill with Congressman SAM JOHNSON, H. Res. 2607, if anybody wants to look back and see just how much we talked about this issue and how we dealt with it.

Another issue every time the President's health care plan comes up: What about coverage for young adults? I was the only person in the House, as I recall—and I have said this a number of times and have never been challenged—who actually filed a bill that said: Let's let people stay on their family insurance policies longer.

There are those out there since who have said: That expanded that too much. It was a slacker provision. It was not anything like that. It was an effort to take the most uninsured group in America—young, healthy people—and let them stay on their parents' health care.

It was an effort to get—I think the number we talked about was around 3 million—people access to policies they did not have access to at some level. In virtually every State, you could stay on your family policy until you were 21. In Missouri, I think the number was 23. The proposal I made was let's add 2 years to that and do it for the whole country. Let's say 25.

The President said in the Affordable Care Act, 26. I do not think I would have had a big fight about whether my bill that said let's let people be insured on their family policy until they are 25—if it was expanded to 26, I do not think that makes that uniquely the President's idea. That was a bill I sponsored. It would have helped young workers, college students. These are young healthy people, generally.

It would not have added much. I think it is not adding much to insurance costs for families or those who are otherwise insured. The idea that somehow we could not do that—every time this topic comes up, there is somebody who will jump up and say: Do you mean you want to take people who are now on their family policy and who are under 26 and take them off the family policy?

All we had to do to prevent that is pass one piece of legislation that may have been 40 words long—may have been 40 words long, may have been a couple of pages long. I know of all the ideas I introduced, the biggest one was 75 pages long. It was not a 2,700-page health care bill. The biggest of all the bills I introduced was 75 pages long. We could have done one or we could have done all of them. They would have worked. Some of these are on this chart right here: encourage wellness programs, reform coverage for preexisting conditions. We had high-risk pools that were working. There was a way to expand those high-risk pools so they would work better. We proposed that in legislation.

I was on the floor the other day and talked about a young man in Missouri who is 20 now who has had an illness since he was 18 months old. He gets fluid on his brain. He had his first surgery at 18 months. He went from his family policy to the high-risk pool, which worked pretty well for him for a number of years and is working right now. But on December 31 the high-risk pool goes away. He cannot get access to the doctors he has used his entire life on any policy available to him. So we have eliminated the policy he had that was serving him well and the physicians group he had his entire life. We have eliminated that by eliminating the high-risk pool.

Is that an improvement? Absolutely not. Could the high-risk pools have been expanded? Were there ways to do that? There absolutely were. Those were proposed.

Medical liability reform was one of the things we could have done and proposed. In fact, even in the last Congress, I introduced in the Senate the Help Efficient, Accessible, Low-cost, Timely Healthcare Act, S. 1099. But that is very much like legislation that was available and could have become part of health care reform in 2009.

The safety net to be sure that emergency room physicians have particular protections on liability because they do not have any choice but to treat people, that is another bill I introduced this year that was very much in line with what we were talking about just a few years ago.

Insurance flexibility. In the 111th Congress I cosponsored H.R. 3824, the Expanded Health Insurance Options Act, which allowed people to buy across State lines through regional compacts, allowed States, if they wanted, to form compacts they could be part of that again would have been part of this solution.

Reform coverage for preexisting conditions. Encourage wellness programs. This is something that could make a big difference and is something we could have thought of ways and did think of ways to encourage. H. Res. 4038, the Common Sense Health Care Reform and Affordability Act that Representative CAMP and I introduced would have achieved this goal of looking for new and better ways to encourage wellness programs.

I am not done yet. But I will say, every time the President or anybody else steps up and says there were no other ideas, that is not true. There were other ideas that I believed then and believe now would work better. Every day, as the Affordable Care Act becomes more and more available to us, I am more and more convinced there were better solutions. I am absolutely offended by this constant discussion that there were no other ideas.

Prevent rescissions. We talked about legislation at the time that would have prevented canceling policies or prevented setting caps after somebody got sick. It does not take an entire government overwhelming the insurance marketplace to say here are two things you cannot do.

The Common Sense Health Care Reform and Accountability Act would have helped achieve that goal—prevent limits on coverage, encourage health savings accounts, encourage people to have a little of their money that is available to them to use for health care expenses. I tell you what I am seeing happen now. So many people are now looking at policies that have these huge deductibles. For most families, it is like not having a policy at all.

If someone has a policy similar to the one I was talking about on the floor the other day, reporting about a Missouri family where they were paying $1,100 a month for insurance and they had a $12,000 deductible, is that truly insurance? For most families is that truly insurance, $24,000 out of their pocket before their insurance paid anything?

But it meets all of the better coverage supposedly that the President says we now have. It met all of those standards. It could be made available. But it had deductibility—as many of these policies do. We are going to find all of this out quickly.

The only thing worse than the Web site not working may be the Web site working. Because when the Web site begins to work, people are going to have the facts. There is no reason to argue about the facts. The President continues to say people are going to have better coverage for less money. We are going to know in the next 90 days or so how true that is.

I am sure some people are going to find better coverage for less money. I

am equally sure most people are not going to find that.

So health savings accounts; increased transparency—this is an idea which is actually in the bill, but they haven't pursued it, where you tell health care providers they have to give more information about what they charge and what their results are. This act passed 3½ years ago, almost 4 years ago, and it says in the law that they can require providers to do that, but nobody has passed that rule or regulation yet. This is something that would have helped.

Most of the time, you go to the hospital, particularly if it is something you have scheduled, you are in the car on the way to the hospital, and knowing who gets the better results—or who gets the same results for the lower price would be very helpful information for most Americans and most American families to have.

Reform tax treatment. This was another idea we talked about widely. If you buy your insurance on your own or you get your insurance at work, there needs to be equity in that tax treatment; whether you cap what you can get at work and allow that same tax credit if you buy it as an individual—there are lots of ways to do this.

The point is that there were lots of ideas out there. I am persuaded that these ideas right here, which would have cost taxpayers virtually nothing, would have had minimal impact on the cost of insurance but would have had a lot of impact on a bigger marketplace, more choices, not fewer choices, and would have been a better way to go.

There were ideas. At some point we may very well need to return to these ideas because at some point we may decide the course we are on is unworkable.

Americans shouldn't look at that and think we have to go back to the old system unimproved. There are plenty of ways to improve access to the best health care in the world. Diminishing that health care system is not one of those ways.

I yield the floor.

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

Mr. ALEXANDER. Thank you, Mr. President.

I congratulate the Senator from Missouri for his comments. Sometimes I think Republican Senators especially should begin and end every speech with an answer to the question, What would the Senator do if he were in charge? And the Senator from Missouri has said that very eloquently. It is not the first time what Republicans would do has been said on this floor. He mentioned that the law was passed 3½ years ago. We counted it one time. We mentioned 173 times on this floor the Republican step-by-step proposal for a different approach to health care in this country.

We said: Don't expect Senator MCCONNELL or any other Republican to come in with a 3,000-page Republican bill in a wheelbarrow. We don't believe in that. We believe in a different direction, a different approach. We don't believe we are wise enough in Washington to write 3,000 pages of rules to govern every aspect of our health care system in America that takes 18 or 19 percent of the economy.

We live in the iPhone age, where we want to increase the personal freedom of Americans to live longer, better, safer, and healthier. We want people to be able to do these things for themselves. We want to increase choice, competition, and in that way lower costs. If we lower costs, then more people will be able to afford to buy health insurance. That is the real way to expand health insurance in America—make it more affordable; make it so people can afford it.

So I am beginning these short remarks with a salute to the Senator from Missouri for talking about what we would do if we were in charge, and I am going to end in that way as well.

For the last couple of months, we have heard countless stories from constituents who are losing the health plans they purchased on the individual market.

According to America's Health Insurance Plans, there are 19 million Americans in the individual market. The Obama administration knew in 2010 that the rules it wrote for health plans would mean that 47 to 60 percent of those policies could not be legally offered under ObamaCare by 2014. Nevertheless, the President still said, ''If you like your health insurance, you can keep it.''

Now we all know that wasn't true. According to news reports collected by my staff, at least 5 million Americans, including 82,000 Tennesseans, will lose their individual plans starting January 1. That is an unwelcome Christmas present for those 82,000 Tennesseans. 16,000 Tennesseans are losing their Cover Tennessee plans; these are people who especially need help. There are also 66,000 Tennesseans who will lose their Blue Cross Blue Shield of Tennessee coverage.

I heard from a woman named Emilie, who is from Middle Tennessee. She is 39 years of age and has lupus.

She wrote:

> I cannot keep my current plan because it doesn't meet the standards of coverage. This alone is a travesty. CoverTN has been a lifeline. . . . With the discontinuation of CoverTN, I am being forced to purchase a plan through the Exchange. . . . My insurance premiums alone will increase a staggering 410 percent. My out-of-pocket expense will increase by more than $6,000 a year—that includes subsidies. Please help me understand how this is ''affordable.''

Unfortunately, Emilie is not the only one experiencing rate shock. Millions of Americans are losing their insurance plans. They are being forced to buy new plans, many of them with higher premiums, deductibles, and coinsurance.

According to data from the Department of Health and Human Services, Tennesseans can expect to pay up to three times more on the exchanges being set up under ObamaCare for the health insurance they now have.

In 2013, a 27-year-old man in Memphis can buy a private insurance plan for as low as $41 a month. On the exchange, the lowest State average is $119 a month—a 190-percent increase.

Today, a 27-year-old woman in Nashville can buy a plan for as low as $58 a month. On the exchange, the lowest priced plan in Nashville is $114 a month—a 97-percent increase. Even with a tax subsidy, if she made $25,000 a year, the plan would be $104 a month—almost twice what she could pay today if the $58 plan was all she felt she needed.

Today, women in Nashville can choose from 30 insurance plans that cost less than the administration says insurance plans on the exchange will cost, even with the new tax subsidy.

In Nashville, 105 insurance plans offered today will not be available in the exchange.

According to HealthPocket Inc., a consumer-oriented health research firm, the average individual deductible for a bronze plan on the federally-run exchange is $5,081 a year. That is 42 percent more than the average deductible of $3,500 for an individually purchased plan in 2013. According to Deloitte, that is 348 percent more than the $1,135 average deductible for an employer health plan in 2013.

These are a lot of numbers, but Americans—millions of them—are getting familiar with these numbers because this has gone from being political to very personal.

According to Avalere Health, 90 percent of bronze plans require patients to pay 40 percent of the cost of their tier 3 and 4 drugs out of their own pockets, compared with 29 percent of employer-sponsored plans that most Americans currently use. Most silver plans also require patients to pay 40 percent. For cancer patients and those with chronic illnesses, this kind of cost sharing could mean they will pay thousands of dollars out-of-pocket or go without the drugs they need to stay healthy.

Americans had to wait until the exchanges opened on October 1 to find out just how much they were going to have to pay for insurance in 2014. With such dramatic hikes in premiums and out-of-pocket expenses, it is no wonder that Americans are outraged.

Then, just before Thanksgiving, we learned that the Obama administration is delaying open enrollment for 2015 until after the midterm elections in November. The only American consumers this change will help are Democratic politicians who voted for ObamaCare because it would delay disclosure of some of the law's most insidious effects until after the election.

Senators BARRASSO, ENZI, and I introduced today the Premium Disclosure Act. We want to change the open enrollment date back to October and provide Americans notice of their premiums and cost-sharing requirements

30 days in advance so that they can plan for the future knowing their health care costs for the next year. This is a commonsense proposal that I hope my colleagues will support.

As my colleague Senator BARRASSO likes to say, what we know now about ObamaCare is just the tip of the iceberg. Much of the media attention has focused on the disastrous rollout of the Web site and the 19 million Americans in the individual market. But just below the tip of the iceberg are 160 million Americans—nearly 10 times more than have individual policies—who the Congressional Budget Office says get their insurance through the job, employer insurance.

Think about issues such as restrictive grandfathered plan rules, limits on the number of hours employees can work and be considered part time, the mandate that employers provide government-approved insurance or pay a fine, and the millions of dollars in new taxes on health plans. All of these issues will have an impact on employer-sponsored health insurance in both the public and private sector. We are already seeing that. Employers such as Sea World, Trader Joe's, The Home Depot, and other companies have publicly said they are reducing worker hours or dropping part-time employee health benefits. The chief executive officer of Ruby Tuesday, a restaurant company, told me that the cost to implement ObamaCare would be equal to the profit his company earned all of last year.

In case you think these are isolated examples, the National Association of Manufacturers says that more than three-fourths of manufacturers cited rising health care and insurance costs as the most important business challenge. The U.S. Chamber also has a membership survey saying that 74 percent of businesses are reporting that the health care law makes it harder for their firms to hire new workers. This is at a time when jobs are supposed to be the principal concern in our country.

Many of these businesses self-insure, meaning they design and pay directly for the health plans they offer their employees. According to the Kaiser Family Foundation, more than 100 million Americans currently have employer-sponsored health plans that are self-insured.

Self-insurance is a method of providing health insurance that has worked well since its inception in 1974. It needs to be preserved. Last month Senators RUBIO, RISCH, MCCONNELL, and I introduced a bill to make sure the Obama administration doesn't change that, doesn't change the rule that allows the companies to insure themselves against a medical claim that could bankrupt them. Any effort by the Obama administration to change the rule on companies that self-insure will break the President's promise to millions of Americans. It won't matter if they like their employers' health plans; they won't be able to keep them.

It is not only the private sector facing fiscal challenges because of ObamaCare. Our Nation's schools, colleges, and universities are also being hit hard. There is no shortage of examples in my State of Tennessee of local leaders dealing with the burdens of ObamaCare.

The Franklin Special School District has begun limiting substitute teachers to working 4 days a week in order to avoid paying between $1 million and $4.5 million more per year in health care costs.

Maury County Schools, south of Nashville, is also limiting its substitute teachers to no more than 28 hours a week for the same reason. One school board member told the local news:

> Students struggle enough having one substitute teacher, but then now we're going to have to possibly split the substitute time between two substitute teachers. It just makes it hard on the students to learn.

Wilson County Board of Education wrote to tell me that ObamaCare's reinsurance fee will cost the district an additional $165,000 in 2014 alone.

At least eight other Tennessee school districts are reportedly limiting employee work hours or entire jobs, including Clarksville, Rutherford County, Johnson City, Carter County, Washington County, Oneida Special School District, Scott County, and Stewart County.

Cumberland University in Lebanon has adopted a new policy to limit adjunct faculty to no more than three courses each term, meaning they won't be able to offer a course even if they are the most qualified instructor available.

The impact of ObamaCare on education is by no means limited to Tennessee. Investor's Business Daily has identified well over 100 school districts and institutions of higher education nationwide that have made cuts or limited employee work hours because of ObamaCare. That number is climbing daily, again suggesting this is only the tip of the iceberg.

Remember, what we are hearing about today are individual policies. What we are going to hear about next year are employer policies being cancelled, new costs, and there are 10 times as many Americans with employer policies as individual policies. Who pays the price for this? Our children. Cash-strapped schools simply don't have the money to absorb these costs, so they are forced to make difficult choices.

For these reasons—broken promises, higher costs, fewer choices—ObamaCare was an historic mistake. It expanded a health care delivery system that already costs too much and left Americans with fewer choices.

I said at the beginning of my remarks that I would like to end in the same way, and I will do that with an answer to this question: What would we do if we were in charge? What if we elected a Republican Senate and even a Republican President in 2016? We would replace ObamaCare, not by moving backward, but by moving in a different direction.

Remember, ObamaCare's real problem was it expanded a delivery system that already costs too much. What we would do instead is go step by step to introduce new ways to increase choices, to have more competition and to lower costs. We would make Medicare solvent, so seniors can depend on it. We would give Governors more flexibility with Medicaid so they can create programs with lower costs. We would repeal the ObamaCare wellness regulation—the Senator from Missouri talked about that—and replace it with one that makes it easier, not harder, for employers to give employees lower health insurance costs if they live a healthy lifestyle. We would let small businesses pool their resources and offer low-cost insurance plans for their employees. The Congressional Budget Office says that Senator ENZI's bill would allow coverage for 750,000 more Americans at a lower cost if we did that. We would allow families to purchase insurance across State lines. If there is a policy regulated by Kentucky that fits my needs, and I want to buy it, why shouldn't I be able to do it if I can afford it? We will expand health savings accounts. We would incentivize the growth of private health insurance exchanges. That is beginning to develop all across our country, giving more choices to employees. We would make it easier for patients to compare prices and quality of doctors and medical services. We would incentivize States to reform junk lawsuits. Those are the steps in the right direction where we would like to go.

When Irving Kristol died not long ago, James Q. Wilson wrote a tribute in The Wall Street Journal which struck me. He said when they began their association as neoconservatives—they were mostly Democrats—he said we were policy skeptics. He said that was mainly what our common view was. By that, I think he must have meant they did not believe Washington could, through a comprehensive piece of legislation, fix our whole health care system; that what Washington should do, particularly in this iPhone age, is to go step by step in a direction that gives more personal freedom to consumers, to Americans, so they can live longer, live healthier, live safer, and be happier.

That is what we would like to do. That is how we would like to change ObamaCare, and we would like to have that opportunity.

So unfortunately, an unwelcome Christmas present this year for 82,000 Tennesseans is that they are losing their individual policies. Even more unfortunately, an unhappy New Year is coming, in which hundreds of thousands of Tennesseans will lose their employer policies—the policies they get through their employers—because of ObamaCare. We are ready to go in a

different direction and create a way for Americans to have more choices, more competition, and insurance they can purchase at a lower cost.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, first of all I want to commend my friend, the Senator from Tennessee. There is no one in this body who is more thoughtful, works harder on issues, and has shown more willingness to find common ground on a host of issues.

I also want to compliment the earlier speaker, the Senator from Missouri, who laid out a series of items that should be components of any kind of health care reform.

As somebody who is a former Governor, as is the Senator from Tennessee, I have managed a Medicaid program. As somebody who has been a private sector employer and managed private health insurance plans, I know this is a conundrum that has to be solved.

What I don't hear sometimes is folks recognizing the status quo was leading this country down a path that was unsustainable, and I look forward to working with the Senator from Tennessee, the Senator from Missouri and others to see how we can go about fixing the challenges in ObamaCare. I remember when I voted for what I called a very imperfect piece of legislation, but recognized the status quo was not a place that could be maintained.

There are a couple of points I want to make, although I am here to talk about the budget. When we talk about the very attractive components of not discriminating against folks with preexisting conditions—and I say that as somebody who has a daughter with a major preexisting condition—and when we talk about preventive care and other items that are the ''nice to have'' or ''we like'' components, those of us who have wrestled with health care—and I started the Virginia Health Care Foundation 20 years ago—realize that when you push on one end of health care it pops out someplace else. It would be great to be able to do this in segmented parts, but I believe to get the kind of reform that was necessary you have to make a more extensive program.

As someone who stands here speaking from an IT standpoint, let us acknowledge the unprecedented disaster of the rollout of the Web site. But what I don't hear from my colleagues is that beneath all these challenges there are positive points. Look at the rise of health care costs on a macro basis, back 3 years past, when Simpson-Bowles and those of us involved in the budget—which is what I am here to talk about—were engaged in this issue. You look at the decrease in the amount of health care cost increase. If you look at the slope's decline, it is hundreds of billions of dollars of savings in the projected CBO cost of Medicare and Medicaid.

Look at one of the areas that was of enormous concern, one of the broken parts of our health care system—hospital readmission rates. Those rates have dropped dramatically.

I hear the stories of folks who are upset with the implementation of ObamaCare, but I also hear the stories of folks who have never had health care and who are finding it now at rates that are more affordable than in the past or in the past they didn't even have an option of getting health care. This is going to require fixes.

Let me comment on one of the areas most talked about—this notion of the President saying if you want to keep your health care policy, you can keep it. What this Senator has tried to do, as we move past the rhetoric into how we actually try to fix this, I have worked with our State insurance commissioner to take advantage of the opportunity for plans within the Commonwealth of Virginia to extend their coverage for at least 1 additional year, and we are starting to see some progress—not as much as I would like but some progress.

Today, with a group of my colleagues, we have written the administration to suggest that so there is not a gap in coverage, particularly for those folks above the age of 30, because of the transition, who may find themselves faced with higher costs, let's present at least a catastrophic plan under the hardship exemption and view that in a broad way. Again, this is so that folks can find, during this transition period, health care that is affordable.

As someone who believes we need to ensure the commitment of the President and others—I have stated it as well—that you can keep your health care plan, I have joined with Senator LANDRIEU for a legislative fix, if these other items don't go far enough.

As other Senators have said, there will be other issues coming up. When you are going through the reform of 17 to 18 percent of our whole economy that is connected to health care, it is going to take the willingness and good faith of people on both sides of the aisle to actually not simply relitigate the direction but to recognize how we move on from here, and I would welcome any colleagues who are willing to engage in that kind of productive dialogue, discussion, and laying out of ideas.

But this afternoon, we actually are going to be doing something that, in an otherwise fairly bleak year of accomplishments and in a Congress that may set record lows in terms of legislation passed and approval ratings, will actually end the year with something we should at least recognize as a step forward.

I remind my colleagues it was just 2 months ago we were in the midst of an unprecedented government shutdown, where millions of Americans were furloughed; where America had furloughed three Nobel prize-winning physicists who work at NASA and who were somehow deemed nonessential; where private sector folks in the tourism industry—whether in New Mexico or Virginia—were seeing a dramatic fall-off in tourism because of national parks being closed; where we were inflicting upon this economy somewhere in the neighborhood of $30 billion to $40 billion of unpredicted economic loss simply because we couldn't get a budget. But this afternoon it is my hope we will at last close that chapter. My hope is this afternoon we will vote on a budget agreement for 2 years. While it is not as grand or as comprehensive as I would have liked, it will perhaps demonstrate to the American people that although we have had to crawl before we could walk, walk before we could run, we have put forward a bipartisan compromise.

A great deal of the credit goes to Chairman MURRAY and Chairman RYAN. This agreement says for at least the balance of this fiscal year and for the next, we will take off the table the threat of another shutdown, of unprecedented furloughs. It says we will not relax our focus on deficit reduction, and we will not add to the debt, but we will actually do a little more—about $20 billion more in deficit reduction—and we will demonstrate this institution can actually put the country ahead of partisan interests.

In this compromise not everyone got what they wanted. I would have argued strongly that the big enchilada remains. How do we really take on, in a major way, that $17 trillion debt that clicks up about $4 billion a night? That would mean both political parties have to give on their sacred cows. It means we have to generate additional revenues through meaningful reform of a completely disastrous Tax Code, and yes, it means for folks on my side, we have to make sure the promise of Medicare and Social Security and other entitlement programs are here not just for this generation but for 20 and 30 years from now.

Some of those challenges will have to be put off for another day, and there are many in this body on both sides of the aisle who may have a chance to surprise some folks next year in laying out some specific ideas on how we can move to that bigger bargain. But we should not underestimate what we do today.

I have spent a longer time in business than I have in elective office, and what this country is yearning for, what consumers are yearning for, what business leaders are yearning for is just a little bit of predictability. We have seen growth rates go up higher than estimated. We have seen job growth coming quicker—as monthly revisions are made—and going up even higher than we thought. The single best thing we can do is to make sure we remove the cloud of further disruption caused by Washington. So what we do today with this small step—but a step we shouldn't underestimate—is to get rid of that threat for the next 2 years.

So I look forward to supporting this bipartisan agreement. As I mentioned, it rolls back the most draconian parts of sequestration. Sequestration was set up to be the most stupid option so that no rational group of people would ever agree to it. I call it stupidity on steroids. So this budget agreement gets rid of the worst brunt of that sequestration and then gives this body and our colleagues in the House the ability to actually fashion a budget for 2 years that will also allow them to allocate within these still historically lower numbers.

So I will vote for this compromise, but as with any compromise, there are particular provisions of this compromise I would not have agreed to and that I do not support. One of those provisions is a component that unfairly singles out our military families. Our military families over the last decades-plus have fought two wars. They have made unprecedented sacrifices. Often they have been the only Americans making sacrifices through many of the years in the last decades.

Virginia is home to the Nation's largest concentration of Active-Duty and retired military personnel, and I consider it an honor to represent them here in Congress. The component of the budget compromise that singles out these military retirees for a decrease in their cost-of-living increase was not an appropriate component. But rather than saying let's flush the whole deal down, I will vote for this deal, with the idea in mind—similar to my approach to the health care bill—that we will attack this problem and fix it, and I have a fix I will propose to replace this component going forward.

I have been joined in this effort by my friend from Virginia, Senator KAINE, and former Governor Senator SHAHEEN, to introduce legislation which would eliminate this close to $6 billion hit on our military retirees. Our legislation doesn't add to the debt or deficit but would replace this unfair hit to our military retirees by closing certain corporate tax loopholes, which would generate sufficient revenue to make sure our military families would not be unfairly affected.

I know in a grander bargain all things may be on the table, but in this smaller deal we should not be singling out our military families and those retirees for this undue burden.

I believe and I hope other colleagues on both sides of the aisle, as we get this budget compromise passed, will join in this effort to substitute out this $6 billion provision for what I believe would be a much more readily acceptable $6 billion provision in terms of change in the corporate tax law. I know the chairman of the Budget Committee from our side of the aisle would welcome this kind of substitution. Her job was to get a deal and she did that job, she got a deal, and I look forward to supporting her.

I will close with these comments. Virginians have served with honor in our military for generations. I assure our service men and women that because of this provision—which doesn't take effect until 2016—we have ample time to make this substitution.

We are being joined on the floor by Senator SHAHEEN, the original sponsor of this legislation, and I remain committed to working with Senator SHAHEEN, Senator MCCAIN, and any Member of this body from either party, to work on this deficit reduction package, this substitution, which would relieve this burden.

I hope later this afternoon we can build on the overwhelming support this compromise budget measure received in the House, and believe a strong bipartisan vote today—actually, yesterday, when we cleared cloture—is an indication it will hopefully get the same kind of vote today.

Regardless, I believe we will pass this budget compromise and we will show this body can work, and American families can go into the holiday season without the potential threat of another government shutdown hitting them mid-January.

I again thank the chairman of our Budget Committee for the enormous amount of time she put into this effort. She had lots of folks pushing and pulling her from every direction. As someone who still aspires to be part of a grander bargain and a bigger deal, our day will come again; but in the meantime, later this afternoon we will do the people's work and make sure we do our most essential requirement, which is to present a budget which is fiscally responsible, takes down our deficit, and allows our government to move forward and our economy to grow.

I yield the floor.

Ms. COLLINS. Mr. President, I rise to speak on the bipartisan, bicameral budget agreement that is currently before the Senate.

This budget agreement, while far from perfect, will help move our economy forward, create certainty that has been sorely lacking for far too long, and save some $23 billion over the next decade. It has been 4 years since the House and Senate have reached an agreement on a budget that sets priorities for Federal spending and revenues. While the 2-year budget agreement worked out between Senator MURRAY and Congressman RYAN is not what I would have written, it is a step in the right direction. It will prevent Congress from lurching from crisis to crisis, avoid most of the across-the-board, meat-ax cuts known as sequestration, and will allow the Appropriations Committee, of which I am a member, to do its job of developing bills to responsibly fund the government within agreed to limits.

Over the last 9 months since sequestration went into effect, I have met with countless Mainers, including shipyard workers, medical researchers, educators, Border Patrol agents, small business owners affected by the delayed opening and shutdown of Acadia National Park, and nonprofit organizations providing services for the low-income and the elderly. All have shared stories of their personal experiences with how the indiscriminate cuts of sequestration have affected them, their families, and those whom they serve. The sequester has had a detrimental impact on Mainers and our country and is not the right approach to reducing our enormous debt. The $65 billion in sequestration relief provided by this agreement will help mitigate the effect on our economy moving forward and allow Congress to prioritize those programs that are most effective over those that are wasteful, duplicative, or simply no longer necessary.

The agreement will spare the Department of Defense some of the devastating sequestration cuts that Pentagon officials testified could cripple military readiness, harm our national security, and affect thousands of defense-related jobs that are vital to our economy in Maine and in the United States. It also begins to address the harmful impact of indiscriminate cuts made to vital programs such as transportation, education, and biomedical research.

It is critical that Congress continue to work to bring spending under control. Our national debt now stands at an almost incomprehensible $17.2 trillion. This sum, along with rising interest payments, is our legacy to future generations and simply must be responsibly addressed. This agreement will save $23 billion over the next 10 years and help prevent government shutdowns over the next 2 years.

I am, however, deeply disappointed that this agreement includes a reduction in the annual cost of living increase for some current military retirees. We must honor the service and sacrifice of the brave men and women who served our country so that they can continue to have access to the benefits they worked so hard to earn and that were promised to them. The significant changes to military retirement included in this budget single out current retirees and change the rules for them, and that is not fair.

In 2012, I was a member of the Armed Services Committee when we created the Military Retirement and Compensation Modernization Commission with the precise purpose of comprehensively examining this issue in a thorough way that protects current retirees and ensures that the military retirement system is offering the right incentives to recruit and retain the most qualified and experienced servicemembers at a time of budget constraints.

I have raised my concerns with my colleagues about the military retirement provisions in this agreement and will work to ensure that this issue is addressed before it is set to take effect in January 2016. The chairman of the Armed Services Committee has already committed to reviewing this change at the start of next year. I intend to do

everything I can, in conjunction with the leadership of the Armed Services Committee, to identify a more reasonable approach to this problem that would provide the same level of savings while protecting current retirees.

The American people are weary of watching a Congress that can't work. We saw the result of this dysfunction when the government shutdown in October. That is why I worked so hard to forge a compromise that helped get Congress functioning again. We simply must avoid another shutdown and put our Nation back on a sound financial footing. In my judgment, this agreement takes the first steps on a responsible path forward.

Ms. STABENOW. Mr. President, I would like to join several of my colleagues who have already spoken to clarify the intent of an important provision in the Bipartisan Budget Act that the Senate is currently considering.

Section 203 of the legislation is intended to prevent criminals from using information in the Death Master File, DMF—a list of recently deceased individuals that includes personal information such as Social Security numbers—to steal their identities to commit fraud.

At the same time, the provision is intended to allow those who must use the DMF for legitimate business or official purposes, such as paying life insurance proceeds, preventing fraud, and addressing unclaimed property, to continue to have access to the information they need.

Under this provision, the Secretary of Commerce is required to establish a program that will restrict public access to an individual's personal information on the DMF for a 3-year period after his or her death. The Secretary will also determine individuals certified under the program who will maintain access to the Death Master File for legitimate business or fraud prevention interests. These include State authorities, life insurance companies, and other legitimate users.

To strike this balance between stopping criminals and allowing legitimate users to perform their responsibilities, the provision intends for the Department of Commerce to follow rulemaking procedures allowing for sufficient notice and comment from the public and interested parties. The provision is also intended to allow legitimate current users of the Death Master File to continue accessing DMF information until the certification program is established.

I understand that Senator NELSON, the original author of this provision, engaged in a colloquy with Chairman MURRAY and Senator CASEY, clarifying its intent. I salute Senator NELSON for his leadership in crafting a strong and well-targeted response to the important issue of identity theft.

Mr. LEVIN. Mr. President, in comparison to recent battles this Congress has fought over the budget, the legislation we consider today represents progress. Instead of government by crisis and hostage-taking, we have before us an agreement negotiated by the Senator MURRAY, a Democrat, and Congressman RYAN, a Republican, a negotiation in which neither side got all that it wanted, but both sides found acceptable middle ground. That is not a common event around here these days. Significantly, by reaching agreement, they have offered us a way to avoid a potential government shutdown in 2014. And they have provided a way to offer some relief from the damaging impact of sequestration.

So I will support this agreement. But I will not do so without reservation. Despite what it offers, this budget agreement falls short of what I believe we need to accomplish in three significant ways.

First, while the agreement provides some modest relief, it leaves more than half of the irrational meat-ax cuts of sequestration in place over 2 years. As a result, important programs to protect and promote national security, public safety, health, transportation, education, and the environment will remain under-funded. A balanced package that included measures I have recommended to close loopholes that allow profitable corporations to avoid taxes by sending their revenue and assets to offshore tax havens would, if passed, do far more to address these problems.

Second, this agreement does not include an extension of emergency unemployment benefits for 1.3 million people. Those benefits end in less than 2 weeks. Failure to extend these benefits would mean more than 43,000 workers in my state of Michigan would lose unemployment benefits at year's end. In the first 6 months of 2014, more than 86,000 additional Michigan workers would also lose benefits if we fail to act. This is both cruel and economically self-defeating. At a time when job creation remains slower than any of us want, and when nationwide there are roughly three job seekers for every available job opening, removing the safety net that keeps families from falling into despair is unjust. And the reduced economic activity that will result will cost thousands of jobs, making our economic recovery even slower. The Republican refusal to include extended unemployment benefits in this legislation is deeply disappointing. Majority Leader REID has expressed determination to take up an unemployment benefit extension bill in January. It is essential that we do so.

Third, the agreement includes a provision that would reduce cost-of-living adjustments for working-age military retirees. This is a troubling provision because it singles out a group of veterans, and therefore I have decided the Senate Armed Services Committee will review the retirement benefit changes next year, before they take effect in 2015. This proposal is yet more evidence of the fact that the only fair solution to the sequestration problem is a balanced, comprehensive deficit-reduction agreement. The major impediment to such an agreement has been the inability of some in Congress to accept the necessity of real additional revenue, such as closing tax loopholes used by highly profitable corporations to avoid paying taxes by transferring assets and revenue to subsidiaries in offshore tax havens.

These shortcomings in the budget legislation before us are significant, but nonetheless this legislation does offer important benefits. The sequestration relief, though smaller than many of us would like, is significant. Over the course of the last year, the Armed Services Committee has repeatedly heard from our senior military and civilian defense leaders that the rigidity and extent of the sequestration puts the security of our Nation and the lives of our troops at risk. Sequestration has also shut Head Start classrooms, labs researching cures to life-threatening diseases, and clinics providing health care to the needy and elderly, among many unwise effects.

Again, this legislation offers the only available way out of the cycle of crisis that brought us a damaging government shutdown in November. That shutdown was extraordinarily disturbing to every American who expects Government to operate without the constant threat of shutting down.

So on balance I support this legislation because of the modest positive changes it makes from the status quo, and in the hope that this is the first step toward a more comprehensive and more balanced deficit-reduction agreement to replace the rest of sequestration. This agreement likely represents as much progress as we realistically can make in the absence of a balanced, comprehensive budget agreement. Again, the major stumbling block that prevents us from reaching such an agreement is the reluctance of so many Republicans to consider additional revenue, particularly the substantial revenue available to us through closing unjustified tax loopholes. It is essential that we spend the coming weeks and months working toward a better, more balanced, fairer, more comprehensive solution.

Mr. MARKEY. Mr. President, I support the Murray-Ryan budget agreement, even though I disagree with a number of provisions included in the bill, because it includes balanced savings to roll back sequestration for the next 2 years and help restore much needed certainty to government agencies and our economy.

Sequestration is just a fancy word for cuts—mindless cuts. I strongly believe we must end the mindless, across the board cuts from sequestration which have significantly reduced funding for a number of Federal programs that are critical to Massachusetts families and businesses.

Sequestration has also significantly cut Federal spending on the research

which has been critical for the development of the Massachusetts economy and will damage our economy in the long-term.

Under the Murray-Ryan agreement, sequestration under the Budget Control Act would continue. However, the size of sequestration will be rolled back and the Appropriations Committee will have the authority to make changes to existing spending rather than be required to impose an across the board cut. The agreement would set overall discretionary spending for this year at $1.012 trillion—which is about $46 billion less than the Senate budget level and $45 billion above the level set in the Budget Control Act. Spending would increase only slightly next year. Unfortunately, this legislation does not eliminate sequestration from future years, in fact the agreement extends sequestration for 2 additional years (fiscal years 2022–2023).

The agreement includes dozens of specific deficit-reduction provisions, with mandatory savings and non-tax revenue totaling approximately $85 billion. Those provisions include higher security fees for airline passengers, reduced contributions to Federal pensions, higher premiums for Federal insurance for private pensions, and savings from not completely refilling the strategic petroleum reserve.

Finally, the agreement would reduce the deficit by between $20 and $23 billion. It also includes a 3 month extension of the Medicare Sustainable Growth Rate, SGR.

It is unfortunate that this agreement fails to include a critical extension of unemployment insurance, which is a critical component of our ongoing recovery and a lifeline to millions of Americans seeking employment. As a result of objections raised by the minority in the Senate, unemployment insurance will terminate just a few days after the holiday season ends. This action will cut off support desperately needed by more than 1.3 million Americans including more than 30,000 in Massachusetts. The U.S. Department of Labor has found that for every $1 of unemployment benefits spent, $2 of economic activity are generated. Extending unemployment benefits would increase our Gross National Product by 0.2 percent and create more than 200,000 jobs in 2014 alone. These Americans need our help and deserve our best efforts to resolve this issue before we adjourn for the year.

Before the Senate adjourns for the year, I hope that the Senate can act on the Emergency Unemployment Compensation Extension Act which would reinstate and continue Federal support for unemployment insurance (UI), effective January 1, 2014, for an additional 3 months to temporarily prevent the expiration of benefits for 1.3 million Americans. I am a cosponsor of this legislation because it would allow all States to continue Federal unemployment insurance without a lapse from January 1, 2014. The bill would also allow any State whose agreement was previously terminated in 2013 to enter into a new agreement with the Department of Labor for emergency unemployment compensation.

I have heard from a number of veterans from Massachusetts who have expressed their deep concerns about a provision in the budget agreement that would reduce the annual cost of living increase for military retirees under the age of 62. I am concerned that this provision could have a serious financial impact on these patriots and their families who fought to protect our freedom. The retirement compensation of servicemembers and Federal employees should never be reduced to lower our deficit especially while corporate tax loopholes and billions in subsidies for oil companies remain on the books.

I am proud to cosponsor the Military Retirement Restoration Act. The bill would replace the cuts to military retiree benefits from the Murray-Ryan Budget Agreement by preventing companies from avoiding U.S. taxes by abusing tax havens. I am hopeful that the Senate will be able to consider this legislation early next year. I also strongly support the review of this provision by Senate Armed Services Committee Chairman LEVIN before it takes effect in December 2015. Finally, I await a comprehensive review of the military retirement and compensation systems being conducted by the Military Retirement and Compensation Modernization Commission established by Congress which can provide a better solution than the one included in the budget agreement for military retirees.

I would also like to speak about another provision of the Bipartisan Budget Act: section 203, which limits access to the Social Security Administration's Death Master File, DMF. The DMF is a little-known but critically important piece of our Social Security system. It is the authoritative index of all deaths reported to the Social Security Administration from 1936 to the present, an index that contains over 85 million records of death. The DMF is therefore the prime tool available to formally confirm the death of an American citizen, and a variety of enterprises, from life insurers to pension funds, rely on the DMF to administer benefits and premiums.

Under section 203 of the Bipartisan Budget Act, access to the DMF will be greatly restricted. From now on, the Department of Commerce will not be allowed to disclose information in the DMF with respect to a newly deceased person for 3 years except to persons certified under a new program managed by the Commerce Department. Under this new program, which has yet to be established, certification will be given only to those persons who have either a legitimate business or fraud prevention interest and have processes in place to safeguard the information. The goal of section 203 is laudable—to prevent persons from using the DMF to engage in identity theft and fraud. Given the sensitive nature of this information, it is good that steps are being taken to prevent the misuse of this data.

Yet, while I support the goal of this section, I am concerned about how it will be implemented. Many insurance companies and pension administrators rely on the DMF to determine when benefits should be paid to their beneficiaries. In fact, nine States actually require that insurers access the DMF prior to the payment of benefits. These companies' access to the DMF is critical to their efforts to serve consumers, and their access cannot be interrupted while the Department of Commerce creates its new access certification program. Similarly, State Treasurers and Comptrollers, and their authorized personnel, also use the DMF for important purposes and need continued access while the regulations are being developed by the Secretary of Commerce.

I therefore urge the Department of Commerce to take immediate regulatory action to ensure that insurance companies, pension plans, and State Treasurers and Comptrollers' access to the DMF is not inhibited during the initiation of the certification program and that all parties have an opportunity to obtain certification prior to losing access to the DMF. The Department of Commerce should also ensure that stakeholders, both in the industry and in the beneficiary communities, have an opportunity to provide input on any rulemakings regarding either the certification program or the access restrictions themselves.

Earlier this year, I released a report that outlined the damage to our economy caused by sequestration and proposed an alternative plan that would produce the $1.2 trillion savings called for in the Budget Control Act without imposing the mindless, across-the-board sequestration cuts.

I strongly believe we can work together on a bipartisan effort to replace these misguided cuts of sequestration with a balanced deficit reduction plan that includes a more progressive tax code, targeted cuts to defense spending and nuclear weapons, an end to unnecessary oil subsidies, and the expansion of innovative programs in Medicare that improve the quality of healthcare for beneficiaries.

At the same time, we must make smart investments now that will create jobs and continue our country's economic recovery. We can no longer afford to make irresponsible across-the-board cuts that hurt middle class families and hurt our still-fragile economy.

Our national strategy for job growth must continue to emphasize the areas in which Massachusetts excels: an emphasis on education; investment in our high-tech, medical, and clean energy industries; and strong support for the teachers, firefighters, and police that form the backbone of our communities. This approach has resulted in the Bay State consistently having an unemployment rate that is significantly lower than the rest of the Nation.

I want to work in a bipartisan effort to fix our fiscal problems and I believe working together we can reach a bipartisan agreement to fix sequestration and maintain our fiscal discipline.

Mr. BLUMENTHAL. Mr. President, I join my colleague from Connecticut to address a specific provision in the Bipartisan Budget Act. Overall, while this deal is flawed, we are heartened to see both sides coming together to put in place a workable fiscal foundation for the next 2 years. But we want to make sure to clarify what we are intending to do with a particular provision in this bill. Specifically, section 203 of the act institutes new reforms to the Social Security Death Master File, which keeps an authoritative record of deaths in this country. These important reforms include a new certification process that will ensure only those properly authorized and able to maintain the information under significant safeguards can access the information on this master file on a current basis, helping prevent identity theft and other abuses. Release of the information to all others would be delayed by 3 years after an individual's death. We would like to emphasize, though, that this provision was not intended to interrupt in any way the legitimate use of the Death Master File in the interim. I will turn to my colleague to explain why we think this is so important and how we think we can avoid this situation.

Mr. MURPHY. I thank my good friend, the senior Senator from Connecticut. Our understanding is that many States require insurers to check their policies against the master list on an ongoing basis in order to ensure they have accurate information about deceased individuals whom they insure. Furthermore, State treasurers, State comptrollers, and credit bureaus all use the Death Master File for important purposes and need continued access. We certainly do not want to halt these processes or stand in the way of compliance with State law. As such, I am pleased to join you in urging the Social Security Administration and the Commerce Department to both work closely with key stakeholders during the transition period and to use the flexibility we believe they already possess to ensure uninterrupted legitimate access to the Death Master File. State governments, too, should be flexible throughout this transition as insurers under their jurisdictions seek to comply with these new Federal provisions.

Mr. BLUMENTHAL. I echo my colleague's recommendations. Overall, so long as we manage the transition appropriately, my friend and fellow Senator from Connecticut and I believe the new system will save hundreds of millions of dollars and also protect the identities of millions of Americans.

Mr. MCCAIN. Mr. President, today I will vote in favor of the bipartisan budget compromise put forward by Senator MURRAY and Congressman RYAN.

I understand some of my colleagues are not happy with this budget deal. If any of them had been able to show me a better alternative that had the votes to pass in both the House and the Senate and prevent a government shutdown next month, then I would vote no on the measure before the Senate. Unfortunately, we did not have a better plan.

I share the concerns that many of my colleagues have with the provision that slows the growth of working-aged military retirees. This provision will not take effect until the end of 2015. I am confident that, before then, under the leadership of the chairman and ranking member of the Armed Services Committee, we will overturn this unfair provision.

My support for this budget deal centers primarily on two very important facts. First, this agreement will prevent another government shutdown; we cannot put the American people and the people in my State of Arizona through another government shutdown. And, second, the budget deal will go a long way in alleviating the devastating impact of sequestration on our military.

It is imperative that we do what is necessary to avoid sequestration if we are to expect our military to properly defend this Nation and provide for our national security. Defense Secretary Hagel has stated his support for this budget agreement, as have GEN Martin Dempsey, Chairman of the Joint Chiefs of Staff, Christine Fox, Acting Deputy Secretary of Defense, GEN Ray Odierno, Chief of Staff of the Army, and GEN Mark Welsh, Chief of Staff of the Air Force.

Mr. LEAHY. Mr. President, in what I hope is a sign of things to come, today, I expect the Senate to pass the Bipartisan Budget Act. The result of the long-awaited budget conference—one that had long been requested by Chairwoman MURRAY but never agreed to by Senate Republicans—the agreement has found some common ground and reflects a shared commitment to work for the American people—something in short supply in Congress these days.

The budget deal we are considering today is a true compromise. I believe it would be difficult to find any Member of Congress who fully embraces every aspect of this agreement. In spite of that, there is broad, bipartisan support for the bill, as evidenced by the overwhelming bipartisan vote in the House late last week and the bipartisan vote by which cloture was invoked here in the Senate. There is bipartisan support for the overall goal of ending this manufactured budget stalemate that we currently face.

The Bipartisan Budget Act will provide us with the our top-line spending levels for the remainder of this fiscal year and next and, most importantly, will prevent the full force of a second round of sequestration's indiscriminate and devastating cuts. This is welcome news for nearly every American who has seen how devastating the sequester has been for their communities and for those who have anxiously awaited a second round of deeper, more painful cuts. With agencies facing budgets that just simply could not meet their basic obligations to the public and to the Nation's priorities and with their coffers to insulate programs and prevent furloughs and layoffs exhausted, allowing the sequester to lengthen and deepen truly would have been debilitating and would have stunted our ongoing economic recovery.

While this is not the budget I would have written and while it is paid for in a number of ways with which I simply disagree, we are at a juncture at which we cannot allow the goal of perfection to bring on another body blow to the Nation and to our economy. One thing I have heard clearly from Vermonters is that we must replace the sequester. While not perfect, this deal will in fact save jobs, reduce unnecessary furloughs, and will not prioritize defense spending at the cost of our education and housing programs as so many other budget proposals have in the past.

I was proud to support a Senate budget and Senate appropriations bills that would fully replace sequestration by closing corporate tax loopholes and making responsible cuts. I am disappointed that this deal does not more closely follow the framework or provide the funding levels supported earlier by the Senate. As a senior member of the Appropriations Committee, I welcome the fact that this deal will mean that we will be able to get back to the work of passing annual appropriations bills through regular order, ending the practice of putting these budget decisions on autopilot through continuing resolutions. The annual appropriations process provides us with the opportunity to make much needed adjustments to agency priorities and budgets. This budget also allows a return to regular order while keeping the promises we have made to seniors. It protects Social Security and Medicare benefits from the harmful cuts included in the earlier Ryan Budget.

But there certainly are areas in which this deal is lacking. I had hoped any budget agreement we considered would include an extension of unemployment insurance that will end later this month for 1.3 million Americans. It is disappointing that it does not. Unemployment insurance is a vital component of our ongoing recovery and a lifeline to millions of Americans as they search for work in this challenging economy.

I hope the bipartisan spirit that is the basis of this agreement can continue into the new year, and I hope that when the Senate, early in the new year, considers legislation to restore this lifeline of unemployment insurance, Senators and Representatives will support an extension.

Unfortunately, my disappointment is not reserved only for what was not included in the deal but also for ways

this budget pays to replace sequestration.

A provision included in this agreement could negatively impact not-for-profit student loan servicers around the country by removing $3.1 billion in mandatory funding and the requirement that the Department of Education work with these organizations service direct Federal loans. The nonprofit Vermont Student Assistance Corporation, VSAC, has been servicing Federal loans and chalking up high borrower satisfaction rate while doing this work. I appreciate Chairwoman Murray's clarification that this provision is not aimed at ending existing contracts like VSAC's, but I am concerned that the funding used to service these loans will now need to be found elsewhere. Our discretionary budget is stretched thin as it is, and this provision will arrive on the doorstep of an already overburdened Education Department.

Even though we have reduced the deficit by $2.4 trillion since the start of fiscal year 2011, with nearly three-quarters of that deficit reduction coming from $1.8 trillion in spending, there is ongoing pressure to find additional ways to put money toward deficit reduction. It concerns me that this budget proposal will devote $23 billion toward deficit reduction—barely a drop in the bucket of the larger picture—by forcing those who have served in our military, future Federal employees, and airline passengers—but not the airlines—to pay for it.

Under this proposal, many Active-Duty military retirees are targeted for Federal spending cuts by a reduction to their cost-of-living adjustment until they reach age 62. This is a bait-and-switch maneuver that will cost them thousands of dollars in compensation that they were promised and have earned—many of them while bravely serving in Iraq and Afghanistan. That just doesn't sit right with me. This provision, which saves only $6 billion, is set to be phased in over several years until full implementation in 2017. Unfortunately, these pension reforms will not be grandfathered in for military retirees, as will be done for Federal employees—the only positive component of the measure addressing Federal worker pensions in this legislation. It is my hope that the delay of its application will give Congress the time to responsibly replace the savings from these changes to military retiree compensation.

I am disappointed that the only deal that could receive bipartisan support does not ask oil companies to sacrifice their tax breaks but instead asks for sacrifices from our mititary retirees and hard-working Federal workforce. And instead of closing tax loopholes benefiting private jet owners and companies hiding profits overseas, we are forced to find savings through cuts to our conservation programs.

I have always believed that getting our fiscal house in order must go hand in hand with policies that promote economic growth, create jobs, and strengthen the middle class. Without this deal, sequestration would bring to a halt economic growth and threaten to undo the progress we have made. Further sequestration undoubtedly would increase furloughs and eliminate jobs. Sequestration would devastate housing programs keeping roofs over families this winter and gut programs supporting the education of our children, lifesaving technology for law enforcers, and services for crime victims. Sequestration is a blunt, harmful, and mindless instrument. The Bipartisan Budget Act, while not perfect, is the lifeline we need to prevent that bleak sequestration future from becoming a reality.

It is time for us to move beyond these manufactured budget crises and focus on the many remaining challenges that matter most to the American people.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the final 20 minutes before the cloture vote be equally divided, and that I control the final 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, this afternoon we will vote to pass a budget for the next 2 years. That sounds really good when we think about actually getting a budget for the next 2 years. I support this budget because I think it provides the certainty our businesses and our economy need and that our families need. It replaces some of the reckless across-the-board cuts known as sequestration, and ensures—perhaps most importantly—that we won't have another government shutdown.

The alternative—allowing this budget to fail and setting up another government shutdown—is simply unacceptable. We saw the impact the government shutdown had on our economy, on the people who depend on vital services, as well as on our national defense and our military readiness.

So while this budget is not perfect—it is not something I would have written; I am sure it is not something Senator MURRAY would have written. But the budget deal struck by Senator MURRAY, the chairman of the Budget Committee in the Senate, and Congressman PAUL RYAN, the chairman of the Budget Committee in the House, is a product of bipartisan compromise—something we need a whole lot more of in Washington these days. It represents a small but important step forward for our government and for our economy.

While the budget we are going to vote on today is not perfect, I do believe it is a step forward. It doesn't close a single corporate loophole. It doesn't extend unemployment insurance, which I would like to have seen for people who have lost their jobs through no fault of their own. That is probably going to cost our economy about 200,000 jobs. And there are provisions included in the bill that I think are misguided and need to be fixed. But the fact is, this is a step forward also in addressing sequestration in a way I think is absolutely critical to anybody who does business with the Federal Government or with companies and families who are dependent on services and on contracts with the Federal Government.

I was at BAE Systems in Nashua, NH, on Monday. I heard from the employees there through their leadership how important it was to have a budget for 2 years to provide some certainty for the company so that they knew what programs they were working on—they do defense contracting—and they could count on, that would provide certainty for them, which is very important. Because one of the comments we have heard on the defense side of the budget is that the cuts from sequestration were having a very detrimental impact on the readiness of our military, on our men and women who are serving, and on the men and women who work for the Department of Defense.

We have seen it in New Hampshire at the Portsmouth Naval Shipyard where we saw furloughs of people at the shipyard. We saw the impact the uncertainty as a result of sequestration was having and has been having on the ability to know what they are going to be working on, and to be assured the work will be there in the future. We have seen it with our National Guard in New Hampshire, where the training they need to have to keep people current is being affected, where people were furloughed as a result of those sequestration cuts. This is legislation which will address that in a way that is critical to our national security and critical to the men and women who serve in our military.

There are provisions in the bill I think need to be fixed. I am very concerned, as so many other people in this body are, with the impact of the bill on military retirees. I am disappointed that Congressman RYAN was so committed to including this provision in the compromise bill. But one of the things I want to speak to this afternoon is an effort I am working on with a number of my colleagues here in the Senate to try and fix that provision—to try and address the negative impacts the bill might have on military retirees' benefits, because what the bill does is include an unnecessary reduction in benefits for military retirees under the age of 62. I think there are lots of other ways we can find budgetary savings rather than cutting those retirement benefits for the men and women who have served our Nation in uniform.

The good news is that this provision does not go into effect for another 2 years, so we have time to fix this. We have already heard from the chairman of the Armed Services Committee that he is interested in trying to address this provision as we take up the Defense authorization bill in the coming

year, but I am ready to get to work right now to address the provision.

Yesterday I introduced legislation, the Military Retirement Restoration Act, with 15 of my colleagues which would replace the military retiree benefit cuts by closing a tax loophole some corporations are using to avoid paying their fair share of taxes. These corporations set up shell companies in tax havens to avoid being considered an American company even though they are controlled and operated on American soil. I think most Americans would agree this kind of tax avoidance is unfair and that we should close this tax loophole rather than reducing military retiree benefits. This is just one idea. I am certainly open to other solutions. I hope we can continue the bipartisan work that began with Senator MURRAY and Congressman RYAN and that we saw again in the vote to end the filibuster on this bill—that we can continue to work in a bipartisan way to replace the cuts for military retirees' benefits and we can do it in a way that is smart, but that we can move forward to end the uncertainty, to get a budget in place for 2 years, and to make sure we address the devastating sequestration impacts we have seen since March, the automatic cuts and the impact they are having on the domestic side of the budget and on the defense side.

I see Senator MCCAIN on the floor. I know earlier on the floor he talked about hearing from every single uniformed service leader of the four armed services, including the Chairman of the Joint Chiefs, about the impact and further effects that sequestration would have on our national security. That is testimony itself of the need to move forward to get this budget deal done, and to come back and revisit the concerns we have about other provisions.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The remarks of Mr. MCCAIN pertaining to the introduction of S. 1851 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER (Mr. COONS). The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I rise today and associate myself with the remarks of my colleague Senator SHAHEEN that she delivered earlier today. She is a fierce supporter of our men and women in uniform, both when they serve our Nation and when they retire or leave the military. I am an original cosponsor of her Military Retirement Restoration Act, and I am also supportive of passing a bipartisan budget deal that prevents our government from shutting down and prevents our defense budget from being slashed.

The American people have made it crystal clear that they are tired of gridlock here in Washington, they are tired of partisan bickering, they are tired of the fact that it has led us to sequestration and the kind of crisis budgeting that has prevented us from getting our fiscal house in order.

Like every one of us, I do not support every provision in the bipartisan budget agreement, but I want to give great credit to Senator MURRAY and Congressman RYAN for their willingness to sit down together and negotiate in good faith and come up with a deal that moves our country forward. Let me make it clear that the budget compromise is not perfect, but it is far better than the alternative. Let's be clear what the alternative is: A $20 billion sequester cut for the Department of Defense on January 15 and a much higher likelihood of a government shutdown. Our country simply cannot afford more ideological standoffs that lead nowhere. Our men and women in uniform and our national security cannot afford to see those catastrophic cuts.

Like many of my colleagues, I believe we should find an alternative to the decreases in the cost-of-living adjustments for working age military retirees. That is why I am proud to cosponsor Senator SHAHEEN's legislation which would do just that. I am committed to work with Senator LEVIN and my other colleagues on the Armed Services Committee to continue to find additional ways to protect the retirement that our retirees and their families have earned. These proposed changes do not go into effect until 2015 and that gives us some room and some time to get together to work on addressing these areas where this bipartisan budget agreement falls short.

This is an important agreement. It is important to the Defense Department and to other programs like Head Start and Meals On Wheels that affect Coloradans every day. It will mean more resources for housing and economic development programs, for roads, small airports, and transit systems, for first responders and those who fight wildfires. The list goes on. This agreement provides predictability for the individuals and organizations, cities and businesses in Colorado that need to know what to expect from the Federal Government.

It does all of this while providing for a net reduction in the deficit, something we all know must be achieved more often. For all those reasons I support the partisan budget package and urge my colleagues to join me and continue to find ways to keep faith with our military retirees and their families. If you think about what we are doing with the bipartisan budget agreement, we are creating more certainty for our economy.

PRODUCTION TAX CREDIT

Mr. President, I want to take a few additional minutes to talk about a driving force in our economy that is creating good-paying American jobs, and that is our manufacturing sector.

The manufacturing sector right now supports about 17 million jobs in the United States. Those jobs are the backbone of a strong, thriving middle class, and they prove that it is still possible to make it in America. In Colorado, our manufacturers literally have the wind at their backs. I say that because our wind energy industry is not only a critical part of Colorado's manufacturing sector, but it is also an essential component of our made-in-America strategy for energy independence. That is why I am proud to have successfully fought to ensure that the manufacturers who power our wind energy industry have the policies they need to create jobs and thrive.

These policies support American workers, and they ensure that we are giving a leg up to all sources of American-grown energy. I have been proud to lead these efforts here in the Congress, including when I delivered 27 speeches on the Senate floor last year that culminated in the extension of the Production Tax Credit for wind.

Wind energy, which is enabled by the PTC, supports thousands of manufacturing jobs across this country, and that is because building a wind turbine takes a heck of a lot of work, involving everyone from steelworkers to electricians to computer engineers. These are good-paying middle-class jobs that help grow our economy from the middle out. These are jobs that are not only not being offshored, they cannot be offshored. They are staying here, in Colorado and across our great Nation.

To prove that point, just look at this map of wind manufacturing facilities across the United States. There are more than 550 manufacturing facilities in every region of the country, spread across 44 States involved in the wind industry.

I am making sure the Presiding Officer's state is represented and I think it is—the great State of Delaware.

Here are some of the concerns all across our country. We have ZF Wind, which is a gearbox manufacturing plant in Georgia. TPI Composites is a turbine plant in Rhode Island. We have the Molded Fiber Glass blade plant in Texas, and I have to return to Colorado, where we have Vestas in my home State. They have a tower facility, among others. This all adds up to a wind industry that supports thousands of good-paying American jobs.

This job-creating industry is taking off, and it could not have come at a better time for our manufacturing base, which, after a lot of tough years in the wake of the recession, is ready for resurgence in a big way.

A lot of other companies and sectors are outsourcing American jobs. While that has been happening, the wind industry is cutting against the grain and creating good-paying manufacturing jobs here in the United States. In fact, more than 50 new manufacturing facilities entered the wind energy market in

the last 2 years alone. That is an impressive statistic. It is an accomplishment of which we should all be proud.

The success of the wind industry is having positive ripple effects on other areas of American manufacturing, and that is because the industry is not only growing, it is doing so while also increasing its use of American-made components.

This chart clearly makes my point. In 2007, 25 percent of all wind turbines included American-made parts. In 2012, as we can see, that number increased to more than 70 percent, and it is one of the main reasons for the dramatic increase of manufacturing facilities across our country that support this wind energy industry.

This is not just about the manifestations of the wind energy world that we think about in blades and towers. It is about gears, nuts, bolts, and all the other made-in-America components that are now helping to power our renewable energy future.

There are some worrying storm clouds on the horizon because despite all of this progress and despite all of the American jobs that are supported by this innovative industry, we are truly, again, at a crossroads for wind energy. The PTC, which I have championed, and others have joined me in this Chamber, has helped keep our American manufacturing sector strong, but once again it is going to expire in 20 days. Previously, I joined many of my colleagues on both sides of aisle—including Senator CHUCK GRASSLEY, the father of the PTC—to extend this tax credit. Now, with the clock ticking, we need to step up and give this industry the long-term certainty it needs to keep creating jobs and working toward true energy independence.

In our pursuit of a balanced approach to energy security, we have supported domestic energy production across the board.

I see my good friend from Oklahoma Senator COBURN is here.

We need an ''all of the above'' approach. If we let the wind PTC expire, we will put one of the cleanest sources of American-made energy at a competitive disadvantage relative to traditional energy sources, and that is because even if the production tax credit for wind expires, tax credits will continue for traditional sources of energy, such as oil and gas.

We have a choice to make: Will we act to preserve American manufacturing jobs and support domestically produced clean energy or will we choose to do nothing and let other countries claim our manufacturing jobs and the leadership of the new energy economy?

These are not trivial questions. Allowing the wind PTC to expire will cost thousands of American jobs and billions of dollars in investment. All we have to do is look at what happened to wind capacity installation over the past 15 years when the PTC has expired. Every time it expires or comes close to expiring, wind installation stalls and American jobs are lost. We see that pattern on this chart. In the year 2000 it opened, and in 2002, 2004, and now potentially again in 2013 it will expire.

In my home State, one cannot talk about manufacturing without talking about the wind industry. Wind manufacturing employs about 1,500 people in Colorado today and supports about 5,000 jobs statewide. As I alluded to earlier, we are home to several manufacturing jobs, including a tower facility, two blade plants, and a nacelle facility, which are all operated by the great Vestas company.

Last year, due to the lack of certainty about the PTC, no new orders were placed for wind turbines, and Vestas was forced to let go over 600 employees in Colorado alone. That hurt cities such as Pueblo and Brighton, whose local economies have significantly benefited from the manufacturing jobs the wind PTC supports.

After my effort and the effort of others to extend the PTC last year, orders started to flow again and Vestas is again hiring workers to meet the market demand. That is good for Colorado. These are jobs with good benefits.

What concerns me—and I know it concerns Vestas and other Colorado-based companies—is that these jobs can vanish if we don't act. That is what this is all about. These jobs can vanish if we don't act. So I am back here and renewing my call from last year. We should act now to extend the wind production tax credit or we risk losing this industry and the manufacturing jobs it creates to our competitors. Where are those competitors? They are in China, Europe, and elsewhere all over the globe. That is the last thing our economy needs.

The men and women employed in manufacturing facilities across the country are calling on us again in Congress to act. Let's heed their call. Let's act now. The PTC equals jobs. Let's pass it as soon as possible. Let's save these American jobs by extending the production tax credit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

UNANIMOUS CONSENT REQUEST—S. 944

Mr. SANDERS. Mr. President, as chairman of the Committee on Veterans' Affairs, I rise today to urge Senate passage of S. 944, the Veterans Health and Benefits Improvement Act of 2013. This bipartisan legislation is the result of months of hard work by my colleagues on both sides of the aisle. This legislation was passed out of committee by voice vote. There were no objections that took place on July 24, and this legislation is paid for.

Furthermore, this legislation is supported by nearly every major veteran and military service organization in our country, including the Iraq and Afghanistan Veterans of America, the Military Officers Association of America, the American Legion, the Vietnam Veterans of America, the Association of the United States Navy, the Reserve Officers Association, the Jewish War Veterans, the Enlisted Association of the National Guard of the United States, the National Association for Uniformed Services, AMVETS, Gold Star Wives, and the National Congress of American Indians.

In fact, I think it would be a very good statement about what we are trying do as a nation if the Senate could pass this comprehensive veterans bill before we adjourn so we can get about the business of working with our House colleagues to get important veterans legislation passed by both bodies signed into law.

I will briefly highlight some of the key provisions of this very important piece of legislation.

Again, this legislation is bipartisan; it came out of the committee unanimously; and it has the support of virtually every veterans organization.

Ranking Member BURR and I have worked together on a provision that would help servicemembers transition back into civilian life by making recently separated veterans eligible for tuition at the instate rates. This has been a very contentious issue, but what we do is make recently separated veterans eligible for tuition at the instate rate, which is something many of the veterans organizations and people all over this country have wanted.

Given the nature of our Armed Forces, servicemembers have little to say as to where they serve and where they reside during military service. This legislation would help our brave men and women who have sacrificed so much in the defense of our country transition by giving them a fair shot at attaining their educational goals without incurring an additional financial burden simply because they chose to serve their country.

I know this issue was discussed a great deal in the House and it was discussed here a great deal, and we have reached resolution on this important issue.

Further, while the Pentagon, Congress, and other stakeholders continue to work to end sexual assault within the ranks—this is an enormously important issue—I want to do everything within my power as chairman of the VA to ensure that the VA is a warm and welcoming place for those survivors of military assault. That is why this legislation contains important provisions that would improve the delivery of care and benefits to veterans who experience sexual trauma while serving in the military. This was inspired by Ruth Moore, who struggled for 23 years to receive VA disability compensation.

It would expand access to VA counseling and care to members of the Guard and Reserves who experience sexual assault during inactive-duty training. It also takes a number of steps to improve the adjudication of claims based on military sexual trauma.

This legislation would give the VA additional tools to do all it can to provide victims of sexual trauma with the care and benefits they need to confront the emotional and physical consequences of these horrific acts. Maintaining the VA's world-class health care system remains a priority for this committee, and this legislation does just that.

I am pleased we were able to respond to calls from veterans to increase access to complementary and alternative medicine for the treatment of chronic pain, mental health conditions, and chronic disease. By expanding the availability of these treatment options, we can enhance the likelihood that veterans get the treatment they need in ways that work for them.

Additionally, this legislation calls for the VA to promote healthy weight in veterans by increasing their access to fitness facilities. A healthy weight is critical to combating multiple chronic diseases, including diabetes and heart disease. By managing veterans' obesity, we can both improve their overall health and reduce the costs to the health care system.

Every Member of this body knows all too well the challenges of the claims backlog. I am pleased to see that the VA is making progress on this complex issue, but much more remains to be done. This legislation supports VA's ongoing efforts and would make needed improvements to the claims system. Among a number of claims-related provisions, this bill, for the first time, would require the Department of Veterans Affairs to publicly report on both claims processing goals and actual production. This would allow Congress and the public to closely track and measure VA's progress on this difficult issue.

This bill also addresses a number of concerns presented to the Veterans' Affairs Committee by the Gold Star Wives earlier this year by improving the benefits and services provided to surviving spouses.

The Veterans Health and Benefits Improvement Act would provide additional dependency and indemnity compensation for surviving spouses with children in order to provide financial support during the difficult period following the loss of a loved one.

This bill also expands the Marine Gunnery Sergeant John David Fry Scholarship to include surviving spouses of members of the Armed Forces who died in the line of duty.

The Veterans Health and Benefits Improvement Act contains provisions that will improve the lives of our Nation's servicemembers, veterans, and their survivors. I am proud of the bipartisan manner in which the Veterans' Affairs Committee has conducted its business to produce this important legislation. Our veterans deserve far more help from the Congress than they have received.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 258, S. 944; that the committee-reported substitute amendment be agreed to; that the bill, as amended, be read a third time and passed; that the committee-reported title amendment be agreed to; and that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SANDERS. Well, I am disappointed that there is objection to a bill that came out of committee without objection, that was done in a bipartisan manner, that is paid for, and that has the support of virtually every veterans organization.

I hope that even though there is an objection to the unanimous consent, there would not be an objection to a rollcall vote on this bill.

Mr. COBURN. Mr. President, there will be an objection to a rollcall vote because the opportunity to amend this bill has not been made available to Members of the Senate. I have two specific concerns with the bill—I am writing my whole letter right now on this bill—and until they are addressed, I am going to hold this bill until I have an opportunity to make them known.

I yield the floor.

Mr. SANDERS. I understand the Senator's objection. I am disappointed. It takes forever to get anything done in this body, and we have a situation now where we have seen a process develop in the Committee on Veterans' Affairs by which there has been bipartisan support. It is kind of the way things are supposed to be done. Yet because of the objection, we are going to be unable to move forward in the way I think most of the Members want.

Thank you very much. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. 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. GRAHAM. Mr. President, what I am trying to do is this: We were told to come down here at 4 o'clock. I was glad to be able to discuss things earlier. So what I would like to talk about, with the Chair's permission, is the military retiree provision.

The PRESIDING OFFICER. The Senator may proceed.

Mr. GRAHAM. I thank the Chair.

No. 1, I wish to say to our budget chairman we had a very good discussion with Senators CHAMBLISS and ISAKSON about trying to figure out a way to fix this provision in the budget deal. I am very disappointed we can't have an amendment to fix it or amendments to do other things, but we are where we are.

So the bottom line is this has been a healthy exercise because all of us are now looking at the provision. This is a bipartisan product, so it is not about blaming Democrats or Republicans. It is a good exercise. How could a bill—this bill, as we all know, doesn't fund the government. If we pass the budget—and I am sure it will pass here eventually—it doesn't keep the government open; it sets limits on spending where we are increasing the amount we can spend on defense and nondefense, setting sequestration aside. That is a great thing. I think that is going to be good. How we pay for it is the problem.

The question is, How did this happen? The chairman of the Senate Budget Committee and the chairman in the House are great folks. The military retiree provision is a pay-for that has everybody wondering a bit and, upon a second evaluation, is probably certainly not the right thing to do.

In May of 2014, there will be a commission that was set up by the Congress to tell us how best to reform military pay and benefits, because they are unsustainable, quite frankly, in the future. But we put in that Commission report a requirement that any reform could not affect those who are in the service now; they are grandfathered. I think the reason the Congress did that is we don't want to break faith with those who signed up for deal A. They are doing their part of the deal. They are serving. The Congress is looking for a way to make these programs more sustainable by applying it in the future, which I think we should do. About the civilian employee contribution to their retirement program, that is prospective. The one thing I was disappointed about is the money doesn't go into the retirement plan to pay for the deal.

I wish to acknowledge what Senator WARREN has been doing with every Gang of 6, 12, 8, 10, 14—just different numbers—trying to find a way. I know entitlement programs are the source of the problem for the Nation over the long term, and military retirement programs such as TRICARE we have to look at as a retirement system. That is not a problem. But we are in a hurry to basically pass a budget that generally I support. It gets us out of the situation of sequestration.

But how did this happen? How could we have picked a pay-for such as this which is, to me, unacceptable. The military retirement community, up to the age of 62, will have their COLA reduced by 1 percent. That doesn't sound like a lot, but the compounding of that goes like this: If a person is a master sergeant who retires after 20 years of service in 2015 at, say, 42, by the time that person gets to 62, the effect of this bill will cost him or her $71,000. That is the compounding effect of money. No one has ever suggested it should be applied to people who are almost at retirement or in retirement when it comes to how we reform benefits.

My good friend Senator MCCAIN, who has earned every penny he has ever

gotten in retirement and then some, mentioned the Bowles-Simpson Commission. I am a general fan of Bowles-Simpson: reform entitlements and flatten out the Tax Code and, yes, pay down some debt. I am a Republican. It would eliminate the deduction in the Tax Code and apply some of the money to the debt, not put it all in tax cuts, because when we are $17 trillion in debt, we have to do things we would otherwise not like. I am willing to do that. But Bowles-Simpson did not, as my friend Senator MCCAIN suggests, adopt eliminating COLAs before 62 as part of their solution. They wanted to find $70 billion over 10 years for Federal workforce entitlement reform. They created a commission, the Federal Workforce Entitlement Task Force Commission, to reevaluate civil service, military health and retirement programs. They did not say we are going to eliminate COLAs entirely for the military and civilian workers; they said, we need a commission to look are to how to find $70 billion over the next 10 years. The examples they gave of what we might look at is use the highest 5 years of earnings to calculate the civil service pension benefits for new retirees, defer cost-of-living adjustment is the second one, adjust the ratio of employer-employee contributions to Federal employee pension plans to equalize contributions, which saves $4 billion. These were examples.

They wanted a commission. Guess what. So did the Congress. In 2013—this came out in 2010—the Congress said let's form a commission to look at this. The problem is the Commission hasn't reported back to us. They are not due to do so until May 2014. We did put a prohibition on the Commission's work product: You have to grandfather existing servicemembers. You can't retroactively apply any of your reforms.

So Bowles-Simpson did not say we are going to eliminate all COLAs; they said, form a commission, and that was one example of what to look at. The Congress did form a commission. The commission is not back yet. But the Congress told the Commission to grandfather people who are in the current system, but we forgot to tell ourselves that because this pay-for is retroactive in nature and applies to all retirees, past, present, and future.

The disability component, the people who drafted this assumed disability retirees would not be included. They are. The $600 million, CBO says, of the $6.3 billion that this provision generates in revenue to help pay for the deal—$600 million comes from the disability retired community, and I think we all understand that is not the right thing to do. Someone has lost a limb in Afghanistan or Iraq who is disabled, can't work, they get benefits outside of disability retirement, and they have earned those benefits. But reducing their COLAs would add thousands of dollars, tens of thousands of dollars in lost benefits. Nobody wants to do that. They thought they weren't included. They are.

Let me just say as someone who has been around the military—I am a military lawyer, so I am not a frontline military person by any means. I have tried to be the best military lawyer I can be. I have been in the military for 30 years. I love the culture, love the environment, and I try to be part of the team. The military lawyer is part of the team. The pilots who go fly and face danger, they are the heroes. The maintenance guys and the guys on the frontlines in the Army, to them goes the glory.

The bottom line is I don't think it is fair for us to consider. If you are in the MRAP that didn't get hit by the IED and you made it through your tour, you have earned your retirement just as much as anybody else, and that disabled retiree needs the money more than anybody. They get things the average military retiree doesn't because their needs are greater.

All I am doing is begging the body: Let's not pass a budget deal with a pay-for that violates our own Commission requirements, that in hindsight is not the message we want to send to those who serve now. It is not a good way to recruit.

Let's see if we can fix this. Let's see if we can fix it before it gets into law, because once we get something into law, we all know how hard it is to take it out.

Ms. AYOTTE. Mr. President, would the Senator from South Carolina yield for a question?

Mr. GRAHAM. I do. Before I do, I wish to say that the Senator from Mississippi asked a question in our conference: Tell me what this costs our retirees. All of us on the Republican side looked at him, me included—me included—I didn't have a clue how to answer that, and when I found out it was $71,000, almost $72,000 for E–7, from 42 to 62, I about fell out of my chair. Now I know how you generate $6 billion.

As to the Senator from New Hampshire, she was the first one to take this torch up and run with it, and I have been trying to help where I can. But I will yield for a question.

Ms. AYOTTE. Mr. President, I thank the Senator from South Carolina for his leadership on this important issue. What I want to ask the Senator is this. Some have come to this floor and said: Pass this budget agreement, and we will fix this later. Does the Senator think that is a good way to solve this problem?

Mr. GRAHAM. That is a good question. The best way is to fix it before it passes, and we have until January 15. Nobody wants to shut the government down. Again, the budget deal is just about numbers. We have to actually appropriate. But I think we could. There are so many different ways. I have thrown out the idea of eliminating subsidies for people who make over $250,000 for their Part D premiums. It is $54 billion over 10 years. I am not asking my Democratic colleagues to go to food stamps and safety nets. I am not asking them to do that, and I am surely not going to ask the Republicans to raise taxes. There are better ways to do it.

So I could not agree more with the Senator from New Hampshire. With a little bit of effort here in the next few hours or days, we could fix this in total.

Ms. AYOTTE. Of all the people who deserve our effort, doesn't the Senator think we could stay here as long as we need to before the holidays—a little bit of inconvenience for us—to fix this? Because one thing I see from this is we are saying to our military retirees: Do not worry. Trust the politicians in Washington to fix something they voted for.

Here we are. We know the problem is here now. People yet have not had a final vote on this budget agreement. Yet they are still saying: Oh, we know the problem is there, but we are going to vote for it anyway. I do not understand this.

If you are someone who is serving our country, what kind of message does that send?

Mr. GRAHAM. In all honesty, the provision does not take effect for a year or two. But I think what the Senator is saying is so important. Why leave any doubt in people's mind? They have enough to worry about already. Life is hard for all of us. For some people life is just incredibly hard. I have lived a fortunate life. But for a military retiree who is not disabled, it matters to them.

So we should not create stress where none is needed. They have been stressed out enough. The last 10 years have been hard as hell for them—multiple deployments. Senator WARNER and all of us would go overseas. You would see the same people. I would do small Reserve tours just for a few days in Iraq and Afghanistan. I am seeing the same people in Afghanistan who I saw in Iraq in my career field of being a JAG working on detention matters. I do not think the average American—they appreciate but I do not think they really understand how hard this has been on 1 percent of the American people.

So wouldn't it be nice if they did not have to worry and we could get this issue behind us? Because here is the truth of the matter: It may come as a shock to the body, but we are not in very good standing right now. That is a bipartisan problem. Here is the concern. The main things that have been fixed that are wrong? Not a whole lot. It is hard to fix things.

Ms. AYOTTE. Right.

Mr. GRAHAM. The unraveling effect is what people worry about. If you fix it for the military retirees, what about the civilians? I am willing to look at that. But the bottom line is they fought hard. They fought long. They have earned what they got. We should not retroactively diminish their retirement. They have worried enough. Let's do not give them anything to worry

about for the holidays. Let's take this one off the table.

Ms. AYOTTE. I could not agree with the Senator from South Carolina more. I heard the chairman of the Budget Committee say the fact that disabled veterans are included in this, those who have had a medical retirement—we have talked about them; we have been to Walter Reed; we have seen those who have sacrificed so much for our country and are getting a cut to their cost-of-living increase in their retirement under this agreement—that this was somehow a ''technical glitch'' or something.

If it is a technical glitch that we know is there, why are we going home before it is fixed? I do not understand it and even putting one shred of doubt in their minds that we stand with them, and that we know this problem exists in this bill, and that it can be fixed.

Mr. GRAHAM. Just to respond, I think this is what happens when you are trying to get something done late in the year. We are all adults. We have had months to deal with these issues. I sort of hate the fact that you are dealing with important things like the Defense authorization bill a day or 2 before everybody wants to go home for Christmas. Eventually, that leads to $17 trillion in debt.

How do you get to $17 trillion in debt? It takes bipartisanship.

Ms. AYOTTE. Right.

Mr. GRAHAM. No one party can get you there. This is the way you have run the place. What happens when you fill up the tree? You cannot fix things. Here is what is wrong with that. You cannot fix the things that politically are bad for you and expect the rest of us to go away quietly because we have something we want to do. So this filling of the tree process is not good for something this big, and I hope people would be responsible with their amendments.

But, again, it goes back to how did this happen? I do not believe for a moment that PATTY MURRAY or PAUL RYAN meant to hurt disabled veterans. I do not believe that. I think the whole issue was not looked at. These things are put together very quickly. I am on the Budget Committee. The Senator from New Hampshire is on the Budget Committee. The Senator from Alabama is on the Budget Committee. I had no idea. Nobody asked me if this was a good idea. I did not even get to look at it. I got to read about it in the paper.

That is what happens when you put the deals together with just a handful of people. You make mistakes, because the more eyes the better. You find yourself here talking about something, quite frankly, that we all know is wrong.

Ms. AYOTTE. Right.

Mr. GRAHAM. We need to fix it. We are creating a lot of anxiety for people who are going through enough anxiety. I hope we can rise to the occasion here at the end.

Mr. SESSIONS. Mr. President, will the Senator from South Carolina yield?

Mr. GRAHAM. Absolutely.

Mr. SESSIONS. I say to Senator GRAHAM, he has served in the House. I know the powers that be would just like to see this bill rubber stamped, passed, done with, rah, rah, rah. But if this legislation were to be amended, and this problem were fixed, doesn't the Senator think the House would have ample time to pass it before the January 15 date for the CR, or, really, they could, as we have done many times, extend the CR a week or so, if needed? But I do not really think it would be needed. I think they would pass it promptly.

Mr. GRAHAM. I think the Senator is absolutely right. We have a legislative process that could rise to the occasion if we would use it. For 200 years we have been doing business a certain way, and the Senate is changing, all for the worse. Like I say, this is a bipartisan problem. I am not blaming PATTY MURRAY, the Democratic chairman. This got into a bill that was bipartisan. It got 330 votes, 70 percent of the Republican Conference. We all make mistakes. But how did it get there? Nobody will tell me who put this in there because they do not know.

So the Senator is right. I think our House colleagues would find the equities of the matter easy to resolve. They would come back and fix it in just no time. I think we could fix it. The offsets might be hard to find in terms of our ideological differences, but I think we could find some offsets to fix this pretty quickly. Yes, I say to Senator SESSIONS, the House would be able to do it too.

One final plea. I would hope that as we go into the holiday season the acrimony that has been created in this body about different aspects of the way we run the place—that we do not miss a chance to do the right thing. They come on a lot here. It is not like we do not get a chance to do the right thing as Republicans and Democrats. We just both do not rise to the occasion enough.

But here is a chance to do the right thing and a very necessary thing. Maybe if we rose to the occasion here, it might lead to doing more right things. I will leave here as an optimist and hope and pray we do the right thing while we still can.

I yield.

Ms. AYOTTE. Let me just say, we can do the right thing. We do not have to set our expectations so low that we cannot come together and find a pay-for that is acceptable to both sides of the aisle that says what we should say to our men and women in uniform; and that is: Thank you. Thank you. God bless you. The first responsibility of our Nation is to defend our Nation and to keep it safe. Of all the things that would keep us here—would keep us here till Christmas—I think this is one of the most important things we could do for the people who go in there first for us and ensure that we have the privilege of being on this floor, have the privilege of going home and spending the holidays with our families.

So of all the things, to say that this is not possible, I think it is very possible, and we should have the will to do it for our men and women in uniform. We should have the will to do it for those who have been disabled because of their brave service in the line of duty for this country. I would hope we would rise to the very best of this body and fix this and not go home for the holidays with any uncertainty for our military retirees or our men and women in uniform of where we stand, and we stand with them.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, when I first came to Washington, considering running for the Senate, I went to a Republican luncheon, and they asked me to say just a thing or two, not that long, and I said: I could think of no greater honor than to represent the people of Alabama in the greatest deliberative body in the history of the world. This is a great deliberative body. That is our heritage, and it is being eroded. It is not disputable that it is being eroded. It is being eroded in a way that is faster and more significant than any of us seem to understand. Like the frog in the warming water, we do not realize we are being cooked and that the freedoms of Americans are being cooked.

This bill contains another provision that constricts the ability of a minority in the Senate—it could be Democrats or Republicans or just a bipartisan group who do not represent a majority but have a concern—to have those concerns heard and dealt with, and it is very significant. I wish it were not so.

I was shocked it was in the bill. I had no idea it would be in the bill. As Senator GRAHAM just indicated, this started out as a bipartisan, bicameral conference, and Senator AYOTTE and Senator GRAHAM and Senator WICKER and I were members of the conference. We met and had a couple of public meetings where everybody talked, but no legislation, no language was laid out. The next thing we heard: The conference leaders are drafting a bill—I would say affectionately, a gang of two this time.

So this is the bill that was their product. I know they were trying to work out an important solution to America's financial problems. I know the differences between the parties are so great that it is difficult to bridge those disagreements, and we were not expecting a great solution to the long-term financial state of America—that needs to be dealt with, must be dealt with, and every year we wait makes it harder to fix that challenge we face.

But I did not expect some of the damage we have seen in the legislation. I

have to talk about a certain point because it changed the rules of the Senate. I am not sure the House Members understood how significant it was. But three times I have made objections to budget violations—three times—and we contended that the bill before the Senate was spending and would spend more money than the Budget Control Act allowed to be spent. If that is so—the Budget Control Act being in law, having certain limits on spending—then the Senate would have to recognize we were busting the budget and we would have to have 60 votes, a super majority, to approve busting the budget, a pretty good matter. It does not make any difference if there are taxes and fees used to pay for that. It still spends more than the amount of money we agreed to spend. It allowed us to contain spending.

There were three different votes in the last year or so in which the Senate was stopped from spending more than the Budget Control Act limit required because 60 Senators would not vote for it. There were not 60 who would support waiving the budget, breaking the budget, spending above the budget.

So that is the issue at stake. I am sure the spenders were deeply disappointed. They got over 50. Under this bill now, it only takes 50. They got over 50, but they did not get 60, so they were not able to continue that spending.

This agreement, this bill that is before us today, would significantly weaken the ability of Senators in this body to enforce the spending and revenue limits under our budget resolution and in future budgets.

The Ryan-Murray agreement that is before us today includes an egregious number of deficit-neutral reserve funds—57, to be exact. Operationally a reserve fund allows the chairman of the Senate Budget Committee to adjust the spending limits in a budget resolution prior to Senate consideration of a bill that busts the budget. This allows the proposed legislation to avoid most spending points of order.

A reserve fund can be a useful tool when used in the context of a true budget resolution, one that is properly negotiated in public by a conference committee rather than a backroom deal. Reserve funds can shepherd legislation with common policy goals through the House and Senate by accommodating minor differences between the budget plan and the final legislation. So that makes sense. Reserve funds are not a total fraud. Congress does not want legislation they agreed to in concept to get tripped by scoring differences. That is why reserve funds were originally created. But there is virtually nothing policywise in common between the House and Senate budget resolution that we are seeing today. They are quite different.

The House Ryan budget is a historic budget that alters the debt course of America and puts us on a sound path. The Senate budget that cleared this body, over my objection, would raise taxes $1 trillion, but instead of using those takes revenues to pay down the debt, it would have funded $1 trillion in more spending above the Budget Control Act limit we agreed to in August of 2011. So that is the situation. These are different budgets.

With 57 different reserve funds, the Murray-Ryan spending bill that is before us now will allow Senator REID and Chairman MURRAY to bring to the floor a practically unlimited number of big tax-and-spend bills. It will not be subject to the 60-vote limit. Normally the minority party would be able to raise a point of order under section 302(f) of the Budget Act. The 302(f) is known as the tax-and-spend point of order, because it is the one we deploy when Congress tries to spend more money than it promised to spend, and offsets that new spending with some fee or tax increase. It is the point of order we deploy when Democrats, on these occasions I have mentioned, with some Republicans supporting it, want to grow the size of government. It takes 60 votes to get around a 302(f) point of order and it forces colleagues to go on record and say: Yes, I know my legislation will bust the budget, but we ask that we do it anyway.

What I found as we have looked at it, when you shine light on these votes, and votes on the floor of the Senate, and ask: Senator, do you really want to spend more than we agreed to spend? You just agreed in August of 2011 to the Budget Control Act. It said, we are not going to spend over this level. A bill hits the floor that spends over that level. They say: Do not worry about it, it is paid for by taxes. Do you really want to do that when it is raised as a budget point of order? Well, Senators kind of get shy and many of them back off what they might otherwise have agreed to if that issue were not raised.

As I said, there were three successive votes in which this Congress refused to bust the budget and spend more than was agreed to. It rankled some of our Members who like to spend. They did not like that. But the sheer number of reserve funds in the legislation before us, 57, would essentially take that point of order away. There are so many reserve funds in this bill that Senator REID and Chairman MURRAY can bring an endless number of tax-and-spend bills to the floor, and my colleagues and I would be unable to shine light on that and be able to have a clean vote on one question—not whether we favored the idea they want to spend money on. That was not the question. The question, when you raise a budget point of order, is: Do you believe we should break the spending limits that we agreed to? If you can fund your bill and your cause that you believe in by finding savings elsewhere in the budget, then we might support that. But we are not going to support spending more than we agreed to. That is what this budget point of order has allowed us to do on a series of occasions.

I believe it is causing a lot of people to come to me and Chairman MURRAY when they offer legislation to make sure they are within the budget. They go back and try to draft it in a way that does not violate the budget. But eliminating this budget point of order will reduce the number of people who are concerned about that. We will see less discipline, in my opinion.

In summary, the reserve fund would allow the Senate majority or a number of Senators who have got legislation on the floor to avoid this tough vote in the light of day so people can see what has occurred. Moreover, there is a little-understood danger in this legislation that goes beyond spending. It really does. This bill can allow legislation that would carry measures that are disproportionately policy heavy with very little budgetary effect. We believe, as we have analyzed the bill, that it could allow reserve funds to be used to increase the minimum wage, to change voter registration laws, to extend unemployment insurance and offset it with some tax increase somewhere, regulate greenhouse gas emissions, and more.

There is little that can be done in the Congress to stop that which could have been done previously. This will allow this to go forward in a way heretofore not done. So I urge my colleagues not to sit idly by and watch the rights of the Senate get pounded into the dirt. It is better to have their individual authorities from whatever State and whatever party they come from to be able to highlight these problems. So I will ask unanimous consent today to offer an amendment that would strike the reserve funds from this legislation that is before us.

I encourage my colleagues to support that effort. If you care about this Senate as an institution, if you care about the right of free debate and the ability to actually amend legislation, if you care about the heritage of the Senate and the importance of constraining spending, then I would urge support of my unanimous consent request.

Mr. President, I would formally ask unanimous consent to set aside the pending motion so that I may offer a motion to concur with the amendment numbered 2573 which is filed at the desk which would accomplish what I have described.

The PRESIDING OFFICER (Mr. BROWN). Is there objection?

The senior Senator from Washington State is recognized.

Mrs. MURRAY. Mr. President, reserving the right to object, I want to first note that every one of the reserve funds included in this bipartisan bill was also included and voted on as part of the Senate-passed 2014 budget resolution. None of this material is new. My colleagues have seen and voted on every one of those reserve funds.

In the 9 months since the Senate passed the budget, I cannot recall, frankly, a single time that a Member came up to me and raised an issue regarding one of those reserve funds.

I similarly would like to point out that reserve funds are not new. The Senate has actually relied on reserve funds to help it carry out its priorities under the annual budget process for nearly 30 years. The authority to include them is specifically authorized in law by section 301(b)(7) of the Congressional Budget Act.

In fact, reserve funds are so common and accepted by Republicans and Democrats alike that Senators actually filed more than 300 of them during the debate on the 2014 budget resolution.

Let me repeat that for everyone. Senators filed more than 300 reserve funds this year, including, by the way, a few from my friend, the Senator from Alabama.

So if there is anything that should be noncontroversial, it should be including some of these reserve funds that were debated and agreed to last spring.

More fundamentally, the bipartisan agreement now before the Senate will ensure that the Senate once again has a budget. That is a good thing. Having a budget and the discipline of enforceable spending levels will strengthen enforcement, not weaken it. If you do not have a budget, you do not have a spending level you can enforce, you lose discipline and the ability to raise certain points of order. We fix that actually in this agreement.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, these provisions that allow the objections to the abuse of reserve funds have been in law since 1985, 30 years almost. This has been the law that we have. I raised objections to the tax-and-spend point of order and it has been sustained on the floor of the Senate. The Senate budget resolution that Senator MURRAY referred to is the one that would increase spending $1 trillion over what was agreed to in 2011, August of 2011, and would add $1 trillion in taxes.

Then they changed this rule. This legislation alters that from the past. The budget resolution she referred to did pass the Senate with Democratic votes only. It was a simple majority. But this is legislation that changes the Budget Act. I feel strongly we have to absolutely understand what has happened here. The rule has been changed. Power that Senators had to block tax-and-spend legislation that breaks spending limits has been eroded significantly. It should not have been a part of any legislation that purports to be legislation that puts this Nation on a financial path of soundness. In fact, it does the opposite. It weakens the ability of Senators who want to hold this Congress to its own spending limits agreed to in law. It weakens their ability to stop breaking those spending limits. There is no doubt about that. I am really upset about it. I think it is historic.

I understand that the House maybe did not fully understand what was meant here. Maybe we can somehow revive this. But in truth we should do it now. We should not pass this bill that contains this legislation. Had we had a normal conference committee—and I had been a member of it and other Senators had been a member of that conference committee and had a chance to talk about it, it would not have been in there. Maybe that is why they chose not to have a public, open discussion of it, because they wanted to slip this through in the dead of night, up next to Christmas. Oh, you have got to pass this bill just as it is. There can be no amendments. The government will shut down. We will all have to stay here until Christmas Eve, as we had to, to try to stop ObamaCare that they passed on Christmas Eve. So this is the kind of thing that is not healthy for America. It is not healthy for the Senate.

Reserve funds are a function of policy. There is no common policy between the House and the Senate on budget resolutions. Budget resolutions are passed by each House, but we do not have common policies there about how it is processed. Never have we adopted the volume of reserve funds that will hereafter be longstanding parts of our law.

I believe we have a time to begin our wrapup now. Let me say Senator MURRAY is a good, strong advocate. She is effective in her leadership role. I respect her and enjoy working with her. We sometimes disagree.

I wish to say, as we move to conclude this legislation, that I respect the Senator, and we move forward.

Mrs. MURRAY. Does the Senator need additional time?

Mr. SESSIONS. Yes.

Mrs. MURRAY. How much additional time?

Mr. SESSIONS. Ten minutes.

Mrs. MURRAY. It is gone.

Mr. SESSIONS. I would ask that the unanimous consent be equally divided.

Mrs. MURRAY. Mr. President, I believe the unanimous consent that was previously entered allowed me the last 10 minutes, and the Senator from Alabama the prior 10 minutes, so most of that time has been used.

The PRESIDING OFFICER. The Senator from Alabama has about 2 minutes remaining and the Senator from Washington State has 10 minutes remaining.

Mr. SESSIONS. What time is the vote?

The PRESIDING OFFICER. The time expires at 4:27 p.m.

Mr. SESSIONS. How did it get to be at 4:27 p.m. instead of 4:30?

I ask unanimous consent the vote be held at 4:30, and I will wrap up in the time remaining.

The PRESIDING OFFICER. Is there objection?

The Senator from Vermont.

Mr. LEAHY. Reserving the right to object, I will not object if I could have 1 minute now on a matter of some importance.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. I am not sure—I do not object to the President pro tempore's request for 1 minute.

Mr. SESSIONS. I would object if it is counted against my time.

Mrs. MURRAY. Maybe I can help us all out here. The Senator from Alabama has been speaking for about 25 minutes. I am pleased to give the Senator from Alabama 4 minutes, the President pro tempore 1 minute, and I will take the final minutes.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Mr. President, I thought we were voting at 4:30 and there would be 5 minutes left for me.

The PRESIDING OFFICER. Postcloture time expires at 4:27.

Mr. SESSIONS. I will accept the kind and generous offer of the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. SESSIONS. I was concerned about Senator LEAHY. If I would have 4 minutes, I would consent to the Senator——

The PRESIDING OFFICER. The Senator from Alabama is recognized for 4 minutes.

Mr. SESSIONS. If I would have 4 minutes—I would ask unanimous consent that the vote be delayed until I have 4 minutes and Senator LEAHY has 1 minute.

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

The Senator from Alabama.

Mr. SESSIONS. The bill before us today is a perfect example of why it is dangerous to produce a deal in secret and rush it through on the floor of Congress in a panic, as we have done time and time again. This bill is a perfect example of why we need regular order, why the Senate is supposed to be a deliberative body that debates and amends legislation—there is no amendment being allowed to this legislation—and why each Senator is supposed to have a chance to have their say and offer amendments to the bill. Each Senator in this Chamber, Republican and Democrat, is being diminished if they are not allowed to have an amendment on an important piece of legislation such as this.

I was astonished to hear earlier that we have no choice but to pass this bill exactly as it is, that there is no other alternative. What about letting the Senate work its will, I suggest. Could we not find 51 Senators who could have agreed on a better way to save money than to cut retired military personnel, a cut that was used to increase spending in other areas, some of which is clearly not more significant than the cuts falling on military retired personnel?

We learn after the House has passed the bill, that also includes a cut to the pensions of wounded warriors and—I suspect most House Members didn't realize that, as my friend from Mississippi has pointed out.

We were blocked yesterday from having a vote, and it looks as if we will continue to be blocked. We will move to final passage, and there will be no opportunity to amend this bill and the big $500 billion Defense authorization bill that will be on the floor next immediately. Thereafter, it will be voted on tomorrow, and there will be no amendments to it.

This is unprecedented to have the Defense bill on the floor when we often have 30 or more amendments. Zero. We don't have time, we have wasted our time on all kinds of things. We had a whole week in which there were two measly votes conducted when 30 or more could have been conducted easily that week, and there wouldn't have been that many votes on the Senate bill.

I would say that I do not believe this legislation is sound legislation. I believe it does damage to the ability of this Senate to protect the Treasury of the United States of America. I think it takes us down the road to eroding the power of individual Senators to constrain spending and stay within the limits we agreed to, that we put in law. I am not happy about it. I wish I had more time to talk about it. I don't.

I appreciate the opportunity to work with Senator MURRAY. I greatly respect Congressman RYAN. But there are some problems with this legislation. We should not pass it, and there is plenty of time for the House of Representatives to respond to any changes we were to make.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator pro tempore is recognized.

Mr. LEAHY. The White House has released a report that was prepared by the President's Review Group on Intelligence and Communications Technologies. The message is very clear. The message to the NSA is now coming from every branch of government, from every corner of our Nation: NSA, you have gone too far. The bulk collection of Americans' data by the U.S. Government has to end.

The review group came to the same conclusion that I have about the utility of the section 215 phone records program, the same conclusion that Judge Leon found just the other day, calling it unconstitutional. They said the section 215 program was ''not essential to preventing attacks and could readily have been obtained in a timely manner using conventional section 215 orders.''

They say what many of us have been saying, that just because we can collect massive amounts of data doesn't mean we should do so.

The report states:

> Although we might be safer if the government had ready access to a massive storehouse of information about every detail of our lives, the impact of such a program on the quality of life and on individual freedom would simply be too great.

Senator LEE, I, and others have legislation to curtail this. I think for the sake of our Nation and the sake of our Constitution we should.

In October, I introduced with Senator LEE the USA FREEDOM Act—a bipartisan and bicameral bill that ends the dragnet collection of Americans' phone records and recalibrates the government's surveillance authorities. This is commonsense legislation that has broad support from legislators across the political spectrum, civil liberties groups, and technology companies such as Microsoft, Apple, Google, and Yahoo.

I welcome the report and call on the President to immediately consider implementing the recommendations that can be achieved without legislation. I have invited the members of the President's Review Group to testify before the Senate Judiciary Committee next month, and look forward to discussing their important recommendations.

The PRESIDING OFFICER. The senior Senator from the State of Washington is recognized.

Mrs. MURRAY. The American people are sick and tired of the constant crises that we have seen in Washington, DC, over the past few years. They want us to work together, they want us to solve problems, and they want us to focus on jobs, families, and broad-based economic growth. That is why I am so pleased we are now headed to a final vote on the budget agreement that Chairman RYAN and I reached that breaks through this partisanship and gridlock and shows that Congress can function when Democrats and Republicans work together to make some compromises for the good of the country.

The Bipartisan Budget Act puts jobs and economic growth first by rolling back those automatic and harmful cuts to education, medical research, infrastructure investments, and defense jobs for the next 2 years. If we didn't get a deal, we would have faced another continuing resolution that would have locked in those damaging automatic cuts or, worse, a potential government shutdown in only a few short weeks.

This bill we are about to vote on replaces almost two-thirds of the cuts for this year to the domestic discretionary investments and, importantly, it prevents the next round of defense cuts that is scheduled to hit in January.

It is not going to solve every problem the automatic cuts have caused, but it is a step in the right direction and a dramatic improvement over the status quo.

This bill builds on the $2.5 trillion in deficit reduction we have done since 2011 with an additional $23 billion in responsible savings across the Federal budget.

Crucially, we protected the fragile economic recovery by spreading the savings out responsibly over the next 10 years and maintained the key precedent that sequestration cannot be replaced with spending cuts alone.

This bill isn't exactly what I would have written on my own—and I am pretty sure it is not what Chairman RYAN would have written on his own—but it is what the American people have called for, a compromise. That means neither side got everything they wanted and both sides had to give a bit.

I am hopeful this deal can be a foundation for continued bipartisan work, because we do have a lot of big challenges ahead of us for our families and communities that we all represent.

As we wind this down and go to a vote in a minute, I especially wish to thank my colleague across the aisle, Chairman RYAN, for his work with me over the past 2 months. He stood with courage, an honest broker, and a tough negotiator, but in the end we were able to come to an agreement and I wish to commend him for that.

I thank ranking member CHRIS VAN HOLLEN, who worked steadfastly with us.

I thank Leader REID and all of our leadership for their support throughout this budget process as we worked to negotiate this deal and move it through the Senate.

I also particularly thank the members of the Senate Budget Committee who worked so hard to pass a budget, start a conference, and reach this bipartisan deal—Senators RON WYDEN, BILL NELSON, DEBBIE STABENOW, BERNIE SANDERS, SHELDON WHITEHOUSE, MARK WARNER, JEFF MERKLEY, CHRIS COONS, TAMMY BALDWIN, TIM KAINE, and ANGUS KING. They were great members of our Budget Committee, and I thank them for their diligent work this year, as well as all of the Republicans on our committee who worked so hard with us.

Finally, I thank all of our staffs who have spent so many hours on putting this together.

From my office, Budget Committee staff director Evan Schatz; our deputy staff director John Righter; Budget Committee communications director Eli Zupnick; my chief of staff Mike Spahn; and all of our staff members, too numerous to mention right now, but I want each and every one of them to know how much I appreciate the intense work they put into all of this. I will insert all of their names in the RECORD.

I also thank Chairman RYAN's office: Budget Committee staff director Austin Smythe; policy director Jonathan Burks; and many more who helped us be successful.

I also thank David Krone from Leader REID's office and Kris Sarri from the Office of Management and Budget.

I thank Director Doug Elmendorf, Bob Sunshine, Pete Fontaine, and all of the staff at the Congressional Budget Office for their innumerable hard work and support.

We are at the end of the time. I urge all of our colleagues now to support this Bipartisan Budget Act of 2013. We are about to put jobs and economic growth first and, most importantly, we are going to give the American people back some certainty that they do deserve.

Has all postcloture time expired in the motion to concur with respect to H.J. Res. 59?

The PRESIDING OFFICER. It has.

Mrs. MURRAY. I ask unanimous consent that the motion to concur with an amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Reserving the right to object, I would note this is the way the process—the train that runs through this body and denies amendments to be allowed—occurs. At this point, there will be a move, in effect, to clear the tree so this can be passed. It is an unhealthy tree we are in, and I am disappointed that we are heading in this direction, but it points out the actual legislative steps that are required to get to final passage after the leader has filled the tree.

The PRESIDING OFFICER. Is there objection?

Without objection, so ordered.

Mrs. MURRAY. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. The motion to concur with amendment No. 2457 is withdrawn.

The question is on agreeing to the motion to concur.

Mrs. MURRAY. 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 result was announced—yeas 64, nays 36, as follows:

[Rollcall Vote No. 281 Leg.]

YEAS—64

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

NAYS—36

Alexander	Cruz	Moran
Ayotte	Enzi	Paul
Barrasso	Fischer	Risch
Blunt	Flake	Roberts
Boozman	Graham	Rubio
Burr	Grassley	Scott
Coats	Heller	Sessions
Coburn	Inhofe	Shelby
Cochran	Johanns	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter
Crapo	McConnell	Wicker

The PRESIDING OFFICER (Mr. BLUMENTHAL).

The motion to concur in the House amendment to the Senate amendment to H.J. Res. 59 is agreed to.

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

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CLOTURE MOTION

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

The legislative 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 motion to concur in the House amendment to the Senate amendment to H.R. 3304, the Department of Defense Authorization Act for fiscal year 2014.

Harry Reid, Carl Levin, Patty Murray, Joe Donnelly, Christopher Murphy, Christopher Coons, Jon Tester, Tom Udall, John Rockefeller, Thomas Carper, Debbie Stabenow, Joe Manchin, Angus S. King, Jr., Mazie Hirono, Martin Heinrich, Bill Nelson, Max Baucus.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent to waive the quorum.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The mandatory quorum has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 3304 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 71, nays 29, as follows:

[Rollcall Vote No. 282 Leg.]

YEAS—71

Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Baldwin	Graham	Murkowski
Baucus	Hagan	Murphy
Begich	Harkin	Murray
Bennet	Hatch	Nelson
Blumenthal	Heinrich	Pryor
Blunt	Heitkamp	Reed
Booker	Hirono	Reid
Boozman	Inhofe	Rockefeller
Boxer	Johanns	Schatz
Brown	Johnson (SD)	Schumer
Burr	Kaine	Scott
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Landrieu	Tester
Casey	Leahy	Udall (CO)
Coats	Levin	Udall (NM)
Cochran	Manchin	Warner
Collins	Markey	Warren
Coons	McCain	Whitehouse
Donnelly	McCaskill	Wicker
Durbin	Menendez	Wyden
Feinstein	Merkley	

NAYS—29

Barrasso	Enzi	Johnson (WI)
Chambliss	Fischer	Kirk
Coburn	Flake	Lee
Corker	Grassley	McConnell
Cornyn	Heller	Paul
Crapo	Hoeven	Portman
Cruz	Isakson	Risch
Roberts	Sessions	Toomey
Rubio	Shelby	Vitter
Sanders	Thune	

The PRESIDING OFFICER. The yeas are 71, the nays are 29. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

The PRESIDING OFFICER. The clerk will report the measure.

The legislative clerk read as follows:

Resolved, that the House concur in the Senate amendment to the title of the bill (H.R. 3304) entitled ''An Act 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,'' and be it further

Resolved, that the House concur in the first three Senate amendments to the text of the aforementioned bill, and be it further

Resolved, that the House concur in the fourth Senate amendment to the text of the aforementioned bill, with an amendment.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 2552, to change the enactment date.

Reid amendment No. 2553 (to amendment No. 2552), of a perfecting nature.

Reid motion to refer the message of the House on the bill to the Committee on Armed Services, with instructions, Reid amendment No. 2554, to change the enactment date.

Reid amendment No. 2555 (to (the instructions of the motion to refer) amendment No. 2554), of a perfecting nature.

Reid amendment No. 2556 (to amendment No. 2555), of a perfecting nature.

The PRESIDING OFFICER. Cloture having been invoked, the motion to refer falls.

The Senator from Michigan.

Mr. LEVIN. Mr. President, I am very pleased to join Senator INHOFE, the ranking Republican on our committee, in bringing to the floor the agreement between the Armed Services Committees of the Senate and the House on the National Defense Authorization Act for Fiscal Year 2014.

The House passed this bill last week with a vote of 350 to 69, and if we pass it in the Senate, which I am optimistic now that we will, it will mark the 53rd year in a row we have enacted this bill that is so essential to the defense of our Nation and to our men and women in uniform and their families.

I wish to thank all of the members of the Armed Services Committee and our staffs. I especially want to thank our subcommittee chairs and ranking members for the hard work they have done to get us to the finish line on this bill.

Of course, I thank Senator INHOFE for the close partnership we have had in leading this committee. We have both had the benefit of a strong relationship

with the chairman and ranking member of the House Armed Services Committee, BUCK MCKEON and ADAM SMITH, in our endeavor.

I share the disappointment of Senators with our inability to vote on more amendments when our committee bill was brought to the Senate floor a few weeks ago. Senator INHOFE and I spent a week on the Senate floor before Thanksgiving trying to bring up more amendments and to have them debated and voted on.

We tried to reach agreement to limit consideration to defense-related amendments, but we were unable to do that. We tried to consent to vote on two sexual assault amendments, the Gillibrand amendment and the McCaskill amendment, which had been fully debated, but we could not get consent to do that. We tried to get consent to adopt a package of 39 amendments that had been cleared on both sides, but we were unable to do even that.

It then became clear, given the Senate schedule, that our only hope of enacting a defense bill this year was to negotiate a new bill with the House Armed Services Committee on the basis of two bills: one that was reported out of the Senate Armed Services Committee, and, two, the bill that was passed by the House of Representatives, and then we decided we would seek enactment of a new bill in both Houses.

That new bill passed the House without amendment. If we fail to pass the same bill, there will be no National Defense Authorization Act this year, with the result being we would deny the Department of Defense vital authorities, we would undermine congressional oversight of the military, and we would fail in our duty to provide our men and women in uniform the support they need and deserve.

The bill before us is not a Democratic bill and it is not a Republican bill. It is a bipartisan, bicameral defense bill. It is a good bill and one that deserved the strong support it received in the House of Representatives and that I hope will receive a strong vote in the Senate tomorrow.

The bill includes hundreds of important provisions to ensure that the Department can carry out its essential national defense missions.

Here are just a few examples: Our bill extends the Department of Defense authority to pay out combat pay and hardship duty pay.

The bill extends supplemental impact aid to help local school districts educate military children.

The bill extends existing military land withdrawals at China Lake, Chocolate Mountain, and Limestone Hills that would otherwise expire, leaving the military without critical testing and training capabilities.

The bill includes a new land withdrawal, which is critical to the Marines, to expand its training area at 29 Palms.

Our bill provides needed funding for the destruction of the Syrian chemical weapons stockpile and for efforts of the Jordanian Armed Forces to secure that country's border with Syria.

Our bill enables the Department of Defense to save more than $1 billion by authorizing a number of multiyear contracts.

Our bill includes more than 30 provisions, as our Presiding Officer well knows, to address the problem of sexual assault in the military. For example, we provide every military sexual assault survivor a special victim's counsel—a lawyer who works not for commanders, not for prosecutors or defense attorneys or a court but for the victim.

We include strong new protections for survivors, for those people who have been victims, making it a crime under the Uniform Code of Military Justice to retaliate against a servicemember who reports a sexual assault and requiring that the Department of Defense inspector general review and investigate any allegation of such retaliation.

Our bill requires that commanders who become aware of a reported sexual assault immediately forward that information to criminal investigators.

Our bill ends the ability of commanders to modify findings and convictions for sexual assaults and other serious crimes.

Our bill provides that any decision by a commander not to prosecute a sexual assault complaint undergoes an automatic review by a higher command authority, which in nearly all cases would mean a general or a flag officer.

Our bill includes the Boxer amendment to make the article 32 process more like a grand jury proceeding in which the purpose is to determine probable cause rather than the current process which is used as a discovery tool by the defense.

While this change is not limited to sexual assault cases, it will mean the victim of a sexual assault will not have to appear in person and be subjected to cross-examination by the defense.

As Senators are aware, we were unable to vote on either the Gillibrand amendment or the McCaskill amendment on the floor because of procedural objections. I hope the Senate will be able to consider and vote on both of these important initiatives early next year.

Again, relative to sexual assault, our bill does contain groundbreaking reforms that will provide much needed assistance to victims of sexual assault while also helping establish a climate in the military in which there is no tolerance for sexual assault or for retaliation against those who report it.

With regard to Guantanamo, the bill we reported out of the Armed Services Committee included both language making it possible to bring detainees to the United States for trial and a provision making it easier to transfer detainees back to their home countries. The full Senate voted to retain these provisions by a 55-to-43 vote when the committee-reported bill was on the floor.

The compromise we reached includes the House prohibition on bringing Gitmo detainees to the United States but follows the Senate language generally, which provides our military greater flexibility to transfer Gitmo detainees to third countries. As a result, our military will be able to make decisions about how long to keep detainees and under what circumstances to transfer them to third countries on the basis of a real-world evaluation of risks rather than the current law, which provides an arbitrary and extreme checklist of certification requirements.

We recently received letters from our senior military leaders urging us to enact the Defense authorization bill before we leave this year.

For example, GEN Martin Dempsey, the Chairman of the Joint Chiefs, wrote that the authorities included in this bill ''are critical to the Nation's defense and urgently needed to ensure we all keep faith with the men and women, military and civilian, selflessly serving in our Armed Forces.''

GEN Ray Odierno, the Army Chief of Staff, told us:

> From authorities that help us prevent and respond to sexual assault, restore readiness, allow for continuous work in our industrial base, and start important military construction projects, this NDAA is critical to your Soldiers, their Families, and the numerous local communities that support our installations.

ADM Jonathan Greenert, Chief of Naval Operations, stated that pushing the bill into the next year ''would mean critical authorities expire, which would exacerbate my readiness challenge and jeopardize our commitment to our service men and women.''

Gen. James Amos, Commandant of the Marine Corps, wrote:

> Without an NDAA, landmark legislation transforming the Uniform Code of Military Justice and improving the support provided to victims of sexual assault will be lost.

He continued:

> I am also concerned about the adverse impact on logistical support for Coalition forces in Afghanistan, our ability to retrograde military equipment along the Northern Distribution Network, and the impact on Coalition Support Funds that support ground transportation of supplies and retrograde of equipment through Pakistan.

Gen. Mark Welsh, the Air Force Chief of Staff wrote:

> The FY 14 NDAA contains critical authorities that enable us to protect the American people while keeping our promise to our active duty, Guard, Reserve, and civilian airmen. If this important legislation is not enacted, I worry about significant impacts to Air Force operations that could jeopardize the missions we are tasked to perform. . . . Simply put, we cannot operate effectively without your help and without the direction that the NDAA provides.

Gen. Frank Grass, the Chief of the National Guard Bureau, told us:

> Failure to enact an NDAA would break faith with our Army and Air Guardsmen by not re-authorizing special pay and bonuses.

Also, authorities contained in the NDAA are crucial to maintaining the training, equipment, and opportunities necessary for the National Guard to remain an operational force ready to respond to domestic and overseas contingencies.

I ask unanimous consent that these letters be printed in full in the RECORD.

CHAIRMAN OF
THE JOINT CHIEFS OF STAFF,
Washington, DC, December 9, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. MAJORITY LEADER: As we enter the final weeks of December, I write to urge you to complete the National Defense Authorization Act this year. The authorities contained therein are critical to the Nation's defense and urgently needed to ensure we all keep faith with the men and women, military and civilian, selflessly serving in our Armed Forces. Allowing the Bill to slip to January adds yet more uncertainty to the force and further complicates the duty of our commanders who face shifting global threats. I also fear that delay may put the entire Bill at risk, protracting this uncertainty and impacting our global influence. For your reference, enclosed is a list summarizing expiring authorities.

I deeply appreciate congressional efforts to achieve a budget deal and subsequent appropriations. Your efforts to provide the Joint Chiefs the Time, Certainty, and Flexibility in both our budget and authorities will help ensure we keep our Nation safe from coercion.

I appreciate your continued concern for and support of our men and women in uniform.

Sincerely,

MARTIN E. DEMPSEY,
General, U.S. Army.

Enclosure.

LIST OF EXPIRING AUTHORITIES

Title	Expiration
Authority Issues:	
Afghanistan Security Forces Fund	9/30/2013
Authority for Joint Task Forces to Provide Support to Law Enforcement Agencies Conducting Counter-Terrorism Activities	9/30/2013
Authority for Reimbursement of Certain Coalition Nations for Support Provided to United States Military Operations	9/30/2013
Authority to Provide Additional Support for Counter-drug Activities of Other Countries	9/30/2013
Authority to Support Unified Counter-drug and Counter-terrorism Campaign in Colombia	9/30/2013
Commanders' Emergency Response Program in Afghanistan	9/30/2013
Authority to Establish a Program to Develop and Carry Out Infrastructure Projects in Afghanistan	9/30/2013
Logistical Support for Coalition Forces Supporting Operations in Afghanistan	9/30/2013
Pakistan Counterinsurgency Fund (DoS)	9/30/2013
Task Force on Business and Stability Operations in Afghanistan and Economic Transition Plan and Economic Strategy for Afghanistan	9/30/2013
Enhancement of Authorities Relating to DoD Regional Centers for Security Studies	9/30/2013
Authority to Support Operations and Activities of the Office of Security Cooperation in Iraq	9/30/2013
Ford Class Carrier Construction Authority	9/30/2013
North Atlantic Treaty Organization Security Investment Program	9/30/2013
Reintegration Activities in Afghanistan	12/31/2013
Military Special Pays and Bonuses • Expiring Bonus and Special Pay Authorities provided by P.L. 112–239, sections 611–615 (National Defense Authorization Act for Fiscal Year 2013)	12/31/2013
Travel and Transportation Allowances	12/31/2013
Authority to Waive Annual Limitation on Premium Pay and Aggregate Limitation on Pay for Federal Civilian Employees Working Overseas	12/31/2013
Non-Conventional Assisted Recovery Capabilities	9/30/2013
Support of Foreign Forces Participating in Operations to Disarm the Lord's Resistance Army	9/30/2013
Authority to Provide FAA War Risk Insurance to CRAF Carriers	12/31/2013
Authority to Provide Temporary Increase in Rates of Basic Allowance for Housing Under Certain Circumstances	12/31/2013
Acquisition Issues:	
New Starts, Production Increases, Multiyear Procurements	Various

LIST OF EXPIRING AUTHORITIES—Continued

Title	Expiration
80/20 Rule	N/A
General Transfer Authority & Special Transfer Authority	N/A
AP of Virginia Class	10/1/2013

UNITED STATES ARMY,
THE CHIEF OF STAFF,
December 10, 2013.

Hon. HARRY REID
Senate Majority Leader, U.S. Senate,
Washington, DC.

DEAR LEADER REID: Today, your Army has close to 70,000 Soldiers deployed around the world with nearly 40,000 of those brave men and women in combat in Afghanistan and several thousand more in hazardous duty postings such as the Persian Gulf and Horn of Africa. With many of the authorizations for their support and the support to their families set to expire later this month, I believe it is imperative that the Congress pass the National Defense Authorizations Act this December. Our Soldiers and their families require the many authorities that your bill, when passed, will provide for them to accomplish their missions overseas and here at home. For an Army still very much at war, it is vital that the Congress not allow these critical defense authorizations to lapse.

The Chairman of the Joint Chiefs of Staff has laid out the impacts of a lapse in defense authorizations on our Combatant Commanders' operations and on deployed troops. The impacts of not having a defense authorization bill passed in this calendar year will have a significant impact at home as well From authorities that help us prevent and respond to sexual assault, restore readiness, allow for continuous work in our industrial base, and start important military construction projects, this NDAA is critical to your Soldiers, their Families, and the numerous local communities that support our installations. As a nation, we cannot afford to allow those authorities to lapse and delay the implementation of new authorities designed to make our National defense stronger and more effective.

With great respect, I urge you to find a way to work with the House in the days remaining prior to the Holiday Recess and pass the NDAA. Given these authorities, I look forward to returning to Congress in the early spring with Secretary McHugh and testifying on the Army's Posture.

Thank you for your continued support of our Army, Soldiers, Civilians, and Veterans.

Sincerely,

RAYMOND T. ODIERNO,
General, United States Army.

CHIEF OF NAVAL OPERATIONS,
December 12, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR REID: I am writing to request the expeditious passage of the FY14 National Defense Authorization Act.

Early in my tenure as Chief of Naval Operations, I established three tenets for the Navy: ''Warfighting First,'' ''Operate Forward,'' and ''Be Ready.'' In support of these three tenets, I ask that you give every consideration to completing the FY14 NDAA before the end of the year. Passage of the bill will give me the authorities needed to support our Sailors through special pays, allowances, and enlistment and retention bonuses. Sailor readiness is the foundation of Fleet readiness. Support to our Civilians, Sailors, and their Families is central to Sailor readiness. Deferring the NDAA into calendar year 2014 would mean critical authorities expire, which would exacerbate my readiness challenge and jeopardize our commitment to our service men and women.

Thank you in advance for your efforts and persistence in passing the FY14 defense authorization bill as soon as feasible.

JONATHAN W. GREENERT.

DECEMBER 9, 2013.

DEAR LEADER REID, I am writing you to express my strongest support for the passage of the National Defense Authorization Act (NDAA) prior to the end of this year This year's NDAA contains authorities critical to our Nation's defense that enable us to protect the American people while keeping our promises to our Marines, Sailors and Civilian Marines. I believe that passage of a National Defense Authorization Act prior to the end of the current calendar year is a national security imperative.

As a member of the Joint Chiefs of Staff, I am gravely concerned that, without timely passage of the NDAA, critical authorities will expire. Without an NDAA, landmark legislation transforming the Uniform Code of Military Justice and improving the support provided to victims of sexual assault will be lost. I am also concerned about the adverse impact on logistical support for Coalition forces in Afghanistan, our ability to retrograde military equipment along the Northern Distribution Network, and the impact on Coalition Support Funds that support ground transportation of supplies and retrograde of equipment through Pakistan.

As the Commandant of the Marine Corps, I am concerned that failure to pass an NDAA will break faith with our Marines, Sailors and Civilian Marines on authorizations for their pay and benefits. Also, hard-won gains on the Twenty-nine Palms land expansion Senator Feinstein worked so hard over the past seven years to accomplish will be threatened.

I thank you for your willingness to reach across the aisle in a timely and creative fashion in order to pass this vital piece of legislation prior to the end of the year. Your continued support for the men and woman that wear our nation's uniform will add certainty to the force and simplify the duties of commanders around the globe who are providing for our common defense.

Again, thank you for all you do to support your Marines and Sailors. I remain . . .

Semper Fidelis,

JAMES F. AMOS,
General, U.S. Marine Corps,
Commandant of the Marine Corps.

DEPARTMENT OF THE AIR FORCE,
Washington, DC, December 12, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR LEADER REID: I write to urge Congress to pass the National Defense Authorization Act for Fiscal Year 2014 (FY14 NDAA) prior to the end of this calendar year. The FY14 NDAA contains critical authorities that enable us to protect the American people while keeping promises to our active duty, Guard, Reserve, and civilian Airmen. If this important legislation is not enacted, I worry about significant impacts to Air Force operations that could jeopardize the missions we are tasked to perform.

In addition to serious operational impacts, I am concerned that failure to pass an NDAA, would break faith with Airmen as authorizations for pay and benefits expire. As you know, today's Air Force faces many challenges, and we depend on the NDAA to provide policy direction on a variety of matters, ranging from sexual assault prevention and response to adjusting force structure and

manpower to meet future threats, all while complying with budget constraints. Simply put, we cannot operate effectively without your help and without the direction that the NDAA provides.

Thank you for your attention to our concerns and for considering action on the FY14 NDAA before this congressional session comes to a close. We are grateful for your continued support for all of the men and women who wear our Nation's uniform.

Sincerely,

MARK A. WELSH, III,
General, USAF, Chief of Staff.

NATIONAL GUARD BUREAU,
DEFENSE PENTAGON,
Washington, DC.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

DEAR MR. MAJORITY LEADER: I write to you to urge completion of the National Defense Authorization Act (NDAA). I understand you have received similar letters from the Army and Air Force Chiefs of Staff, highlighting the impact a lapse of authorization would have on federalized National Guardsmen. As Chief of the National Guard Bureau, I want to echo these sentiments as well as point out the harmful effects on non-federalized National Guardsmen, military technicians, and their families. Specifically, failure to enact an NDAA would break faith with our Army and Air Guardsmen by not re-authorizing special pay and bonuses. Also, authorities contained in the NDAA are crucial to maintaining the training, equipment, and opportunities necessary for the National Guard to remain an operational force ready to respond to domestic and overseas contingencies.

I truly appreciate your efforts to pass an NDAA and Appropriations Bill that support and enable our military to defend our Nation and keep it safe. Thank you for your continued support of all National Guardsmen, civilians, and their families.

Sincerely,

FRANK J. GRASS,
General, U.S. Army, Chief,
National Guard Bureau.

Mr. LEVIN. Finally, we have managed to pass a national defense authorization bill for 52 straight years, including a number of recent years when we were unable to pass a bill in the Senate, and therefore unable to go to a traditional conference. That is not best way to proceed. I think we all acknowledge that.

Our troops, their families, and our Nation's security, deserve a defense bill, and what we are offering to the Senate is the only practical way to get a bill passed and enacted.

Again, before I yield the floor, I wish to thank Senator INHOFE and his staff who have joined so closely with myself and all of the members of the Armed Services Committee and our staff to make it possible to get, as I said before, this close to the finish line.

I am confident we are going to cross that finish line because of the hard work of our members. I want to especially point out our subcommittee chairs and the ranking members as well as all of the members of the Armed Services Committee, including Senator BLUMENTHAL, who at this moment is presiding over the Senate and has personally played such an important role in getting us to where we are.

With that, and again with my thanks to Senator INHOFE, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, I wish to say the same thing. It sounds as though it is all rehearsed, but it is not. It is actually a reality that I have always felt I could call and talk to the chairman about things we might not have in common—although I can only remember one issue where we were on opposite sides, but we have our reasons for being on opposite sides. Unless we work those out, then between John Bonsell and Peter, it is always a joy to be able to call and know I am reaching the top and we are going to be able to come up with a decision.

I talked to a lot of the Republicans who voted against this, and I want the chairman to be aware of this. I think almost all of them who voted against it voted that way for one reason; that is, the process. They wanted to have amendments. They are entitled to amendments. I think we said that over the last 10 years we have averaged 9 days of debate on this most significant bill each year. That is an average. We have had about 100 amendments on average. So that is something both the chairman and I agree should have happened, but it just didn't happen. We can't really blame one side more than the other.

Then, of course, when the nuclear option came, that got things pretty hostile here, and unfortunately what suffered was our bill.

I feel strongly that we have a good bill. In fact, a lot of people don't know how this process works when we cannot get a bill through the House and/or the Senate to make it a reality, and I had to go through this one year when I was on the House Armed Services Committee. Then they had the big four; that is, the chairman and the ranking member of the Senate and the chairman and the ranking member of the House, get together and put this together. That may not be the process—in fact, it is not the process we wanted—but the choice became, do we have a bill or do we not have a bill, and we have gotten down to that choice.

What I tried to do, and I failed—I am embarrassed to say I failed with many of our Republicans in explaining to them what would happen if we don't have a bill. I started writing what the chairman talked about that is in this bill, and I couldn't keep up. He was too fast. But I would like to mention a couple of things that I think perhaps were not mentioned.

Of course, we did cover Gitmo, and I look at it just a little bit differently than the chairman does. I like the restoration of the 1-year prohibition on the transferring of the detainees to the United States. That was a 12-month provision we had last time that we tried to get in, and we actually addressed this in our bill. But in this bill—the substitute bill we just voted on—I think it is very important and something I feel very strongly about.

On the sexual assault, we had both Senators MCCASKILL and GILLIBRAND, and I recall both of them saying: Well, this isn't everything I wanted. But they both thought it sure was a lot better than not having a bill. So I think we have done a good job there.

I always pick out one area that shows how much this would cost. If we look at the CVN–78—75 percent finished right now, $12 billion spent on it now—and if we didn't have this bill, I am sure we would try to do something, but work would stop, and people would be laid off. It would have then cost a lot more to wind things up and get back into it. When I say ''a lot more,'' we are talking about millions of dollars more. So that is one of the great victories we have.

The one aspect so many of my constituents are concerned about that I think needs to be called to everyone's attention that is in this bill is the U.N. Arms Trade Treaty. I remember back when we had the bill that didn't ultimately pass, but we had an all-night session, and at 5 o'clock in the morning I passed my amendment that would preclude us from getting involved in that treaty. This was after our Secretary of State had already signed this treaty. We had 53 votes. We had all the Republicans and six of the Democrats vote in favor of that. That didn't pass, but it is very important that we address that, not just to protect Second Amendment rights but also to protect our ability to help our allies without having to go through the United Nations. And we have that provision in here, which is very significant.

On the BRAC, BRAC is controversial. I was opposed to the last BRAC round. My feeling at that time was that we were getting the force structure down artificially low, and I didn't feel comfortable bringing down the infrastructure to meet that because I was hoping we would be able to—that is the same reason I would not want to have a BRAC round right now. We have never been in such a critical fiscal condition in supporting our military as we are today.

One thing that is certain about BRAC rounds is that we can debate about how much ultimately they will save, but everybody knows what it costs in the first 5 years, and these are the first 5 years that we really can't afford it, particularly the first year.

The last thing I would mention is something I felt more strongly about than I think most of the rest of them did, and that is how much we have spent on these drop-in fuels, the biofuels, and we have language here that would say we would not do it unless they are cost-competitive. That is a huge issue to me personally.

The last two I would like to mention—people say in my conference, a lot of them are saying: Well, what is going to happen on December 31 if we don't pass the bill? I have a long list of expirations here that I ask unanimous consent to have printed in the RECORD. I will only mention three of them. One is on the aviation officer retention bonus.

I think we all know and most of us believe that we made a mistake in April when we shut down some of our squadrons and about a third of our fighter squadrons for a period of about 3 months. General Walsh presented a very persuasive case that it costs a lot more to get them back to current, as we started to do in July, than the money that was saved during the time they were down. I think we lost a lot of aviators at that time because they were grounded, they weren't flying, and they just decided they would go into the private sector.

If we take away the aviation officer retention bonus, that is going to accelerate the lost number of people who would otherwise stay in the military. That would have gone away on the 31st of December. I don't know how many of the aviators we would lose, but I do know this: It is a $25,000 bonus, and the difference between retraining and retaining is huge. We can retain them, if the bonus would influence them, for $25,000, but retraining, to get to the optimum—the first level being the F–22—is about $7.5 million, but there is another $9 million to get to the top proficiency. That means $17 million as opposed to $25,000. So I think we need to in the future always keep track of retraining and retaining.

The health care professional bonus would end on December 31. Why is that important? Because a lot of these people who are taking care of our wounded warriors—not just at the hospitals but also after they leave—have special pay to take care of our wounded warriors, those who have made the sacrifices, and that would have ended on December 31.

The reenlistment bonus for Active members would also end. I remember from my military days that when people were getting ready to leave, they looked at the bonus, and that is there to encourage them to stay. So it is not just aviators; it is the ground guys and gals too.

So we have done a lot. I really appreciate that opportunity.

The last thing I will say—and I will ask my staff to put up the picture—this is my appeal to the minority leader and the majority leader. We could play the game and extend this and be here until midnight, I guess, on Thursday night. It happens that tomorrow is my 54th wedding anniversary, and I would really like to ask both the majority and the minority if we couldn't yield back a little bit of time. We know we are going to have the votes for this. I would sure like help. Those 20 kids and grandkids are waiting for me for a big dinner on our 54th wedding anniversary tomorrow night. So have mercy, give us a break, and let's try to get this voted on and go home. And Merry Christmas to everybody.

There being no objection, the material was ordered to be printed in the Record, as follows:

NDAA AUTHORITIES EXPIRING ON 31 DEC

TRAVEL AND TRANSPORTATION ALLOWANCES

MILITARY SPECIAL PAY & BONUSES PROVIDED BY FY13 NDAA

Reenlistment bonus of active members
Healthcare Professional bonus and special pays
Reserve forces bonus and special pays
Nuclear Officers Bonus and special pays
Assignment pay or special duty pay
Skill incentive pay or proficiency bonus
Retention incentives for critical military skill or assigned to high priority units
Aviation officer retention bonus
Assignment incentive pay
Enlisted bonus
Accession bonus for new officers in critical skills
Incentive bonus for conversion to military occupational specialty to ease personnel shortage
Incentive bonus for transfer between armed forces
Accession bonus for officer candidates

Mr. INHOFE. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I surely join Senator INHOFE in the plea that his time and much of the time between now and the 30-hour end point be yielded back. Somehow or other, I hope our leaders can manage that for not just Senator INHOFE's 54th wedding anniversary—I thought I was a heroic figure; my wife is more heroic than I—because we have been married 52 years.

Mr. INHOFE. Oh, you will make it.

Mr. LEVIN. She is the hero. But in any event, I surely join in that request.

Mr. President, I ask unanimous consent that a full list of our minority and majority staff who have given so much of themselves and their families be printed in the RECORD, including Peter Levine, John Bonsell, and then all of the other staff members, both the majority and minority staff.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Peter K. Levine, Staff Director; John A. Bonsell, Minority Staff Director; Daniel C. Adams, Minority Associate Counsel; Adam J. Barker, Professional Staff Member; Steven M. Barney, Minority Counsel; June M. Borawski, Printing and Documents Clerk; Leah C. Brewer, Nominations and Hearings Clerk; Joseph M. Bryan, Professional Staff Member; William S. Castle, Minority General Counsel; Jonathan D. Clark, Counsel; Samantha L. Clark, Minority Associate Counsel; Allen M. Edwards, Professional Staff Member; Jonathan S. Epstein, Counsel; Gabriella E. Fahrer, Counsel; Richard W. Fieldhouse, Professional Staff Member.

Lauren M. Gillis, Staff Assistant; Thomas W. Goffus, Professional Staff Member; Creighton Greene, Professional Staff Member; Ozge Guzelsu, Counsel; Daniel J. Harder, Staff Assistant; Alexandra M. Hathaway, Staff Assistant; Ambrose R. Hock, Professional Staff Member; Gary J. Howard, Systems Administrator; Michael J. Kuiken, Professional Staff Member; Kathleen A. Kulenkampff, Staff Assistant; Mary J. Kyle, Legislative Clerk; Anthony J. Lazarski, Professional Staff Member; Gerald J. Leeling, General Counsel; Daniel A. Lerner, Professional Staff Member; Gregory R. Lilly, Minority Clerk; Jason W. Maroney, Counsel; Thomas K. McConnell, Professional Staff Member.

Mariah K. McNamara, Special Assistant to the Staff Director; Williamn G. P. Monahan, Counsel; Natalie M. Nicolas, Minority Staff Assistant; Lucian L. Niemeyer, Professional Staff Member; Michael J. Noblet, Professional Staff Member; Cindy Pearson, Assistant Chief Clerk and Security Manager; Roy F. Phillips, Professional Staff Member; John L. Principato, Staff Assistant; John H. Quirk V, Professional Staff Member; Robie I. Samanta Roy, Professional Staff Member; Brendan J. Sawyer, Staff Assistant; Travis E. Smith, Chief Clerk; Robert M. Soofer, Professional Staff Member; William K. Sutey, Professional Staff Member; Barry C. Walker, Security Officer.

Mr. LEVIN. Mr. President, I again thank all of the members of our committee and staff who worked—I don't know how to describe the effort that every year is put into our authorization bill. It is a round number—52, maybe now 53 years. It is a big number. It doesn't say what each year—each month of every year—our staffs put into the annual authorization bill. It is an extraordinary effort that they make. Senator INHOFE and our colleagues and I watch them really with amazement because of what they give up to accomplish this. We are not quite there yet. We have to have a final passage vote. I hope it comes a lot earlier than late tomorrow.

ENERGY SAVINGS PERFORMANCE CONTRACTING

Mrs. SHAHEEN. Mr. President, the Department of Defense is the largest single consumer of facilities energy in the Nation and spends more than $4 billion a year to power military installations. Energy management is very important to DoD's mission, both as a matter of conservation and the proper stewardship of funds provided by Congress.

In recent years, the Department of Defense has made significant progress in reducing energy use on military installations. In fiscal year 2012, the Department achieved a 17.7 percent reduction in energy use from the fiscal year 2003 baseline established by law in the Energy Independence and Security Act of 2007. In addition to direct investment, the Department's use of energy savings performance contracting and utility energy savings contracting has historically played an important role in the achievement of the Department's facility energy management objectives. Energy Savings Performance Contracts, commonly known as ESPCs, provide private sector financing for energy improvements at government facilities, with that investment paid back over time from the agency's utility bill savings. As part of a broad administration effort established in 2011 to improve Federal energy efficiency, the Department has committed to award $1.2 billion in performance-based contracts by the end of 2013.

I would pose a question to my colleague, the ranking member of the full committee and a manager of the bill, Senator INHOFE, who has long been a supporter of performance contracting, about this matter and whether he believes the Department can do more.

Mr. INHOFE. Mr. President, I thank the Senator from New Hampshire, the chair of the Subcommittee on Readiness and Management Support, for her question. I am a strong supporter of energy performance contracts that provide maximum savings for the Federal Government. It is my understanding that the components of the Department of Defense have identified additional opportunities for energy conservation and energy demand management that could benefit from performance contracting, However, in order to maximize taxpayer savings, it is vital that DoD contract for those projects that provide the greatest return on investment as opposed to directing the use of certain mandated energy sources without an assessment of relative costs over the life cycle of the project. I join with the Senator from New Hampshire to strongly encourage the Secretary of Defense and the Secretaries of the military departments to increase the use and streamline the administration of energy savings performance and utility energy savings contracting vehicles that will incorporate the most efficient and effective energy systems in order to maximize the reduction of operational costs, to conserve energy resources, and to improve the efficiency of building systems. I hope my colleague will join with me as part of our oversight responsibilities for the committee that we ensure energy performance contracts carried out by the Department of Defense meet the intent of the President's executive order of December 2011 to maximize cost reductions for the Federal Government by promoting projects to offer the greatest return on investment.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Oklahoma and I look forward to working with him to improve DoD's management practices in this area.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I too wish to congratulate the Senator from Oklahoma and Kay for their 54th wedding anniversary. It is quite a landmark for an outstanding couple. I hope they get to celebrate on their day. I think that probably, if we knew the final vote on this was going to be the end of the whole process before Christmas, it probably would include time yielded back. But if there are going to be a whole bunch of things thrown in that really have relatively little importance before the end of the year, the Senator probably won't get his wish. So I am hoping we can end it with this bill.

I rise to express my disappointment that this National Defense Authorization Act on which we will soon be having a final vote is the product of another deal instead of the result of discussion, debate, and amendment process on the floor. Once again, the Senate has failed to do its job. The Senate majority leader has blocked all but two amendments to this NDAA from consideration, and those were to prevent any other amendments from happening. That is not right. That is not the way we used to do it. If we want to know what is wrong with the Senate and why people of all political persuasions are upset with Congress, that is a big part of the answer right there—no amendments allowed.

Here we are at the end of the year—this didn't have to come at the end of the year. In fact, I never remember us debating it this late in the year.

Incidentally, this is the only committee that gets a bill every year. The other committees have to fight for some time and hopefully have a persuasive enough bill to get it. But every year I have been here, we have debated this National Defense Authorization Act, and it is important.

There are two primary things we are charged with, and one is spending for the United States and the other is national defense. And this is about the national defense. It shouldn't be crowded into 30 hours or even 1 week. There ought to be the ability to express what we think is important dealing with national defense, and we are not being allowed to do that.

This is an important bill for our country. There are a lot of important issues in it that we need to discuss. We haven't considered issues relating to our nuclear deterrent, to privacy concerns related to the National Security Administration, to detention of U.S. citizens, and the need to address sexual assault in the military, or a number of other important issues. In the past, we have spent multiple weeks on the Defense bill and considered dozens of amendments. That is what we should be doing this year too.

I understand we have come up against this December 31 deadline and how critical that is. That should not have happened. Our national security needs to be fully debated, and it needs to be debated by the whole Senate.

Every voice needs to be heard. That means every constituent out there whom we represent has to have at least an opportunity to have their interests reflected in this national bill. We all have some military in our States, and it is very important. That is how it is supposed to happen, and that is the way the Senate does its best work.

One of the things that have been holding it up, of course, are the nominations. Most of those nominations did not have urgency to them. They could have been done next year without hurting the United States at all—not the case with the National Defense Authorization Act. So we do not have priorities on what we are debating around here, and then we have limits because of the timeframe. It is not right.

One of those important issues we are skipping over is the nuclear deterrent. I offered several amendments on this issue because I believe the administration is playing a dangerous game with national security. The solution I proposed in my amendment was simple and straightforward. It would have ensured that American citizens and our allies would not be harmed by this administration's bad policy decisions—both today and for years to come—by ensuring that any further reductions in our nuclear arsenal could not be done by the administration unilaterally.

As background, here in the Senate I have the honor of representing the city of Cheyenne, WY, which is the home of F.E. Warren Air Force Base and the 90th ICBM Missile Wing. Those who proudly serve there have an awesome responsibility and a history of doing excellent work. We have entrusted the most powerful of our weaponry to the best, to the most capable of managing these weapons in a thoroughly professional and reliable manner. Every day, the top-notch men and women who are stationed at F.E. Warren work together to maintain the world's most powerful military force, our ICBMs. Seven days a week, 24 hours a day, they stand guard to ensure our safety and our freedom. They maintain a constant vigil from which they can never stand down because their mission is that critical. In a very real sense, that is why each one of us is able to sleep well at night. Moms and dads and grandpas and grandmas all across America know that when they tuck their kids in at night, someone is on duty and will continue to be watching through the lonely hours of the night to make sure their little ones are safe and secure.

Unfortunately, there are those in the administration who take the contributions of our military for granted. They do not have the sense of history that is needed to fully appreciate why these weapons were designed and put into operation in the first place. They do not see how much they are needed today and will still be needed tomorrow to ensure our future. They do not fully appreciate the key role they have played in the past either. They seem to think that nuclear weapons are part of a bygone era, a relic of the past that has not been needed since the Cold War ended.

The adoption of such a position is dangerous because it takes our position of strength for granted. What they fail to understand is the power of this deterrent and how it has kept us safe for decades. In the past, any nation that gave even a casual thought to threatening us or trying to do us harm had to quickly shelve those plans when the realization of what they would be up against was made clear. That is, after all, the point of having these weapons. That is one of the reasons why they are necessary. They have served us well ever since they were first deployed.

The administration's views on our nuclear deterrent should not come as a surprise to any of us who have watched the development of these ideas when they were first offered for consideration. We have seen President Obama promise to do all he can to reduce our nuclear arsenal—step by step. First, he rammed the New START treaty through the Senate by promising commitments that he ultimately did not

keep. One of those was the promise to modernize our nuclear force, which we are still waiting on. I voted against ratification of the New START treaty because I believe maintaining a strong nuclear force is a critical part of protecting our country. It still is.

The Obama administration has stated its intention to reduce the number of deployed nuclear warheads to as few as 1,000, which would be 550 fewer than is allowed under that New START treaty. What is more, in the factsheet on the Nuclear Posture Review Implementation Study, it states that the President could go outside the formal treaty-making process and reduce our nuclear arsenal unilaterally. That has ''bad idea'' written all over it. It means the administration can still make drastic nuclear reductions even if Russia will not agree to do the same. Does that make any sense? Should we just bargain with ourselves? That is something which should give us all pause and encourage us to go on record as to what needs to be done to keep our people safe.

In case you think I am overreacting, last year President Obama was caught on an open microphone promising former Russian President Dmitry Medvedev that he would have more flexibility to negotiate on nuclear defense issues after his election. Those comments are still before us, and they do not exactly instill trust and confidence that the President will not choose to bypass Congress and act unilaterally on nuclear reductions.

All we have to do is look around the world to see why we should be concerned. Everywhere we look, nations are looking to increase, not decrease, their weaponry. In fact, as the President makes plans for reducing our own nuclear arsenal, it appears Russia and China are looking for ways to modernize and update their own arsenals.

These are dangerous weapons, and we need to be certain we do everything we can to ensure that they continue to be fully monitored. They must never be used. But it seems to me that the best way to make certain they are never used is to be certain that no one would ever dare to think of using them against us or our allies.

The concerns I have that some other country might use these weapons first are increased, not decreased, when I see the administration sending signals that they might not wait for everyone to disarm; they might do it on their own first. It would be like taking your own team off the field and allowing the other team to score at will. Relying on the good will of the opponent rarely works, and it is clearly not a good strategy.

One final point. We are not the only ones who are relying on our nuclear arsenal for our safety and security. There are other countries that rely on the United States for their national security. If we make it clear that we are dropping out of this vital source of our strength as a nation, this could encourage other countries to increase their own nuclear capability because they will suspect that they can no longer rely on us. Increasing the number of nations that have a nuclear capability is clearly something we dare not encourage.

Simply put, this is exactly what my amendment was trying to stop. It would have ensured that any further reductions in our nuclear arsenal could not be done on a unilateral basis by the President alone. Instead, any changes would have to follow the application of the treaty system, which would give the Senate an opportunity to weigh in on this matter again when a proposal in the form of a treaty is brought before us for our consideration.

Just as ridiculous, the President threatened a veto if the amendment were in the bill. Now, unfortunately, due to the majority leader's actions, we are not going to be able to debate this and other important issues like I mentioned before—the privacy issue at the National Security Agency, the NSA listening in on telephone calls; the detention of U.S. citizens; addressing sexual assault in the military; and a number of others.

For all of these reasons, I cannot support moving forward on the Defense bill. I hope that on our next Defense authorization bill we will all recognize the importance of being allowed to fully debate these issues, so we will not wait until the end of the year when there is this looming deadline regarding bonuses, so our men and women in uniform can continue to fulfill their mission of keeping our Nation safe, secure, and free, knowing what their future is.

Something as important as the Defense authorization bill must not be drafted or taken up for a vote until it has made it through the whole legislative process. The legislative process was created for a reason, and we do ourselves and our constituents and those who serve in our Armed Forces a disservice when we fail to make full use of it. The bill has not made it through each step of the process. In my opinion, that is a fatal flaw. We can do better. We need to do better. We better do better in the future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHATZ. I ask unanimous consent that the order for the quorum call be rescinded.

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

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

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

THE BUDGET

Mr. SCHATZ. The budget agreement that we passed is an important step forward for our country and for our government. I know Chairman PATTY MURRAY worked tremendously hard to get to a conference in the first place and to reach this agreement with the House. I commend Chairman MURRAY for all of her work.

The U.S. Government has been lurching from crisis to manufactured crisis and using short-term stopgaps to fund the government. The threat of a shutdown and the lack of uncertainty has hurt our economy and has eroded the American people's confidence in our ability to solve problems.

It is our job to produce a budget and to figure out a way to work together and not shut the government down. That is what the people expect of responsible leaders in a divided government.

This budget agreement is the way to move forward. It ends the reckless threats of government shutdown and lays a clear path to end sequestration.

The sequester hit my home State of Hawaii very hard. The across-the-board arbitrary cuts from sequester have been devastating for our middle-class families and to our economy.

I wish to read a letter that I received from a professor at the University of Hawaii at Manoa in September.

He wrote:

> I was contacted today, as I often am, by a student wanting to join our graduate program in the Department of Geology and Geophysics.
>
> Unfortunately, I had to tell this student that funding for accepting new students is low right now, which may make it impossible for me to accept him as a graduate student, despite his excellent qualifications.
>
> This exchange reminded me that one source of the problem is the budget cuts to NSF (and other science funding agencies) that are the result of sequestration. The current situation is having the following impacts, which are happening right now at research centers nationwide, including UH Manoa:
>
> Many scientific workers are being laid off or are not being hired—this includes individuals in Honolulu.
>
> Research groups are being forced to cut infrastructure that took decades to build.
>
> Some scientific discoveries that could help our society are not being made.
>
> Some bright young students are not being given opportunities to advance their scientific careers.
>
> I think that this last point is the saddest result because, it negatively impacts the hopes and dreams of many young people.
>
> Furthermore, these students are the future of our scientific workforce—people that will be leading us toward the innovation and problem-solving that is crucial for our country's future.

This professor urged me and this Congress to do everything that we can to roll back the sequester. That is one of the many reasons why I supported the budget today.

Sequestration caused Federal workers to be furloughed or laid off throughout Hawaii. Sequestration hurt our national defense, U.S. competitiveness, and harmed education programs.

Head Start in Hawaii had to cut children from its programs this year. This early education program is critical for

a young child's success later in life. Some of these kids and parents don't have other options without Head Start.

Without this budget agreement, there would have been an additional $20 billion cut to our defense programs hitting next month. Those defense cuts are going to disproportionately hurt my home State of Hawaii. Without this budget agreement, 25,000 Federal civilian workers in Hawaii could be furloughed or laid off.

Hawaii can't afford that. I voted for this budget to prevent those cuts.

The bipartisan budget agreement finally provides relief from the sequester and a path forward to get our economy on the right track. Most importantly, the budget protects Social Security and Medicare benefits.

Although this budget is the right choice for many reasons, we know it is not perfect. I do believe we need to work together to improve parts of it.

I find it unacceptable and inexplicable that the House of Representatives left town for the holidays without extending long-term unemployment benefits, and I know we are working on making it a priority as soon as we return in January.

In addition, Senator SHAHEEN has introduced legislation—which I am proud to support and cosponsor—to protect military retirees from the cost-of-living pay adjustment. The cost-of-living pay adjustment won't take effect until January of 2015, which means that we have time to fix this issue, but we must fix this issue.

This legislation that I am cosponsoring with Senator SHAHEEN will fully pay for the change by closing a loophole that some companies are using to avoid paying U.S. taxes with offshore tax havens. This is a commonsense fix that I believe we can get bipartisan support for. We need a long-term budget, but not at the expense of our military retirees.

We can replace the money raised by closing this tax loophole that some companies are abusing. We have time to fix this issue, and we have to do so before 2015. But now is the time to move forward, to protect jobs, and to give our country some economic certainty.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

VA EXPIRING AUTHORITIES EXTENSION ACT

Mr. LEVIN. I ask unanimous consent that the Senate proceed to the consideration of H.R. 1402, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 1402) to amend title 38, United States Code, to extend certain expiring provisions of law, and further purposes.

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

Mr. LEVIN. I ask unanimous consent that the bill be read three times and passed and the motion to reconsider be laid upon the table, with no intervening action or debate.

The bill (H.R. 1402) was ordered to a third reading, was read the third time, and passed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEVIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. LEVIN. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each and, further, that the time count postcloture.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NATIONAL SECURITY

Mr. CHAMBLISS. Mr. President, I rise today to address the dire national security situation and the responsibility of this body to pass a national defense authorization bill this year.

Congress has passed this legislation for each of the last 51 years, always with broad bipartisan support. This year should be no different. Our service men and women are deployed around the globe in defense of our Nation. They put themselves in harm's way to further the American principles of freedom and democracy, yet we have failed to provide these men and women and our senior military leaders the fiscal certainty and legal authorities they need to complete their vital missions.

Instead, we have a Senate majority intent on fundamentally altering the way the Senate conducts business by pushing through bills without a full and open process. This is not the way the Senate was designed to function.

This year's National Defense Authorization Act was reported out of the Senate Armed Services Committee on June 20 of this year. Since that time it has been delayed time and again by the Senate majority leader as our Defense leaders struggle to implement our national security strategy. General Dempsey recently transmitted to congressional leadership an itemized list of 26 authorities that will expire at the end of this year or shortly thereafter. We are not talking about legislating ancillary programs or nonessential functions, we are talking about military special pay and bonuses for deployed servicemembers, funds to transition security responsibilities to our Afghan partners, and critical counterinsurgency programs in the Middle East, as well as funding for our intelligence community.

While I support the underlying bill, I am deeply disappointed with the process that got us to this point and thus why I did not vote to invoke cloture. Frankly, I had several amendments I would like to have added to this bill addressing such issues as a technical correction giving Reservists and National Guardsmen proper credit toward retirement for time spent deployed, and an important land transfer of Camp Merrill in Georgia between the Army and the U.S. Forest Service.

I have seen many changes during my years in the Senate, but among those is a disturbing trend regarding the NDAA. We seem to be operating on the premise of fewer, faster, and later. By fewer, I mean fewer amendments. All Senators deserve the opportunity to amend this important piece of legislation. The 20-year average is 140 amendments per year. Last year we were only able to pass 106 amendments. This year we debated one.

As we have seen time and time again, the majority uses the amendment tree to shut down debate and move the bill quicker through the Senate. My colleagues and I have filed over 500 amendments to this year's NDAA. Through hard work and bipartisan support, the two Armed Services Committee staffs have striven to accommodate the concerns of the Senate. But even so, there are pressing issues that require full and deliberative debate in the Senate. These include military sexual assault, counterterrorism and detention policy, and sanctions against those regimes that would do America harm, including Iran.

By faster, I mean the bill spends less time on the Senate floor. The 20-year average is over 9 days, with a maximum of 19 days for the fiscal year 2008 bill. The 1 day we spent on this bill in November is insufficient time to debate the critical security issues confronting our Nation.

The Senate majority has gone to great lengths to keep the bill off the floor. When they could no longer avoid it, they have compressed the timeline for consideration or recommitted it to the Armed Services Committee. This is unprecedented and it is totally unacceptable.

By later, I mean a lack of urgency to take up the bill after committee action. Looking back over the last 40 years, the Senate has gone from passing the NDAA consistently before August to later and later in the year. Last year, it was December. This year we are running up against the end of the year.

I am deeply disappointed at the recent turn of events in the Senate.

Under the guise of streamlining the legislative process, the Senate majority has effectively blocked critical legislative priorities such as the National Defense Authorization Act. I urge my Senate colleagues on both sides of the aisle to work together to discharge the fundamental duties our constituents, servicemembers, and veterans demand of us. We should dispose of the fewer, faster, and later mentality and return Congress to regular order.

Leadership matters. No one knows this better than our men and women in uniform. The Constitution of the United States tasks us with providing for the common defense. I fear we have failed in our constitutional obligation, and this failure is a failure of leadership, plain and simple.

With that being said, I want to pay a particular compliment to Chairman LEVIN as well as to Ranking Member INHOFE for their leadership, which has not failed the country nor has it failed this body. They got together and produced a bill that came out of our committee in due course after a full and open debate on many critical issues, with the understanding we would have the opportunity on the floor of the Senate to file amendments, debate those amendments, and have up-or-down votes.

Chairman LEVIN has been more than accommodating throughout the process, before and after the time the bill came out of the Armed Services Committee. Likewise, Senator INHOFE has been more than accommodating in making sure Members on this side of the aisle had free and open access to the debate process. They have provided the kind of leadership we expect.

Unfortunately, the majority leader has made a decision to cram this down the throats of the Senate, and from a national security standpoint that is simply not the way this body is designed to work or should work.

I will support the passage of this bill, because I think the end product, amazingly enough, has turned out to be a pretty good product. Could it have been better? You bet. Could the process have been better? Without question. I just wish we had had the opportunity to debate the serious issues that are on the minds of a number of Members of the Senate when it comes to national security, and that we had had the opportunity to present amendments that would have made this strong bill even stronger and to provide our men and women in uniform and the leadership at the Pentagon with the tools they need to be sure we remain the world's strongest military power and that we are able to not only defend America and Americans but to provide for freedom and democracy around the world.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AFFORDABLE CARE ACT

Mr. WHITEHOUSE. Mr. President, I wish to engage for perhaps the next 20 or so minutes with Senator CANTWELL, who is arriving shortly. I will begin with some remarks and ask unanimous consent for us to engage in a colloquy.

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

Mr. WHITEHOUSE. I am here today to talk about the health care problem in the country, because I think the fixation of this body on the health care Web site has taken our eye off the fact we have a very significant and fundamental health care problem.

This graph represents how much we spend on health care as a country. It begins back here in 1960. I was 5 years old in 1960. So this is a lifetime: 50-some years, $27.4 billion. That is what we spent on health care. Now here we are. This is up to 2011, and $2.7 trillion is what we spend on health care. It is 100 times as much in 50 years. Granted, there are more Americans but not 100 times as many.

This has been an explosive cost growth curve. When we were trying to pass the health care bill, that is what we were looking at for costs. It is a big competitive problem for our country.

This is a really interesting graph. I wish every time anybody talked about health care they would take 1 minute and look at this graph. I will explain briefly what it is.

This column is the up access and measures life expectancy in years, country by country, 65 to 85, where countries fall in terms of their average life expectancy for their population, for their citizens. This along the bottom is the cost, the health spending per capita per person in that country. So if you measure it all out, what you see is a great raft of countries all through here: Japan, Great Britain, Netherlands, Switzerland, Norway, Italy, Greece. There is a whole large group of countries right here, and all of them have a life expectancy 80 or older and they all spend between $6,000 and $2,000 per person on their country's health care. Essentially the entire modernized, civilized world is in that zone, from here to here.

Guess where the United States of America is. Boom. Here. We are below them all in life expectancy. We are trailing the pack of modern industrialized nations in our life expectancy. We are competing with Chile and the Czech Republic. But Japan, Greece, Great Britain, France, Germany, Luxembourg, all manage with their health care systems to achieve longer lifespans for their people. And we are doing it at a cost of about $8,500 per person per year.

To give a comparison, here are Switzerland and Norway. They are the other two most expensive countries in the world per capita on health care spending, and they are at about $5,700 per year. If we could bring our per capita health care spending in this country down to the most expensive countries in the world, if we could compete head to head with the most expensive countries in the world, we would save more than $1 trillion a year.

This is an interesting graph because it shows basically all the modern industrialized nations here, and it shows us here as a way outlier. It is a big deal for us to be an outlier here, because it means we blow about $1 trillion a year in wasteful and unnecessary health care which could be building infrastructure, solving problems, reducing the deficit, and could be doing other work. Instead, we spend it on a health care system which doesn't produce good health care results—at least not measured by life expectancy, which is a pretty good proxy.

There is a huge $1 trillion a year cost to our society in being that bad of an outlier. The cost is also measured in lost lives and lost years of life, because we are averaging 77 years and these countries are averaging 82 years of life.

We have a real problem on our hands, and obsessing about a Web site is a complete distraction from getting after this problem—5 years off every human's life in this country and $1 trillion a year. That is worth paying attention to.

The health care changes we brought are actually making a difference. Here are some interesting graphs. Each one is a projection done by the nonpartisan Congressional Budget Office of what health care costs are going to look like in the future, and what you see is a progression. They did this graph in August of 2010. This was where they projected health care spending would go when they projected in August of 2010 for this period, from 2014 onward to the next decade. A year later they went back and they projected again, and they projected actually costs would be lower. Then they came back in August of 2012 and they did another projection, and their projection showed that these anticipated costs went down again, every year, lower and lower.

Here is the big one. In May of this year, the Congressional Budget Office went back and redid its projections for Medicare and Medicaid spending from 2014 to 2023. Look how far below what they had projected 1 year ago, 2 years ago, and 3 years ago the current projection. That is a saving of about $1.2 trillion in that decade.

That is a long way from $1 trillion a year we could be saving if we just got back to where we were on this graph, if we got back from here to where Switzerland and Norway, the most expensive countries in the world, are. That is $1 trillion over 1 year. This is $1.2 trillion over 10 years, but it is still a big change and it is still moving in the right direction. So we shouldn't be too quick to condemn ObamaCare when

that kind of savings is already being projected.

The last slide I will show before I go to Senator CANTWELL, who has been good enough to join us, is this one. Why might it be that those costs went down so far in May of 2013? Why might it be that graph of projected costs keeps going down? It is because of changes in what is going on in the health care system.

This is one good example. This shows the hospital readmission rate from January of 2007 until August of 2013. This is how often somebody was discharged from the hospital, went home, and then within 30 days had to come back and be readmitted.

That could potentially be for a completely new reason, but usually it is because the discharge planning wasn't done well enough and there was a bad handoff between the hospital and the primary care physician or the nursing home. What we found is you could make that transition much better for patients. When you do, guess what. They don't get sent back to the hospital. When they don't get sent back to the hospital, you save money.

That is just one way the kind of huge $1.2 trillion over 10-year savings CBO has already projected could be taking place, but this is clearly a part of it. It is improving the quality of care so people aren't going back into the hospital, aren't going to the emergency room, and you avoid that cost at all by having handled the patient better, by having given them better treatment and better care.

It is pretty astounding. In 2007, right through here until the end of 2011, it was a pretty steady readmission rate. Then when we changed the signal to the hospitals and cut their payment for readmissions, boom, down it fell. That represents a very significant savings in the system. And in the personal lives of those people and their families not having to go back to the hospital, that is a pretty big plus too.

It was Senator CANTWELL's idea that we should come down today and talk a little bit about the delivery system reform side of the health care discussion. I got started a little bit before she could get here, but my wonderful colleague now has arrived, so let me yield the floor to her. I will put this graph back because I want to leave this here for whenever the camera swings my way. I want people to see this graph. It is inexcusable that all of these competitive industrialized nations of ours should be able to deliver universal high-quality health care for what would be a $1 trillion a year savings if we could simply match them, and they produce a longer life expectancy for their people and we are stuck competing for life expectancy with Chile and the Czech Republic. Come on. We can do a lot better than that, and that should be the ball we have our eye on rather than obsessing about the ObamaCare Web site.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I come to the floor to join my colleague from Rhode Island. I applaud him for his diligence, making sure this debate happened today, and for his leadership on this issue. It might sound kind of wonky to say there is a group of Senators that have a caucus called the Delivery System Reform Caucus, but we wear that banner with pride because we know that there are savings in our health care delivery system. We want to make sure that they are delivered for the American people.

While some want to talk about cutting people off of service or raising certain ages, we are focused on the fact that there are hundreds of billions of dollars of savings in the delivery system and that it is our job to improve upon them. I like to say to my office team: There is a reason why Ma Bell doesn't exist anymore. The challenge is I have so many young people, and some of them don't remember Ma Bell. But the issue is the delivery system for telecommunications changed, and look at what it unleashed—a lot of great technology.

Yes, change, but with ways to drive down costs and deliver better access. That is what we are talking about here with the health care system. My colleague from Rhode Island has had a group for more than a year that has been talking about these delivery system reforms. We are going to come out on a more frequent basis and try to have a dialog with our colleagues about why it is so important.

We have taken a small but very important step led by our senior Senator from Washington Senator MURRAY on the budget. But there is so much more we can do if we can include these delivery system reforms. So I thank Senator WHITEHOUSE, the Senator from Rhode Island, for his leadership.

I want to talk about one area today, the area of long-term care services. I authored a provision in the Affordable Care Act called the Balancing Incentive Payments Program. While that sounds in and of itself like a wonky title, Balancing Incentive Payments Program, this program is really there to promote home and community-based care over nursing home care. If you ask any senior they will say of course they would like to receive health care services in their home or in their community. No, they do not want to go to a nursing home. But the discussion has been limited on how much cheaper it is and how much better the care could be for delivery in the home as opposed to nursing home care.

According to a survey by AARP, over 90 percent of seniors age 50 or over desire to remain in their home as long as possible. We know that home and community-based care is 70 percent cheaper than nursing home care—70 percent cheaper. So for us in Washington State we thought about this long ago, and we decided that we were going to implement a system to reform our State and put more community-based care in our State and pull Medicaid patients away from nursing home care. We did that. We successfully made that transition. This chart shows you what I was just referring to, that home-based care can be as little as $1,200 a person versus the same person getting care in an institutional facility at $6,000.

We made the transition in Washington State to be predominantly a home and community-based care State. We did that with our own State dollars, our own program, and it was a transition that took place over many years. We are kind of the antithesis of what the Federal system is. It is still more weighted on a State by State basis towards nursing home care. That means people are going into nursing home care, and we are footing the bill for more expensive care at $6,000 per person when we could have services in the community that would allow them to stay in their home and get more efficient care. So in 2009, the long-term care budget overall for Medicaid accounted for 32 percent of the Medicaid expenditures or $360 billion a year. You can see that this is a very expensive area for us at the Federal level. If we could do anything to help change those numbers, we would be delivering an improvement to the system.

When we first made this transition from 1995 to 2008, the State of Washington saved $243 million from this investment. But more important, even, than the money—in an article in 2010, the Spokesman Review in Spokane ran a story called ''Dying to live at home,'' the family of Nancy and Paul Dunham, a couple of more than 60 years, said they wanted to age at home. Because of the Medicaid funding for in-home services, they were able to stay. Mr. Dunham was able to stay in his home until the age of 83.

I am sure many of my colleagues know people who are getting on in years who prefer to stay at home. But the Balancing Incentives Program, which was in the Affordable Care Act, was the first Federal effort that we had that tried to assist States to move away from nursing home care and move towards community-based care. We put some incentives in the program. Here are the States so far that have taken up the Federal Government in the Affordable Care Act on this incentive program: New Hampshire, Maryland, Iowa, Mississippi, Missouri, Georgia, Texas, Indiana, Connecticut, Arkansas, New York, New Jersey, Louisiana, Ohio, Maine, and Illinois.

It is a diverse group of States, I might add. Some States, probably, where Governors said they did not want to support the Affordable Care Act yet are taking advantage of this provision. Some States probably are forerunners of delivery system reform and have done lots of delivery system reform and want to do more. It is a mix

of States. I think we have a lot of great examples in those States and what we can do to transition away from institutional care to home and community-based care.

The program authorizes grants to States to increase access to their noninstitutional long-term care services, and it supports including structural changes that help streamline the system—conflict-free case management, core standardization of assessment instruments, single entry-point systems so it is not confusing, so that the system is very streamlined. States have until September of 2015 to increase their long-term care services in the community and support expenditures of these noninstitutional-based care facilities.

We are very excited that it has had a robust uptake by these States. I am encouraged that there has been so much interest shown in changing the political orientation, if you will, of States, to how do you deal with long-term care. We know everybody is living longer. We know as baby boomers retire, it is going to be a bubble to our health care delivery system. But this is an excellent idea, a way for us to deliver better care.

What does it do? As I said in the first chart, $1,200 versus $6,000 in nursing home care. It reduces costs. Reducing those costs has to be a key focus for us.

These Medicaid recipients are people who maybe even start on Medicare but because of the extreme cost of health care at the end of life, end up spending it out, end up on Medicaid, end up being a Federal responsibility. If we can reduce those costs by driving more community-based care, it is a win-win situation.

The second thing it does is it helps improve quality. If people can stay at home and get access to the delivery system by these new requirements, making sure it is case managed and has the single point of entry and standardization of the home care system, it helps us to be efficient about the quality of care that is being delivered. Again, when you have a community-based setting, either in the home or where care is delivered through the home, there are lots of ways for us to have checks and balances on the system.

I have talked to many people who are in the nursing home industry. They will say we like the idea that we are only going to take the sickest patients. We like the idea we are only going to serve people who really need to be there as opposed to some people who may not be ready for those facilities but end up there anyway just because there are not the community efforts to support it.

Besides reducing costs and improving quality, we save money. That is why we are here today, to talk about these important ideas that save money. This is a simple one, but it is already in place. It has already started. There are many States taking us up on this offer, but it is critical that we understand and score these costs because they can show how we can save billions of dollars in our health care delivery system.

I know my colleagues, some of them on the other side of the aisle—well, all of them on the other side of the aisle—didn't support the Affordable Care Act. Take a second look at what your States are doing. Your States are supporting the legislation, at least through one provision. I think when you check, you will see that one provision is going to save your State money. It is going to give your citizens better choice in their quality of care. It is going to help us reduce our Federal costs and expenditures as well, and that is what delivery system reform is all about.

Mr. WHITEHOUSE. Will the Senator yield for a question?

Ms. CANTWELL. Yes, I will.

Mr. WHITEHOUSE. Isn't it the heart of what the Senator said just a moment ago that there is an area that actually touches on a lot of health care—it is a big area—where you can do two things at once? You can save significant money for taxpayers and insurance ratepayers, and at the same time you can improve the quality of care that people receive.

So often in legislative matters it is a zero sum game. One wins so the other has to lose exactly by the same amount. This is not like that. This is a win-win situation. So there really should be energetic efforts to pursue these win-win opportunities.

Ms. CANTWELL. I thank the Senator from Rhode Island for that question. I think his charts pointed to the fact that he was articulating, the fact that everybody is arguing about the Web site. As somebody who has been involved in a software company that wrote code, what happened is very unfortunate, but writing code and fixing it is a straightforward task that can be achieved. It is a little less difficult than cleaning up oil in the gulf or something of larger environmental impact.

To me, we will get that fixed. In the meantime, there are a lot of things that have to happen, that need to change in our delivery system that are about saving costs, delivering better quality care, that we know are proven, successful answers to this question. We need to get more than just these States to take us up on this offer. We need to get CBO to actually give us a score on how much money this has the potential of saving, and then we have to figure out a way to incentivize all other States to implement this as soon as possible.

When you think about our senior population, this is what they want. They want to stay at home as long as possible. It is so much cheaper per Medicaid beneficiary to do this.

This is what we have to achieve. We hope by coming out here and educating people about the various aspects of the Affordable Care Act, the things in the delivery system reform that are on the agenda to improve access and help save costs, that this will start taking hold and we will get more people talking about these solutions. This is absolutely the direction we need to go.

Mr. WHITEHOUSE. If I could ask the Senator another question in response to what she just said, not only is it a win-win, being lower cost and better quality care, but I believe the Senator said that there is actually a third win here. There is the win of lower cost, there is the win of better quality care, but for seniors there is a huge win of maintaining your independence and being able to stay at home. It is hard to put a price on that, but if you are facing the choice of having to leave your home and having to go to a more restrictive health care setting, being able to stay at home is a very big plus.

Really, it is not win-win, it is win-win-win.

Ms. CANTWELL. Mr. President, I thank the Senator from Rhode Island. He is correct. There are the individuals who win. The State in this case saves Medicaid dollars, and the Federal Government saves dollars as well. But to the individual, if you ask them, this is their choice. They want to stay at home. Nobody says they want to go into nursing care.

We appreciate the nursing home care delivery aspect of health care. They deal with some of the most complex patients. But they do not need to deal with people who do not need to be there. We have to have a delivery system that helps support community-based care for long-term care. I hope that we will get more support for these ideas and that we will help figure out a way to get a score for them as well. I think that part of the misery in this whole issue of health care savings is figuring out ways to do things that are not so complex in what they are doing. Moving from nursing home care to community-based care, $1,200 versus $6,000, that is not the hard part of the equation. What is hard is to get CBO to guesstimate how much population would be affected.

We do know this. If you take the number of seniors to be affected as the baby boomer population reaches that retirement age, if you think they are going to be supported primarily by nursing home care—I think I am correct that our State has now made the shift so the majority of our people who are on Medicaid are taken care of by long-term care services in the community if they are seeking those services, versus the Federal numbers which are just the opposite. The majority of people seeking those Medicaid long-term care dollars, the average of those States is more towards nursing home care. We need to flip that. The Senator is right, it would be a win-win-win situation for all of us.

I thank the Senator from Rhode Island for his leadership on this issue.

Mr. WHITEHOUSE. Mr. President, in responding to what Senator CANTWELL

just said about the Congressional Budget Office, it indeed has been frustrating and bedeviling to run up against their inability to project these savings in a way that would allow us to—what we call in Washington—score them and get budget credit for them. But even though they have that difficulty, there are some very serious organizations that project that very significant savings of the kind I have mentioned—the $1 trillion savings—are possible.

Some years ago the President's own Council of Economic Advisers estimated that we could do savings of $700 billion without affecting the quality of care in any way for the worse.

The National Institute of Medicine has made several regular projections. The most recent one is $750 billion a year. The Institute of Medicine is pretty serious folks, and they are entitled to respect when they say we can have those kinds of savings.

RAND Corporation—a lot of people know a lot about it—is a very expert organization. They have done two things. They looked at what we can save in health care, and then they looked at what we can save in health care plus an additional bit for dealing with waste and fraud. They gave ranges for the two. The midpoint of the range for savings is about $730 billion. If we add their suggestions on waste and fraud, the midpoint of their range goes to about $910 billion a year.

The Lewin Group, which is another respected think tank that looks at health care issues, wrote a piece some time ago with George Bush's former Treasury Secretary, and they said it was $1 trillion.

So is it $700 billion a year? Is it $750 billion a year? Is it somewhere between $730 and $910 billion a year depending on how you score the waste and fraud? Is it $1 trillion a year? Either way, I will take it. Those are big numbers, and wherever it falls in that range, we should be energetically fighting for it.

I will close with the request I always make in these speeches—and this is a request to the President and to his administration—and that is to inspire us and set a bold national target. Sure, CBO, OMB, and our actuarial and accounting organizations cannot predict what these savings are going to be, but, by gosh, the President can direct his administration to target a savings goal and to go after it. I think if the President were to set a hard date and dollar target for delivery system savings—a couple of years out so we have a chance to do that—that would make a big difference.

The example that I use is of President Kennedy. Back in 1961, when it looked as if we were losing the space race to the Soviet Union, President Kennedy declared that within 10 years—he put a date on it—he would put a man on the Moon and bring him back safely. He had a hard target, something specific so you would know if it was or wasn't achieved. The message was clear, the mission that was outlined was clear, and the result was a vast mobilization of private and public resources to achieve that purpose.

It is not enough to talk about bending the health care cost curve. That catchphrase should be jettisoned and discarded. We should have a hard date and dollar figure, and that should be a target the entire administration aims toward.

Had President Kennedy given that speech back in 1961 and declared as his purpose to bend the curve of space exploration, I very much doubt we would have put that man on the Moon within 10 years. It was his exercise of Presidential leadership and challenge—ahead of what the scientists knew could be done but with confidence and faith in our ability to achieve big things—that put the executive branch of government into focus so we could achieve exactly what he had directed. We can do the same with health care. We should do the same with health care. There is no downside to it because this is a win-win area, as I discussed with Senator CANTWELL.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. BLUMENTHAL. Mr. President, I asked my colleague from Rhode Island to stay on the floor for a couple of minutes because I wanted to thank him for the erudite and eloquent explanation he has just given for why our focus should be so aggressively and unrelentingly on the tremendous opportunities for saving health care costs and raising health care quality at the same time. I am very proud to have joined him and other colleagues in a task force that is seeking commonsense solutions to lower the costs of health care and at the same time increase its efficiency and quality. The two go together.

The phenomenon he just discussed of reducing readmissions to hospitals once patients are discharged also means that the quality of those discharges, the rehabilitation plans and hand-offs to primary physicians, and the suffering and pain for those patients is reduced, and that is just a microcosm of one example of how this goal can be accomplished.

We are late in this year, and we have no real time remaining before the end of this year to do the kinds of reforms legislatively that will help advance this ball. But the attention we need to devote to this issue is clearly beyond this year and beyond the next year.

We are making progress, and the graphs show it, but there is so much progress to be made in extending lifespans and quality of life as well as reducing the cost of health care.

We need to make sure we seize this historic moment to show the rest of the world that we can do better and we will do better in providing health care delivery. The cause of health care delivery reform is one that cries out for a focused effort involving both branches of our government, executive and legislative, and both parties, as well as both Houses of this legislature.

The kind of focus given by Senators CANTWELL and WHITEHOUSE so penetratingly and powerfully today is the kind of focus we should maintain. I hope in the days or months ahead we will devote more attention by coming to the floor, doing events in our States, and making sure the administration is aware of our concern in meetings. I look forward to continuing that effort in the time ahead.

Again, I thank my colleague Senator WHITEHOUSE, as well as others, such as Senator SCHUMER and my colleague from Connecticut Senator MURPHY, as well as Senator CANTWELL, for their devoted efforts. I am very proud to be working with them.

I see my colleagues are on the Senate floor. It is late in the day, and I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I would point out that the distinguished Senator from Delaware was on his way to speak and has graciously offered to defer for moment or two while I make my brief remarks.

U.S. DELEGATION TO THE SOCHI OLYMPICS

Mr. WICKER. Mr. President, I rise this evening to speak briefly about the delegation chosen by President Obama to represent the United States at the opening and closing ceremonies of the 2014 Olympic Winter Games in Sochi, Russia. I would also like to offer a few suggested additions to the delegation.

As Members know, Janet Napolitano, former Secretary of Homeland Security, will lead the U.S. delegation to the opening ceremonies on February 7. Our Deputy Secretary of State, William Burns, will lead our delegation to the closing ceremonies on February 23. Our two delegations will include tennis legend Billy Jean King, gold medalist figure skater Brian Boitano, gold medalist figure skater Bonnie Blair, silver medalist hockey player Caitlin Cahow, and Olympic gold medalist speed skater Eric Heiden. These individuals are American sports figures who should be lauded for their contributions. I am confident they will represent us well.

May I suggest with all seriousness that this delegation could well be expanded. Some have asked what message the President might be trying to send to Russia in choosing this delegation. White House Press Secretary Jay Carney asserted this morning that ''in the selection of the delegation, we are

sending the message that the United States is a diverse place.'' Whether we are sending a message or simply pointing to our diversity, I submit our official delegation would be enhanced by adding the following: an American citizen of Russian parentage, perhaps a Russian orphan adopted and raised to adulthood by loving parents in the United States would be a good addition to this delegation or a Syrian American who has fled the barbaric and treacherous rule of Bashar al-Assad in Syria. In addition, an Iranian-American exile from the oppressive and murderous regime in Iran might make an outstanding addition to this delegation. I would also suggest that LTG Keith Alexander, the Director of the National Security Agency in this administration, would be an appropriate representative also of the United States of America.

So whether it is messaging that is taking place or simply diversity, I strongly suggest this outstanding delegation could be improved by these individuals and perhaps others.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

THE BUDGET

Mr. CARPER. Mr. President, I wish to speak tonight on two subjects. The first is the budget resolution, the bipartisan, bicameral budget resolution conference report we approved today. This is the first time in a number of years we have actually been able to debate and find some consensus on a bipartisan blueprint for spending for the balance of this fiscal year. I commend Senator MURRAY and Congressman RYAN for their work and for their leadership and their willingness to find the middle.

My wife and I celebrate our 28th anniversary in about 2 weeks. Actually, it is a few minutes after midnight on New Year's Day. One of the things I love to do when I talk to people who have been married a lot longer than we have is to ask them the secret for being married a long time. I have heard all kinds of answers—hilarious answers, some very poignant answers. The best answer I ever heard is the answer of the two Cs. The first time someone said that to me I said: What are they? They said: Communicate and compromise. Communicate and compromise. As it turns out, that is not just the secret for a long marriage between two people, but it is also the secret for a vibrant democracy. If we are to continue to thrive as a nation and to meet our responsibilities, it will be by doing what our leaders on the Budget Committees have done; that is, communicated at great length with one another, developed a sense of trust with one another, an understanding of the other's views, and being willing to compromise and find their way to the middle.

Everyone here could fault some aspect of the agreement that was struck. I can, and I know others can. But I wish to commend them and thank them for the effort that went into getting this one.

The Presiding Officer has heard me say once or twice in the last year or so that there are three key ingredients to making real progress, major progress, on deficit reduction, and one of those is entitlement reform which saves the programs for future generations, saves money, and does not savage old people or poor people. The second is tax reform, which helps us lower some of the corporate rates a bit as well as generates revenues for deficit reduction. The third element is the notion of looking at everything we do in Federal Government—everything we do—and answer this question: How can we get a better result for less money or the same amount of money?

As we approach the next budget resolution next spring and the next opportunity to revisit these issues of spending, including domestic spending, defense spending, entitlement spending, and revenues, my hope is that we will be able to make even greater progress by focusing also on those three critical elements. So that is one of the things I wanted to speak about.

MAYORKAS NOMINATION

The other issue I wish to speak about actually is a person; that is, a fellow named Alejandro Mayorkas. He has been nominated by the President to serve as the Deputy Secretary of the Department of Homeland Security. He was nominated some 8 months ago.

As the Presiding Officer may recall, I have the privilege of chairing the committee of jurisdiction over Homeland Security, the Committee on Homeland and Government Affairs, and we are responsible for working with the administration. We are also responsible, as are a lot of other folks in this country and outside of it, to help protect our Nation's security both at home and abroad. At the same time we strive on our committee to make sure Federal agencies work better, work smarter, and more efficiently with the resources we entrust to them. We are an oversight committee.

During my years in public service, I have learned that the most important ingredient in enabling organizations to work well is leadership. That is the case both in government and in the private sector, in organizations large and small. Part of our shared responsibility is ensuring that we have effective leaders in place across our Federal Government. It is every Senator's constitutional role to provide advice and consent on the President's nominees in a thorough and timely manner as part of the Senate's confirmation process. While we in Congress hope to soon wrap up our 2013 session, it is going to be with far less to show than many of us would have liked, but at least the Senate will have had an opportunity to fill some key leadership positions across the Federal Government and to confirm a number of judges in many courts where they need a judge or two.

One of the roles that needs to be filled, again, is that of Deputy Secretary of the Department of Homeland Security. This Department, as we know, plays a critical role in protecting our Nation and its citizens from harm. Whether the threat relates to terrorism from abroad, to homegrown extremists, to cyber attacks or natural disaster, this Department and the folks who work there are on the frontline for us.

Because of the Department's significant role in the security of our country, I have been very concerned—very concerned—for many months about the high number of senior level vacancies at the Department of Homeland Security. In fact, the Department has been without a Senate-confirmed Deputy Secretary since April and without a Senate-confirmed Secretary since I think late last summer.

Earlier this week, we took an important step to address this problem by voting to confirm Jeh Johnson, a good man, as the next Secretary of the Department of Homeland Security with an overwhelming bipartisan vote. I wish to thank our Republican colleagues for joining us in that vote. That is good news. But we should not stop there. We need to ensure that Secretary Johnson has a Senate-confirmed leadership team in place and that certainly includes Alejandro Mayorkas as his Deputy.

I wish to take a few minutes, if I could, to speak in strong support of the nomination of Director Mayorkas' nomination and explain why I am convinced he is one of the leaders we urgently need at the Department of Homeland Security. As of this week, more than 8 months have passed since former Deputy Secretary Jane Holl Lute stepped down from her post at DHS, and nearly 6 months have passed since the President has nominated this man, currently the Director of U.S. Citizenship and Immigration Services, for that post. It is time to put in place Senate-confirmed leadership in this very important Deputy Secretary position.

The former Deputy Secretary—the last Senate-confirmed Deputy Secretary for this Department—was a woman named Jane Holl Lute, a very impressive leader in her own right and widely respected not just by members of the committee but by many of our colleagues, Democrats and Republicans, in the Senate for her leadership, management skills, expertise, and for her candor. She helped DHS make strides in many areas; for example, in narrowing the operational and management issues identified as high risk by the Government Accountability Office. Ever since the Department of Homeland Security was created, it has been on the high-risk list every other year by GAO. They put it out at the beginning of every Congress, and one of the leaders, if you will, in terms of getting a lot of mentions on the high-risk list, is the Department of Homeland Security.

One of the criticisms of the Department for the last 10 years is they never passed a financial audit. They are supposed to, under a law passed roughly 20 years ago, and little by little every Federal agency, except the Department of Defense, has become auditable and then finally achieved a clean audit. Last week we learned the Department of Homeland Security, within 10 years or so, finally has achieved that goal.

Why is that important? Because what we cannot measure, we cannot manage. This is a big Department, spread out across the country. There are 22 disparate agencies, with hundreds of thousands of employees, and they need to be well managed.

One of Jane Holl Lute's accomplishments, along with Janet Napolitano, the former Secretary, was to make them auditable and to get them a clean audit. I think it is safe to say that the Department needs somebody with the same kind of commitment and willingness to tackle problems head-on that Jane Holl Lute brought to the job.

Similarly, Director Mayorkas understands and is well prepared to tackle these management challenges and is committed to continuing these reform efforts needed to move the Department forward.

Director Mayorkas has a distinguished record of leadership in public service. In fact, he has been confirmed by the Senate not once but twice—first as the U.S. attorney for the Central District of California, the youngest U.S. attorney in the country at the time, and again in his current capacity as the leader of the U.S. Citizenship and Immigration Services. He has also served as a partner in a major U.S. law firm, O'Melveny & Myers.

Director Mayorkas has a long and distinguished record in law enforcement. As an assistant U.S. attorney, he aggressively prosecuted drug traffickers, human smugglers, and violent criminals. As U.S. attorney, Mr. Mayorkas led the largest Federal judicial system in the United States and was appointed by then-U.S. Attorney General Janet Reno to serve on her advisory committee on ethics and government. Moreover, while a partner at O'Melveny & Myers, he served as chair of the firm's Values Committee and he was a recipient of the firm's annual Values Award.

Since his confirmation by voice vote by the Senate in 2009, Director Mayorkas has served as Director of U.S. Citizenship and Immigration Services. He has skillfully led the largest immigration system in the world. In this capacity, Director Mayorkas has been responsible for an 18,000-member workforce that maintains more than 200 offices worldwide and is supported by a $3 billion budget.

Director Mayorkas has led the effort to turn around an agency that was widely considered to be foundering. He has helped to put it on the path to professionalism and competence. His first action after being confirmed several years ago was to order a top-to-bottom review of the agency to identify its strengths and to identify its weaknesses.

When the review concluded, Director Mayorkas became concerned that Citizenship and Immigration Services was prioritizing speed over security when it came to processing visa applications. In order to make sure that national security concerns were getting the proper attention, he created an entirely new directorate responsible for policing visa issuance, reporting directly to him. This ensured that national security professionals would have a seat at the management table and a voice in all major decisions.

Director Mayorkas has proven that he is an exceptional manager during his time at U.S. Citizenship and Immigration Services. Let me give a couple concrete examples of how he has made the agency more effective.

He dramatically improved what I believe is one of the most important programs in all of DHS; that is, E-Verify. This is a voluntary program that allows employers to check whether prospective employees are eligible to work in the United States. I was pleasantly surprised to learn that under Director Mayorkas' leadership, the number of employers using E-Verify tripled—from 156,000 employers in 2009 to almost half a million today. The number of people processed by E-Verify also increased from nearly 9 million to over 20 million people. That is remarkable improvement in this important program.

His implementation last year of the President's Deferred Action for Childhood Arrivals Program—a hugely complicated and challenging undertaking that brought hundreds of thousands of people out of the shadows—has also been widely praised.

Within 60 days, Director Mayorkas managed to implement a program that processed hundreds of thousands of people while ensuring that the appropriate security checks were performed. I think it is a stunning achievement.

Here is something else I found interesting. Just yesterday, the Partnership for Public Service issued its rankings of the best places to work in the Federal Government in 2013—just yesterday. On the one hand, I was dismayed to find out that the Department of Homeland Security ranked last on their list of Cabinet Departments. However, U.S. Citizenship and Immigration Services, led by Ali Mayorkas, was one of the highest ranked components within the Department of Homeland Security, coming in, I think, at 76 out of some 300 Federal agencies. And after Alejandro Mayorkas took over in 2009, employee satisfaction with senior leadership did not drop; it increased by over 20 percent. We need more of that kind of proven and committed leadership at DHS.

Everything I have learned about Director Mayorkas over the past year—and I have learned a lot—has led me to conclude that he is an exceptional candidate to be the next Deputy Secretary at this Department.

But don't just take my word for it. Director Mayorkas has received glowing accolades from a number of our colleagues who have worked closely with him.

I might also say that he has been strongly endorsed by every single former Secretary of this Department, every one of them, two appointed by George W. Bush and one by our current President. They have all endorsed him.

He has also been endorsed by a number of our colleagues—MARY LANDRIEU, who knows him well, who is a valued member of our committee; DIANNE FEINSTEIN from California, who recommended Director Mayorkas for his positions—both as U.S. attorney out there to President Clinton and to President Obama for his current leadership position.

We have also received dozens of letters from a distinguished, bipartisan group of individuals and organizations asking us to move forward with this nomination. I want to take a minute or two, if I could, right now to share with our colleagues what some of these distinguished people have been saying about Director Alejandro Mayorkas.

Among those writing on his behalf are many individuals whom a lot of us deeply respect. I mentioned Jane Holl Lute, the previous Deputy Secretary; and Richard Skinner, the last Senate-confirmed Department of Homeland Security inspector general, who was nominated by former President George W. Bush.

I particularly value what Jane Holl Lute has to say given that she has an unparalleled perspective on what it takes to be an effective Deputy Secretary. She was one herself, and she was terrific. Here is what she said about Director Mayorkas:

> As I have come to know Ali, I can tell you that he asks no more of others than he does of himself, and, in leading by example, sets a standard of excellence for all who consider themselves committed to public service. In my view, Homeland Security could be in no better hands.

That is Jane Holl Lute.

In one of two support letters—not one but two support letters—Richard Skinner, the last Senate-confirmed inspector general of the Department of Homeland Security—again, a Bush appointee—he sent two letters to our committee, including one earlier this month, and in it he said this of Ali Mayorkas:

> During my tenure as Inspector General, Mr. Mayorkas demonstrated that he possessed the intellectual wherewithal to make objective and often times very tough decisions on complex, multifaceted issues, and a genuine commitment to the mission, vision, and core values of the U.S. Department of Homeland Security. He is a strong leader who will be able to bring together diverse interests in collaborative efforts.

That is the last Senate-confirmed inspector general for this Department.

The list of supporters for Director Mayorkas also includes other senior officials in the George W. Bush administration, such as Kenneth Wainstein,

who was President Bush's Homeland Security Advisor. Here is what Mr. Wainstein had to say:

> Ali has consistently shown an exceptional ability to mobilize, manage, and lead people and organizations . . . as USCIS Director, he has effectively led a large and complex organization during a time of continuing change and challenge. His marked success in that difficult role is a strong predictor of his performance in the Deputy Secretary position.

Again, that is what Mr. Wainstein had to say. I could not agree more.

Those from the law enforcement community also laud Director Mayorkas. For example, we received strong letters of support from the people charged with securing our borders during the George W. Bush administration: Robert Bonner, Ralph Basham, and Jason Ahern—all of whom served as Commissioner of Customs and Border Protection within the Department of Homeland Security.

Mr. Bonner wrote:

> It is not merely his willingness to serve the public good that impels me to write this letter of support for his nomination, it is rather my firm belief that Ali has the experience, skills, talents, and plain old good judgment to be an effective Deputy Secretary, perhaps the best DHS has ever had.

Having succeeded Jane Holl Lute, that is saying a mouthful.

Mr. Basham also wrote:

> Mr. Mayorkas has already served the Department well and honorably in the role of Director of U.S. Citizenship and Immigration Services. I also believe Mr. Mayorkas to be a public servant of integrity with a clear and distinguished track record of leadership.

Mr. Ahern, also one of the past Commissioners of this Department, said these words:

> It is my strong opinion that Director Mayorkas' experience and leadership will be invaluable as DHS continues the work of protecting the homeland against threats of all kinds. As the Department of Homeland Security continues to mature, Alejandro Mayorkas is the right leader to continue that development and also meet the many critical mission challenges faced every day.

Think about it. The three most senior border security officials who served under George W. Bush all agree that Director Ali Mayorkas would make an outstanding Deputy Secretary. They have worked with him in many cases. They know him. They have seen him up close and in person. They have watched him lead.

But it is not only former DHS officials who feel that way. Chuck Canterbury, the national president of the Fraternal Order of Police, said that Director Mayorkas' ''professionalism, leadership skills and integrity make him an ideal candidate for this post.''

All of these individuals who have worked closely with Director Mayorkas have spoken highly of him. They cite his integrity, his commitment to excellence, and his tenacity.

I will close with this. At his confirmation hearing Director Mayorkas said that his goal in life has always been to bring honor to his parents. His parents brought him to this country as a refugee from Cuba when he was 1 year old, he and his brothers. They worked hard every day to give him and his brothers the opportunity to go to school and make a better life for themselves. Like his parents, Alejandro Mayorkas has worked hard all of his life. He has worked hard and he has worked hard in part to make them proud.

I believe he has brought great honor to them and to this country and, if confirmed, would continue to do so as Deputy Secretary of the Department of Homeland Security.

I urge all of my colleagues to support his nomination.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. I wish to say a word about the statement made by my colleague from Delaware.

Senator CARPER and I came to Congress together over 30 years ago in the House of Representatives. He left for a short interlude to become Governor of the State, and then I recall making a telephone call to him 1 day saying would you consider joining me again in the Senate, and he was kind enough to do so. The people of Delaware were wise enough to elect him. I have known TOM CARPER for a long time. He is an honorable man, a man of integrity.

This is a controversial nomination on the other side of the aisle. There are some who question the integrity of Mr. Mayorkas and his fitness to be chosen for this position. I have met him. He makes a positive impression and a very strong case that he should continue in public service. But what I respect most is my colleague, Senator TOM CARPER, chairman of this committee, has gone to extraordinary lengths to investigate every allegation, to answer every question, and to be there to work with the other side of the aisle to try to resolve any problems that they have with this nomination. Sadly, he has not been successful. There are still some on the other side who will oppose him.

I spoke to Senator REID, the majority leader, earlier this week, and said: If TOM CARPER believes that Ali Mayorkas is an honorable man based on his investigation, I trust TOM CARPER. I don't believe he would ever mislead the American people, the people of Delaware, or the Senate. We should confirm this man. The allegations that have been made against him have not been substantiated and, frankly, should not ruin what is an extraordinary public career and an opportunity for him to continue to serve this Nation that he loves.

I thank TOM CARPER for his leadership, for his integrity, and his commitment to fairness to make sure that this man is treated fairly by the Senate.

TRIBUTE TO DR. RUSSELL DOHNER

Mr. DURBIN. Mr. President, many times in life we are in a doctor's office, and many times in life it is a tense, worrisome moment when we are waiting for that doctor to make a diagnosis or to tell us what we need to know about ourselves or someone we love. There are great doctors, and we hope that we are in the room with one at that moment. There are great doctors who are extraordinary surgeons and great researchers, but there are also great doctors who are caring, healing professionals who are there when we need them the most.

I wish to tell a brief story about one of them from my home State of Illinois, an exceptional man. Dr. Russell Dohner is a family doctor who retired quietly in October at the age of 88. He had been a practicing family practitioner in Rushville, IL, a small farming community in central Illinois, for 58 years. Dr. Dohner is the only doctor many families in Rushville have ever known, but the longevity of his career is only one small reason they love him.

For many families in Rushville and the neighboring towns, Dr. Dohner was a one-man solution to the problem of unaffordable health care. When he started practicing medicine in 1955, he charged the going rate around town for an office visit: $2. In 1970, with an apology, he had to raise his fee. His fee for an office visit was raised to $5, and that is where it stayed for 43 years. If families couldn't pay, Dr. Dohner would quietly signal to his office manager: No charge this time. He never, ever accepted medical insurance payments—said it wasn't worth the bother.

In 58 years as Rushville's family doctor, Dr. Dohner never—never—took a vacation. He worked 7 days a week. He started each day at the 25-bed hospital, Culbertson Memorial, where he checked on every single patient at the hospital.

At 10 a.m. he was in his office—a red brick storefront on the town square—to see his patients. There were no appointments. Dr. Dohner saw people in the order they arrived. Years back, he used to see 50 patients a day. His rule was if you were in his office by 5 p.m., he would see you, even if it meant working late into the night. The local pharmacy down the block stayed open until Dr. Dohner called to say he had seen his last patient.

But that wasn't the end of Dr. Dohner's day. After he saw his last patient in the office, he headed back to his hospital. That was his home away from home, as he called it. He ate dinner and went back to the hospital to check on his patients.

He made house calls for patients who were too sick or frail to get to his office. He visited his patients in nursing homes.

He took off a half day each week, Thursday afternoon. First he went to the local Rotary lunch and then, back in the day, he might even consider going fishing. The only time anyone in Rushville can remember Dr. Dohner leaving town was for a medical conference.

A few years back he had quadruple bypass surgery himself. The day he

came home from the hospital, he went to work for a few hours.

Garry Moreland is a co-owner of the pharmacy down the street from Dr. Dohner, and he said: ''Healing is more than a dedication or a commitment, it's a calling.''

Tim Ward, director of the foundation for Culbertson Memorial Hospital, said of Dr. Russell Dohner: ''He's the closest thing we have to a saint.''

Dr. Dohner's staff was just as dedicated as he was. His sister Clarice, who died in April, helped him set up his practice in 1955. She helped him buy his first car so he could make house calls and she managed his office for more than 40 years.

Edith Moore, his office assistant, died last July at the age of 85, working right up to the day of her death.

Rose Busby, one of Dr. Dohner's two nurses, retired about a year ago in her late eighties.

Nurse Florence Bottorff worked for Dr. Dohner for 50 years until he closed his office. She finally quit her nursing career at age 90.

Russell Dohner grew up on a farm just north of Rushville, outside the little town of Vermont, IL. He says he inherited his work ethic from his parents, who taught their seven kids the importance of working hard and taking care of others.

He was inspired to become a doctor by the town doctor who treated him for seizures when he was a child. After he served in the Army in World War II, he went to Western Illinois University on the GI bill and then, in the early 1950s, Northwestern University in Chicago, where he went to medical school.

He thought he was going to stay in Chicago and be a cardiologist. Instead, he became the heart of a small town. The long-time family doctor in Rushville was retiring and persuaded the newly minted Dr. Dohner to come home for just a year or two to fill the void. Well, the years stretched into decades and Doc Dohner found he just couldn't leave. There was always somebody who needed a helping hand.

The decision to stay in a small town cost him his marriage, but that was all right. Dr. Dohner said his patients were his family.

Similar to George Bailey in ''It's a Wonderful Life,'' it seems Dr. Dohner has touched and enriched the lives of almost everyone in this small town. He estimates he has delivered 3,500 babies, more than the entire current population of the city of Rushville. Among those he brought into the world are Rushville's mayor and half of the staff at the local hospital. He once climbed down into a coal mine to help rescue four men.

Lynn Stambaugh is the CEO at Culbertson Memorial Hospital. Her younger sister suffered seizures as a baby. She remembers Doc Dohner coming to their house and sitting beside her sister's crib all night long to make sure she was going to be OK.

Carolyn Ambrosius recalled for a local reporter that her mom became pregnant at the age of 41, and a doctor in Springfield told her that either she was going to survive or the baby would survive but not both of them. She went home to Rushville in tears, and then she met with Doc Dohner. She remembers the Doc told her mother: God's going to take care of us, and I am going to help. Doc Dohner came to the house every day to check on Carolyn's mom and often stayed to have dinner with the family. Today, Carolyn Ambrosius's baby brother is a healthy middle-aged man.

Family doctors such as Doc Dohner are a disappearing breed. Only 2 percent of all medical students in a recent study expressed interest in practicing primary care as a general internist. Most medical students choose a more lucrative specialty field. In the United States, we are now short approximately 9,000 primary care doctors. The situation is not getting any better. In the next 15 years we are going to face a shortage of more than 65,000 primary care doctors.

Stephanie LeMaster is one of that special 2 percent, though. Stephanie grew up in Rushville. As a little girl, she wanted to be a nurse like her mom and her grandmother. At her mother's suggestion, she interviewed Doc Dohner for a fourth grade—fourth grade—school project. Listening to him talk about his love of doctoring, she changed her plans. Stephanie LeMaster is now a second-year medical student at Southern Illinois University. She says:

> They tell me I should be the next Dr. Dohner, but I'm not sure I can live up to him. He's the only one like him.

Dr. Dohner has been recognized by State and national organizations as one of the best country doctors in America. He has been profiled in People magazine, featured on the ''Today Show,'' and he was the grand marshal for the Illinois State Fair parade this year. In September, the town of Rushville unveiled a bronze statue of Dr. Dohner in the town's Central Park. It is about 200 feet from his old office. The statue depicts Dr. Donor seated on a park bench with a child listening to his heart through a stethoscope.

Besides doctoring and a little bit of fishing and the Rotary Club meeting, Doc Dohner also loves trees. Rushville mayor Curt Lunt estimates the doctor has donated thousands of trees to the town over the years.

It has been said you have to have faith in the future to plant a tree. The trees of Rushville symbolize not just Doc Dohner's faith in the future but also his love for that community that became his family.

Retirement is taking some adjustment for Doc Dohner. The last time he took a full day off he was in the Army in World War II. He refused to let the folks of Rushville hold any kind of retirement reception for him or run a story about him in the local newspaper. He said plenty of people retire every day and nobody makes any fuss over it. But few people touch a town as deeply as Dr. Dohner—Dr. Russell Dohner. He touched Rushville and the other small farm towns around it in such an amazing way.

You can be sure this holiday season, as they have for so many years, there are many people who count among their blessings that great Dr. Dohner, who served Rushville, IL, and America for so many decades.

RENEWABLE FUEL STANDARD

Mr. DURBIN. Mr. President, today, I, along with several other Senators, will be meeting with EPA Administrator McCarthy concerning a proposal from EPA to waive the renewable fuel standard, or RFS. If the proposed rule is made final, it would undermine one of the biggest policy tools we have to support energy independence, to lower greenhouse gas emissions, and stabilize our rural economy.

The renewable fuel standard was created in 2002 to drive growth in the biofuels industry. Why is that so important? When biofuels are contributing to our domestic fuel supply, we use less petroleum-based energy. Gasoline blended with ethanol burns more cleanly, so cars are generating less greenhouse gas; And with a steady, predictable market for biofuels, there is now a healthy biofuels industry that supports hundreds of thousands of jobs.

Each year the Environmental Protection Agency sets volume standards for renewable fuels that requires refiners to blend certain levels of biofuels into the fuel supply. RFS levels have been steadily increasing by law since Congress updated the renewable fuels effort in 2007.

The renewable fuel standard has worked well. The United States needs to be less reliant on other countries for its energy. Growth in the use of biofuels—particularly corn-based ethanol—is one of the few, meaningful steps we have taken. And it is working. Last year, we used 13.3 billion gallons of ethanol to displace 465 million barrels of oil. That is 12 percent of the total U.S. crude oil imports.

Not only do biofuels play an important role in energy independence, they have the added benefits of being good for the environment. The renewable fuel standard promotes the adoption of biofuels explicitly because they reduce greenhouse gas emission.

Many of my colleagues may know that in Illinois we grow a lot of corn. Not surprisingly, we also happen to be one of the largest producers of corn-based ethanol—the biofuel most often cited as not being as ''green'' as other biofuels. But even ethanol is required to reduce greenhouse gas emissions by 20 percent.

A recent study by Argonne National Lab found that, on average, ethanol reduces greenhouse gas emissions by 24 percent. In 2012, ethanol reduced emissions from cars and trucks by 33.4 million tons. That is the equivalent of taking 5.2 million cars off the road.

But it is not just ethanol. Advanced biofuels reduce greenhouse gas emissions even further. They are required to reduce greenhouse gas emissions by at least 50 percent. That is why groups like the American Lung Association have supported the development and use of biofuels. And while many advanced biofuels are just beginning to come online, others—like biodiesel—are getting closer to really hitting their stride.

An added benefit of growth of biofuels in States like Illinois is the effect it has had on our rural economy. The use of biofuels has helped create an additional market for crops, but it also has created an emerging industry in rural communities. There are now 14 ethanol plants and 5 biodiesel plants operating in Illinois. Steady biofuels production in Illinois means new jobs in communities that were having trouble economically even before the recession. Those 14 ethanol plants have led to 5,400 direct jobs in Illinois and payroll exceeding $250 million.

EPA issued a draft rule last month that would waive the statutory RFS levels for 2014 below levels even required in 2012. By waiving the standard as proposed, the rule not only threatens the current biofuels industry, but it will significantly slow or stop more advanced biofuels coming to the market. In effect, what EPA has proposed would stop any new growth in the industry.

Today, most gasoline is blended with 10 percent ethanol, more commonly referenced as E–10. Some think of this level as a ''blend wall'' because to increase the blend ratio, we need more investment in infrastructure like gas pumps that deliver it. But if we get stuck at E–10, that effectively shuts down for many biofuels. Corn-based ethanol already is produced at levels to completely saturate the market at E–10, leaving little room for growth advanced cellulosic ethanol.

Part of the reason for creating the RFS was to help create incentives to push past barriers like the blend wall. EPA has already approved a pathway to doing just that in the form of E–15. But instead of using RFS to help push through infrastructure hurdles to biofuel growth, EPA's proposal would enshrine this market barrier as the true ceiling for much of our biofuels growth.

And EPA's proposed rule is already reverberating through the market. Investments in biofuels, particularly advanced biofuels, are already starting to slow, based on the proposed rule. I heard from a company in Illinois that had recently announced new investments in their plant. They are now rethinking their expansion plans. That means if EPA's proposed waiver is adopted, we may never realize the full benefits of RFS that Congress intended. We will freeze our progress on reducing greenhouse gas emission. We will limit a tool in securing our energy independence. And we will stymie the growth of an industry that is playing an important role in rural economies.

That is why I am working with like-minded Senators on both sides of the aisle to urge the EPA to reconsider this rule before it is finalized. We have come too far to take this giant step backward. Biofuels are an important part of our energy future and the right path for our country.

TRIBUTE TO COLONEL RICHARD D. ROOT

Mr. LEVIN. Mr. President, our men and women in uniform sacrifice much to keep our Nation strong and free. They are well-trained, extraordinarily capable and are some of our country's best and brightest. One of them is a man I want to help recognize today as he retires from the U.S. Army.

COL Richard D. Root, from Hartford, MI, has served our country in uniform for a quarter of a century and I am delighted to congratulate him on a long and distinguished military career. In 2007, Colonel Root came to the Senate as the Deputy for the Army's Senate liaison office. He was then selected as the Director of legislative affairs for GEN John Allen, the commander, International Security Assistance Force, ISAF, during the critical period in Afghanistan from 2011 to 2013. In this capacity, Colonel Root escorted over 70 congressional delegations visiting Afghanistan and Pakistan. During these congressional delegations, Colonel Root masterfully balanced both the interests of Senators with the priorities of his commander to ensure that Members of Congress received a clear and accurate picture of the strategic military and political situation in Afghanistan.

Prior to his service with congressional liaison, Colonel Root performed with great distinction in all of his assignments throughout his extraordinary career, including command of the 3rd Battalion, 320th Field Artillery Regiment ''Red Knights'' during Operation Iraqi Freedom from 2005 to 2006. Additionally, he served as an executive officer for the 4th Infantry Division Artillery and a variety of other tactical and operational assignments from platoon to brigade while deployed for the invasion of Iraq in 2003 and for Operation Desert Storm/Desert Shield in 1991.

In his final assignment as the executive officer to the chief of army legislative liaison, Colonel Root worked tirelessly to expand relationships between the Army and the 113th Congress.

Our military personnel do not shoulder the stress and sacrifice of military service alone, and Colonel Root is no exception. His wife, Diann, and his daughter, Lexi, have stood proudly by his side, sacrificing time with their husband and father while he fulfilled his military commitments. To them also, we offer a truly heartfelt thanks.

As he retires, Colonel Root leaves behind an impressive record of military service and his counsel, professionalism and expertise will surely be missed by the Army and Congress alike. We offer him our sincere thanks for his service to our Nation and the example he has set for those under his command and colleagues with whom he served. I know my colleagues join me in wishing Colonel Root and his family all the best as they begin this next exciting chapter in their lives.

ITALIAN HALL TRAGEDY IN CALUMET, MICHIGAN

Mr. LEVIN. Mr. President, a century ago on December 24, 1913, hundreds of miners and their families had gathered for a Christmas Eve celebration in the small Upper Peninsula town of Calumet, MI. Their community was under tremendous stress; the miners of what is known to this day as ''Copper Country'' had been on strike for 5 months. But they had come for a brief holiday respite from the trials and struggles of those difficult days.

What began as a joyful day ended in tears and wails and inconsolable grief. While no one will know for certain what sparked the families' rush to the doors at the bottom of the stairs leading from the hall, most believe that someone yelled ''Fire!'' even though there was none. What resulted in the rush to the exit is almost unimaginable: 59 children and 14 adults were dead, having been trampled or suffocated.

This dreadful disaster has forever brought back painful memories on December 24, Christmas Eve, for the community of Calumet, MI. On the centennial anniversary of this event, the anguish is still real. The sadness is only overshadowed by the senselessness of the event.

The families celebrating in the Italian Hall were hard-working immigrants, struggling through the labor strike to fight for better wages, hours and working conditions. They came to Copper country for the promise of work, even though mining was difficult and dangerous. This area was home to the largest known deposits of pure elemental copper in the world, drawing hundreds of thousands of people from around the world. It was here that the lives of immigrants shaped our nation, with their successes and their struggles.

So many reminders of the copper mining heyday remain in the quaint town. From the historic architecture to the Yooper accents; from the variety of ethnic foods to the hard living work ethic that exists today, the Copper Country communities are reminded every day of their heritage. The historic buildings, landscapes and museum collections of the area are protected and preserved by the Keweenaw National Historical Park, working collaboratively with local and State governments, historic organizations and private property owners. The park brings to life the multi-faceted story of

copper mining history including its social, ethnic, commercial and technological dimensions. However, no artifact can compete with the feeling that Christmas Eve presents to the Village of Calumet every year when it is reminded of the Italian Hall tragedy.

On this centennial, we remember those who perished, and celebrate their lives and the heritage they have left for us.

HONORING OUR ARMED FORCES

CAPTAIN REID NISHIZUKA

Mr. SCHATZ. Mr. President, today I wish to honor the memory of one Hawaii's fallen sons, Air Force Capt. Reid Nishizuka of Kailua.

I was deeply saddened to learn of Captain Nishizuka's death after an MC–12 aircraft carrying him and three of his fellow airmen crashed outside Kandahar Airfield in Afghanistan on April 27, 2013.

Captain Nishizuka heard the call to military service early in his life. While attending Kailua High School, he served as the commander of his Junior ROTC class before he joined the ROTC at the University of Notre Dame.

Through his training as a reserve officer, Captain Nishizuka cultivated the skills and experience that prepared him to commission as a Second Lieutenant in the U.S. Air Force.

With a passion for flying and a spirit of service to a cause greater than himself, Captain Nishizuka embodied the commitment and character that make our military great.

His family and friends will remember his gentle and unconditional love and support.

I hope his family finds solace in knowing that Captain Nishizuka's service exceeded all measures of honor, courage, and devotion to his country.

America will not forget his sacrifice, nor will we ever repay the great debt we owe his family for allowing their son to give his life in service to his Nation.

I stand today before the Senate on behalf of a grateful nation to recognize and remember Capt. Reid K. Nishizuka. I ask for a moment of silence in honor of Captain Nishizuka's memory as a son, a brother, a friend, and an airman.

TRIBUTE TO MARILYN JONES

Mr. WARNER. Mr. President, today I wish to recognize Marilyn Jones, who has served as a valued member of my staff and the staff of my friend and predecessor, Senator John Warner.

Though she was born in North Carolina, Marilyn has a long history of service to the people of the Commonwealth of Virginia. She is a remarkably compassionate woman who often worked tirelessly with our most vulnerable populations—our senior citizens and veterans. There are many extraordinary stories about constituents whose lives she has touched. One in particular stands out to me: Last year, we were contacted by the wife of a veteran whose husband was hospitalized at a private hospital because of an emergency. Unfortunately, he passed away the next day and the Department of Veterans Affairs refused to pay for his care. Marilyn successfully worked with the private hospital to make sure that the veteran's care in his final hours would not become a financial burden to his widow.

Marilyn joined Senator John Warner in 1981 as a correspondence management specialist and rose to the position of caseworker. When Senator John Warner retired, Marilyn joined my staff to continue helping the people of Virginia. Because of her diligent work, she was promoted first to constituent services representative and then constituent services director. Marilyn has also been a dedicated member of her community in Richmond. She attended Virginia Union University and is an active member of her church, New Jerusalem International Christian Ministries, where she has been known to knit items for fellow church members. She has one beloved daughter, Shannan Hester.

After over 30 years of working for the people of the Commonwealth of Virginia, Marilyn Jones is retiring. Marilyn, thank you for dedicating your career to public service and best of luck in the future.

ADDITIONAL STATEMENTS

REMEMBERING JAMES VON DER HEYDT

• Mr. BEGICH. Mr. President, I wish to pay tribute to James von der Heydt. In his over half a century of service, James von der Heydt built a lasting legacy with distinguished service in all three branches of government. Coming to Alaska in 1943 originally to work on the construction of the ALCAN Highway, James demonstrated the versatility for which Alaskans are famous. By 1945, he was a deputy U.S. Marshall in Nome. Seeking to give more to his new home State, James left Alaska in 1948 to attend law school. When he returned, he served as the U.S. Commissioner at Nome and then as the United States attorney for Alaska. He served in the Alaska Territorial Legislature in the 1957 session and then became one of the first superior court judges when Alaska became State in 1959. In 1966, President Johnson appointed him to serve as a judge in the U.S. District Court for Alaska where he continued to shape the interpretation of Federal laws in Alaska for the next three decades. We will all miss his love of Alaska, wisdom, and compassion.•

AEROJET ROCKETDYNE'S CAMDEN PRODUCTION FACILITY

• Mr. PRYOR. Mr. President, today, I wish to recognize the dedicated employees at Aerojet Rocketdyne's production facility in Camden, AR. The employees, nearly 525 strong, recently achieved the milestone shipment of their 2,000th PAC–3 solid rocket motor and 400,000th PAC–3 attitude control motor to Lockheed Martin and the U.S. Army.

Aerojet Rocketdyne is recognized around the globe as an aerospace and defense leader proudly serving the missile, space propulsion, and armaments markets. Since 1998, the PAC–3 SRM and ACM rocket motors manufactured in Camden have been a noteworthy component of Aerojet Rocketdyne's industry-leading tactical propulsion portfolio.

The PAC–3 missile is a high-velocity interceptor, and it is the world's most advanced, capable, and powerful terminal air defense missile when deployed in a Patriot battery. It is capable of defeating the entire threat of tactical ballistic missiles, cruise missiles, and aircraft. The solid rocket motors produced in Camden are a vital component to the PAC–3 rocket receiving 100 percent effective rate during Operation Iraqi Freedom.

I am proud to recognize the dedicated and hard-working employees of Aerojet Rocketdyne for their outstanding achievement. This milestone is a reflection of their continued dedication to ensuring our men and women in uniform have the resources they need to carry out their missions effectively and efficiently. With this accomplishment and their future endeavors, the employees of Aerojet Rocketdyne in Camden, AR have earned our most sincere appreciation for a job well done.•

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1845. A bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1846. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3946. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, a report relative to U.S. Coast Guard Antidificiency Act Violation No. BHS–10–03; to the Committee on Appropriations.

EC–3947. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, a report relative to U.S. Coast Guard Antidificiency Act Violation No. BHS–11–01; to the Committee on Appropriations.

EC–3948. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Truth

in Lending (Regulation Z)'' (12 CFR Part 1026) received in the Office of the President of the Senate on December 17, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3949. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Electric Motors'' received in the Office of the President of the Senate on December 17, 2013; to the Committee on Energy and Natural Resources.

EC–3950. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''The Children's Health Insurance Program Reauthorization Act (CHIPRA) Mandated Evaluation of Express Lane Eligibility: Final Findings''; to the Committee on Finance.

EC–3951. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Members of a Family for Purpose of Filing CBP Family Declaration'' (RIN1515–AD76) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Finance.

EC–3952. A joint communication from the Chairwoman, Federal Trade Commission, and the Assistant Attorney General, Antitrust Division, transmitting, pursuant to law, a report entitled ''Report to Congress The Pandemic and All-Hazards Preparedness Act Usage of the Act's Antitrust Laws Exemption; to the Committee on Health, Education, Labor, and Pensions.

EC–3953. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Patient Protection and Affordable Care Act; Maximizing January 1, 2014 Coverage Opportunities'' (RIN0938–AS17) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–3954. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–138); to the Committee on Foreign Relations.

EC–3955. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–139); to the Committee on Foreign Relations.

EC–3956. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) Agency Financial Report (AFR) for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3957. A communication from the Secretary of the Department of Agriculture, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3958. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the Performance and Accountability Report for the Office of Government Ethics for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3959. A communication from the Secretary of Labor, transmitting, pursuant to law, the fiscal year 2013 Agency Financial Report for the Department of Labor; to the Committee on Homeland Security and Governmental Affairs.

EC–3960. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes to Implement the Patent Law Treaty; Correction'' (RIN0651–AC85) received in the Office of the President of the Senate on December 16, 2013; to the Committee on the Judiciary.

EC–3961. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Secondary Service Connection for Diagnosable Illnesses Associated With Traumatic Brain Injury'' (RIN2900–AN89) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment and with an amended preamble:

S. Res. 75. A resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 288. A resolution supporting enhanced maritime security in the Gulf of Guinea and encouraging increased cooperation between the United States and West and Central African countries to fight armed robbery at sea, piracy, and other maritime threats.

S. Res. 312. A resolution calling on the government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history.

S. Res. 314. A resolution commemorating and supporting the goals of World AIDS Day.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and an amendment to the title and with a preamble:

S. Res. 318. A resolution expressing the sense of the Senate regarding the critical need for political reform in Bangladesh, and for other purposes.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 319. A resolution expressing support for the Ukrainian people in light of President Yanukovych's decision not to sign an Association Agreement with the European Union.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. 653. A bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1857. An original bill to reform assistance to Egypt, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

*Dana J. Hyde, of Maryland, to be Chief Executive Officer, Millennium Challenge Corporation.

*Mark E. Lopes, of Arizona, to be United States Executive Director of the Inter-American Development Bank for a term of three years.

*Keith Michael Harper, of Maryland, for the rank of Ambassador during his tenure of service as United States Representative to the UN Human Rights Council.

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*France A. Cordova, of New Mexico, to be Director of the National Science Foundation for a term of six years.

*David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

*Steven Joel Anthony, of the District of Columbia, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2018.

By Ms. CANTWELL for the Committee on Indian Affairs.

*Vincent G. Logan, of New York, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior.

*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. ROBERTS (for himself, Mr. INHOFE, Mr. GRASSLEY, Mr. RUBIO, Mr. ENZI, Mr. WICKER, Mr. JOHANNS, Mr. HATCH, Mr. RISCH, Mr. BARRASSO, Mr. COATS, Mrs. FISCHER, Mr. PAUL, Mr. COCHRAN, Mr. BOOZMAN, Mr. THUNE, Mr. LEE, and Mr. MORAN):

S. 1848. A bill to amend section 1303(b)(3) of Public Law 111–148 concerning the notice requirements regarding the extent of health plan coverage of abortion and abortion premium surcharges; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALEXANDER (for himself, Mr. BARRASSO, Mr. ENZI, Mr. INHOFE, and Mr. ISAKSON):

S. 1849. A bill to amend the Patient Protection and Affordable Care Act to provide for a fixed annual open enrollment period; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Ms. COLLINS, and Mr. KING):

S. 1850. A bill to reform and modernize domestic refugee resettlement programs, and for other purposes.

By Mr. MCCAIN:

S. 1851. A bill to provide for incentives to encourage health insurance coverage, and for other purposes; to the Committee on Finance.

By Mr. PAUL (for himself and Mr. MCCONNELL):

S. 1852. A bill to provide for the establishment of free market enterprise zones in order to help facilitate the creation of new jobs, entrepreneurial opportunities, enhanced and renewed educational opportunities, and increased community involvement in bankrupt or economically distressed areas; to the Committee on Finance.

By Mr. BOOZMAN (for himself, Mr. MANCHIN, Mr. CRAPO, Mr. VITTER, Mr. SESSIONS, and Mr. WICKER):

S. 1853. A bill to amend the Environmental Research, Development, and Demonstration

Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 1854. A bill to amend title 23, United States Code, with respect to the operation of longer combination vehicles on the Interstate System in Idaho, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself and Mr. ROBERTS):

S. 1855. A bill to amend the Internal Revenue Code of 1986 to make permanent the reduced recognition period for built-in gains for S corporations; to the Committee on Finance.

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

S. 1856. A bill to repeal section 403 of the Bipartisan Budget Act of 2013, relating to an annual adjustment of retired pay for members of the Armed Forces under the age of 62; to the Committee on Armed Services.

By Mr. MENENDEZ:

S. 1857. An original bill to reform assistance to Egypt, and for other purposes; from the Committee on Foreign Relations; placed on the calendar.

By Mr. BEGICH:

S. 1858. A bill to require the Federal Communications Commission to suspend and revise portions of the Report and Order and Further Notice of Proposed Rulemaking that revised Universal Service Fund distribution to rural carriers, to encourage renewed investment by rural rate-of-return carriers in deployment of broadband infrastructure in rural areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CHAMBLISS (for himself, Mr. ISAKSON, Ms. MURKOWSKI, Mr. MCCAIN, Mr. HOEVEN, Mr. JOHNSON of Wisconsin, Ms. COLLINS, Mr. BLUNT, and Mr. PORTMAN):

S. Res. 323. A resolution expressing the sense of the Senate on maintaining the current annual adjustment in retired pay for members of the Armed Forces under the age of 62; to the Committee on Armed Services.

By Mr. ROCKEFELLER (for himself, Mrs. BOXER, and Mrs. FEINSTEIN):

S. Res. 324. A resolution expressing the sense of the Senate with respect to the tragic shooting at Los Angeles International Airport on November 1, 2013, of employees of the Transportation Security Administration; considered and agreed to.

ADDITIONAL COSPONSORS

S. 398

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 398, a bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

S. 401

At the request of Mr. CARPER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 401, a bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind.

S. 583

At the request of Mr. PAUL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 583, a bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

S. 666

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

S. 775

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 775, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 929

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 929, a bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes.

S. 1108

At the request of Ms. HIRONO, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1108, a bill to reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965.

S. 1116

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1116, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1254

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1254, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

S. 1302

At the request of Mr. HARKIN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1302, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans.

S. 1341

At the request of Mr. TESTER, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1341, a bill to modify the Forest Service Recreation Residence Program as the program applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes.

S. 1349

At the request of Mr. MORAN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1349, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1352

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1352, a bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes.

S. 1391

At the request of Mr. HARKIN, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1391, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes.

S. 1410

At the request of Mr. DURBIN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1410, a bill to focus limited Federal resources on the most serious offenders.

S. 1417

At the request of Mrs. HAGAN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1417, a bill to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

S. 1500

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1500, a bill to declare the November 5, 2009, attack at Fort Hood, Texas, a terrorist attack, and to ensure that the victims of the attack and their families receive the same honors and benefits as those Americans who have been killed or wounded in a combat zone overseas and their families.

S. 1507

At the request of Mr. MORAN, the name of the Senator from Alaska (Ms.

MURKOWSKI) was added as a cosponsor of S. 1507, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

At the request of Ms. HEITKAMP, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1507, supra.

S. 1614

At the request of Ms. KLOBUCHAR, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1614, a bill to require Certificates of Citizenship and other Federal documents to reflect name and date of birth determinations made by a State court and for other purposes.

S. 1642

At the request of Ms. LANDRIEU, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1642, a bill to permit the continuation of certain health plans.

S. 1649

At the request of Mr. BOOZMAN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1649, a bill to promote freedom and democracy in Vietnam.

S. 1677

At the request of Mr. UDALL of New Mexico, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1677, a bill to establish centers of excellence for innovative stormwater control infrastructure, and for other purposes.

S. 1719

At the request of Mrs. MURRAY, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 1719, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1719, supra.

S. 1765

At the request of Mr. CORKER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1765, a bill to ensure the compliance of Iran with agreements relating to Iran's nuclear program.

S. 1798

At the request of Mr. WARNER, the names of the Senator from North Carolina (Mrs. HAGAN), the Senator from Colorado (Mr. BENNET) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1798, a bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

S. 1824

At the request of Mr. ENZI, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1824, a bill to amend the Safe Drinking Water Act to exempt certain lead pipes, fittings, fixtures, solder, and flux that contain brass.

S. 1837

At the request of Ms. WARREN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1837, a bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions.

S. 1844

At the request of Mrs. SHAHEEN, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1844, a bill to restore full military retirement benefits by closing corporate tax loopholes.

S. 1845

At the request of Mr. REED, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Iowa (Mr. HARKIN), the Senator from Connecticut (Mr. MURPHY), the Senator from Vermont (Mr. SANDERS), the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Mr. MARKEY), the Senator from Illinois (Mr. DURBIN), the Senator from Washington (Mrs. MURRAY), the Senator from Minnesota (Mr. FRANKEN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1847

At the request of Ms. HIRONO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1847, a bill to provide for the redesignation of the Asia-Pacific Center for Security Studies as the Daniel K. Inouye Asia-Pacific Center for Security Studies.

S. RES. 314

At the request of Mr. COONS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 314, a resolution commemorating and supporting the goals of World AIDS Day.

S. RES. 318

At the request of Mr. DURBIN, the names of the Senator from Virginia (Mr. KAINE), the Senator from Missouri (Mr. BLUNT) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 318, a resolution expressing the sense of the Senate regarding the critical need for political reform in Bangladesh, and for other purposes.

S. RES. 319

At the request of Mr. MURPHY, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 319, a resolution expressing support for the Ukrainian people in light of President Yanukovych's decision not to sign an Association Agreement with the European Union.

AMENDMENT NO. 2569

At the request of Mr. ENZI, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 2569 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

AMENDMENT NO. 2572

At the request of Mr. SESSIONS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 2572 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

AMENDMENT NO. 2574

At the request of Mr. WICKER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 2574 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ALEXANDER (for himself, Mr. BARRASSO, Mr. ENZI, Mr. INHOFE, and Mr. ISAKSON):

S. 1849. A bill to amend the Patient Protection and Affordable Care Act to provide for a fixed annual open enrollment period; to the Committee on Health, Education, Labor, and Pensions.

Mr. BARRASSO. Mr. President, I come to the floor, as I have frequently since the health care law was passed, as a doctor who has practiced medicine in Wyoming for a quarter of a century, taking care of people, providing low-cost blood screenings through the Wyoming Health Fair, of which I was the medical director. I was back in Wyoming last week talking to folks about their health care and their concerns.

With the end of the year rapidly approaching, Americans are gathering with family and friends to celebrate the holidays, to count their blessings. But from what I heard last weekend in Wyoming and on a telephone townhall meeting Monday night, very few people are thankful for the President's health care law.

I met yesterday with the Wyoming insurance commissioner. Fewer than 1,000 people have been able to sign up, but thousands have had their insurance canceled under the law. So many more people are suffering because of the law than people who are potentially able to benefit. This law was forced down the throats of the American people, supported unanimously by the Democrats in this body. It is continuing to disrupt people's lives and to cause them very real harm.

After a year of false starts and failures, what we have seen is that the

President's health care law is nothing more than a collection of deception, delays, and disappointments. If you look at the headlines, the biggest disappointment was the launch of the healthcare.gov Web site in October. It was a total disaster. But it really is just the tip of the iceberg. The Web site failures are what people have seen across the country. That is the most visible, and it has obviously been the cause of concerns and jokes by the late-night comedians. But the real damage is going to start on January 1—damage to people's lives.

This was just about a computer screen. Below this tip of the iceberg is what people are actually noticing at home. They are paying higher premiums, and I am hearing that around the State of Wyoming; canceled coverage—thousands in Wyoming but over 5 million, I understand by last count, across the country. And we don't even know how many have been canceled in the States of Illinois, Texas, and Ohio. But we know that more than 5 million people have lost their coverage. People are finding out they can't keep their doctor. We are seeing that with seniors on Medicare, and we are seeing that with children who are going for cancer care. We are finding that people are having a harder time finding a doctor or even having to make choices as they go to the Web site: Well, do I want to keep my doctor or do I want to keep the hospital that I go to or do I want to keep the drug coverage I have? And many people are finding they can't find any plan that will let them keep everything they have now—in spite of the President's promise.

We are hearing more and more stories about fraud and identity theft across the country related to the health care Web site, including a Senate staff member who was signing up. It asked for his bank number and PIN number, and he called the helpline. He had to wait a long period of time to get through, as has been the experience for many Americans, and they said: No, that is not the regular Web site. That must be some kind of a scam trying to fraudulently take your information.

People are seeing higher copays and deductibles. The average deductible now is over $5,000 for people in bronze plans.

That is what is continuing to happen with this health care law.

October was just about the Web site. January is going to be about real people, their lives and their ability to get affordable quality care from the doctors they know and trust.

The Obama administration made a lot of promises about this law. The administration has known for months—I believe the administration has known for years that many of the promises were not true. They knew people would lose their doctors, and they knew millions of people would lose their health insurance plans. But instead of leveling with the American people, the White House chose to mislead them.

It continues to mislead them today on one important issue after another, and the people have seen through it. Washington Post, Tuesday, December 17, just yesterday: ''Obama's approval ratings plummet. Poll results worrisome for Democrats looking to the midterm elections.'' A respected group, politifacts.com, whose role is sorting out the truth in politics, has come up with their lie of the year, and they attribute their lie of the year for 2013 to President Obama: ''If you like your health care plan, you can keep it.'' That is the lie of the year to the American people. So it is no surprise, then, that the President's approval ratings continue to plummet.

I looked at a decision this administration made very recently, a decision to delay next year's open enrollment season until after the midterm elections. To me, this is a blatant political move—a blatant political move that they snuck out the announcement just days before Thanksgiving.

So what kind of announcement is the administration going to try to sneak out now, just before Christmas? Well, the enrollment period for insurance coverage in 2015 was set to begin October 15, 2014, and then end in December. Now it won't begin until November 15. Why in the world would they need to delay it for a month? Enrollment in the government health insurance exchange has been a disaster, but the administration says it has fixed all the problems. So why do they want to delay it for a month? What is the difference between October 15 and November 15? I believe it is because the administration is in a panic mode, and it will do anything it can to hide the cost of the health care law on the American people—hide the skyrocketing costs. What they have done is they have moved it from a couple of weeks before the election until a couple of weeks after election day 2014.

The American people don't need more lies. What they need from their President is for the President to come clean about the terrible effects of the law. The fact is that many Americans can't keep their coverage, can't keep their doctors, and they can't afford this law.

The Associated Press put out a poll the other day. The headline was ''Health Law Seen as Eroding Coverage.'' The health care is eroding coverage. According to the poll, 69 percent of people say their premiums will be going up and 59 percent say their deductibles and copayments will be increasing. People can't afford those kinds of price increases—this whole redistribution of assets and wealth on the American people. People were told by this President that their health care costs were going to go down. Instead, they are seeing them go up.

The Obama administration doesn't want people learning about their next increases right before the 2014 election, so they are trying to hide the truth. That is why today Senator ALEXANDER, Senator ENZI, and I plan to introduce a bill to give the American people the transparency they deserve when they are making important health care decisions for their families. We are calling this bill the Premium Disclosure Act, and it will do a couple of things.

First, the bill sets the exchange's opening date of October 15, 2014, in statute so that Democrats can't change it to meet their political goals around an election.

Second, the bill says the Obama administration has to make premiums and cost-sharing requirements public 30 days before the open enrollment begins, so people will have this important information in mid-September, making it easier for families to budget and to plan.

The Department of Health and Human Services has previously said it did not have this authority. That is why they said we need to wait until October 1 to find out what premiums would be this year. This bill would specifically give the administration the authority, so they will have no more excuses for hiding health insurance cost increases from the American people.

Americans wanted a few very simple things from health care reform. They wanted better access to care. Washington Democrats gave them less access. They wanted lower costs, but Washington Democrats gave them higher costs. They wanted help. Washington Democrats have caused them harm.

This bill will help add some transparency and shed light on things the Obama administration does not want the American people to see. The President's health care law has been a failure. It cannot be fixed just by delaying one more part or by sending out the spin doctors one more time or by having one more press conference. I hope when we return after the New Year that President Obama and Democrats in Congress will be ready to sit down with Republicans to talk about real bipartisan solutions that put patients and families first.

By Mr. MCCAIN:

S. 1851. A bill to provide for incentives to encourage health insurance coverage, and for other purposes; to the Committee on Finance.

Mr. MCCAIN. Mr. President, I am introducing the Empowering Patients First Act, companion legislation to H.R. 2300, introduced in the House of Representatives by Congressman TOM PRICE. I thank Congressman PRICE for all the hard work he did on this legislation. I am very grateful for that.

I believe this legislation would give patients, families, and doctors the power to make medical decisions, and not Washington.

Specifically, this legislation would enable everyone to purchase health insurance through deductions, credits, or advanceable credits; equalize tax treatment of employer-sponsored plans and plans purchased by individuals by letting individuals buy health insurance

with pre-tax dollars; let small business owners band together across State lines through association health plans, known as AHPs, and take advantage of the increased purchasing power which larger businesses are able to take advantage of through increased bargaining power, volume discounts, and administrative efficiencies. It would let consumers buy insurance across State lines, and let individuals own their insurance like a 401(k) plan so they can take it with them across State lines if they change jobs.

I don't think there is any doubt in the majority of Americans' minds—and poll after poll indicates—that ObamaCare is a failure. The American people do not believe in it. And it isn't just the problems with the rollout of the Web site—it is all of the aspects of it which have become so complex and so difficult.

Basically, it is as some of us who fought it day after day here on the floor said: an experiment in social engineering, where young people who are healthy are going to pay for the health care of those who are older and sicker—a redistribution of wealth that then-Senator Obama favored and stated when he was running for President.

That is not the way to address health care needs in America. It has not bent the health care curve down. It has not allowed people, if they want to keep their insurance, to be able to keep it. I noticed that was voted as the biggest lie of the year by one of the periodicals here. And it is a failure.

We on the other side of this issue are also required to come up with alternatives, because we vowed to repeal and replace ObamaCare, not just repeal it. I believe that what Congressman PRICE has introduced, and what I am introducing today as a companion bill, is a step in that direction.

It is time that we on this side of the aisle came up with our agenda for health care in America because we know that the inflation associated with health care costs is unsustainable, that there are millions of Americans who do not have health care, and there is a particular problem for those with preexisting conditions.

We need to repeal this horrendous mistake—which, by the way, was done on strictly party line votes, the first entitlement program ever enacted that was done without a single bipartisan vote on it. As many of us predicted back in 2009 when this legislation was passed, it was doomed to failure. Time after time, amendment after amendment, as we attempted to repeal it for 25 days, I believe it was, of floor consideration back in 2009, it was voted down on a party line basis.

They sowed the wind and are now reaping the whirlwind. We need to repeal the Affordable Care Act, and we need to replace it because health care in America is still not satisfactory, nor have we fulfilled the needs and the obligations we have to all of our citizens.

The problems with the Affordable Care Act are well known: A failed Web site rollout that has hindered enrollment and the purchase of mandated coverage. As of December 17, only an estimated 440,835 people have enrolled for a health plan. That is 6.2 percent of the enrollment goal of 7 million by March 31, 2014.

There is a destructive tax on medical devices that will discourage innovation and encourage these businesses to move offshore. We have already seen medical device manufacturers leaving the United States of America as they said they would if they were taxed to the point where they could not be competitive with medical devices that were manufactured in foreign countries.

There is disappointment for Americans who are happy with their current coverage and want to keep their coverage. It is estimated that 10 million Americans will have their health plans terminated due to ObamaCare.

According to a December 17 Washington Post-ABC poll, only 19 percent of Americans believe ObamaCare is improving the country's health care system. Only 8 percent believe ObamaCare is improving their insurance coverage. Only 5 percent of Americans believe their health care costs are decreasing as a result of ObamaCare, and 47 percent of Americans believe the President's health care law is increasing the cost of their health care.

It is clear that ObamaCare is not working for the American people, and they have little faith in the administration's efforts to fix our broken health care system.

This legislation I am introducing today makes the purchase of health care financially feasible for all Americans—from deductions to advanceable, refundable credits so that everyone has an economic incentive to purchase coverage they want for themselves and their families, not what the government forces them to buy. In addition, it allows greater choices in portability, so that every health policy is owned by the patient, regardless of who pays. This means the coverage would go with the person if they change or lose their job. It gives employers more flexibility in the benefits offered and provides many more coverage options for people with preexisting conditions so that no one is priced out of the market, regardless of health status.

It addresses increasing costs by clamping down on abusive lawsuits, ends the practice of defensive medicine, gains significant savings from health care efficiencies—sifting out waste, fraud, and abuse—and bringing our Nation's budget under control.

Finally, it establishes doctor-led quality measures, ensuring that patients receive quality care defined by people who know medicine, not by government. It encourages healthier lifestyles by giving employers and health policies more flexibility to offer discounts for healthy habits through wellness and prevention programs.

If enacted, this legislation would save trillions of dollars. Douglas Holtz-Eakin, who is the former director of the Congressional Budget Office and one of the most credible people in this town, estimates this legislation would save American tax payers $2.37 trillion in its first decade alone. According to the analysis of Mr. Holtz-Eakin, compared to current law this legislation would produce smaller premium increases on average, yielding lower premiums than current law—nearly 19 percent for single policies and up to 15 percent for family policies; increase patient access to physicians; produce a 10-percent increase in medical productivity; and increase the number of insured individuals by 29 percent.

Americans are looking for an alternative to ObamaCare. This legislation is a step in the right direction and will provide Americans an alternative that empowers patients, families, and doctors to make the medical decisions, not those in Washington, DC.

I find of interest in the Wall Street Journal an opinion piece entitled ''ObamaCare's Troubles Are Only Beginning,'' by Michael Boskin, a very well respected economist. It says:

> Be prepared for eligibility, payment and information protection debacles—and longer waits for care.

He says:

> The shocks—economic and political—will get much worse next year and beyond. Here's why: The ''sticker shock'' that many buyers of new, ACA-compliant health plans have experienced—with premiums 30% higher, or more, than their previous coverage—has only begun. The costs borne by individuals will be even more obvious next year as more people start having to pay higher deductibles and copays.
>
> If, as many predict, too few healthy young people sign up for insurance that is overpriced in order to subsidize older, sicker people, the insurance market will unravel in a ''death spiral'' of ever-higher premiums and fewer signups. The government, through taxpayer-funded ''risk corridors,'' is on the hook for billions of dollars of potential insurance-company losses. This will be about as politically popular as bank bailouts.
>
> The ''I can't keep my doctor'' shock will also hit more and more people in coming months. To keep prices to consumers as low as possible—given cost pressures generated by the government's rules, controls and coverage mandates—insurance companies in many cases are offering plans that have very restrictive networks, with lower-cost providers that exclude some of the best physicians and hospitals.

Finally, there is an article entitled ''Second wave of health care plan cancellations looms.'' It goes on to say:

> An analysis by the American Enterprise Institute, a conservative think tank, shows the administration anticipates half to two-thirds of small businesses would have policies canceled or be compelled to send workers into the ObamaCare exchanges. They predict up to 100 million small and large business policies could be canceled next year.

I ask unanimous consent these articles be printed in the RECORD.

It is time for us to begin to consider alternatives and recognize that this legislation needs to be repaired and replaced.

I yield the floor.

[Dec. 15, 2013]

OBAMACARE'S TROUBLES ARE ONLY BEGINNING

BE PREPARED FOR ELIGIBILITY, PAYMENT AND INFORMATION PROTECTION DEBACLES—AND LONGER WAITS FOR CARE.

(By Michael J. Boskin)

The White House is claiming that the Healthcare.gov website is mostly fixed, that the millions of Americans whose health plans were canceled thanks to government rules may be able to keep them for another year, and that in any event these people will get better plans through ObamaCare exchanges. Whatever the truth of these assertions, those who expect better days ahead for the Affordable Care Act are in for a rude awakening. The shocks—economic and political—will get much worse next year and beyond. Here's why:

The ''sticker shock'' that many buyers of new, ACA-compliant health plans have experienced—with premiums 30% higher, or more, than their previous coverage—has only begun. The costs borne by individuals will be even more obvious next year as more people start having to pay higher deductibles and copays.

If, as many predict, too few healthy young people sign up for insurance that is overpriced in order to subsidize older, sicker people, the insurance market will unravel in a ''death spiral'' of ever-higher premiums and fewer signups. The government, through taxpayer-funded ''risk corridors,'' is on the hook for billions of dollars of potential insurance-company losses. This will be about as politically popular as bank bailouts.

The ''I can't keep my doctor'' shock will also hit more and more people in coming months. To keep prices to consumers as low as possible—given cost pressures generated by the government's rules, controls and coverage mandates—insurance companies in many cases are offering plans that have very restrictive networks, with lower-cost providers that exclude some of the best physicians and hospitals.

Next year, millions must choose among unfamiliar physicians and hospitals, or paying more for preferred providers who are not part of their insurance network. Some health outcomes will deteriorate from a less familiar doctor-patient relationship.

More IT failures are likely. People looking for health plans on ObamaCare exchanges may be able to fill out their applications with more ease. But the far more complex back-office side of the webssite—where the information in their application is checked against government databases to determine the premium subsidies and prices they will be charged, and where the applications are forwarded to insurance companies—is still under construction. Be prepared for eligibility, coverage gap, billing, claims, insurer payment and patient information-protection debacles.

The next shock will come when the scores of millions outside the individual market—people who are covered by employers, in union plans, or on Medicare and Medicaid—experience the downsides of ObamaCare. There will be longer waits for hospital visits, doctors' appointments and specialist treatment, as more people crowd fewer providers.

Those with means can respond to the government-driven waiting lines by making side payments to providers or seeking care through doctors who do not participate in insurance plans. But this will be difficult for most people.

Next, the Congressional Budget Office's estimated 25% expansion of Medicaid under ObamaCare will exert pressure on state Medicaid spending (although the pressure will be delayed for a few years by federal subsidies). This pressure on state budgets means less money on education and transportation, and higher state taxes.

The ''Cadillac tax'' on health plans to help pay for ObamaCare starts four years from this Jan. 1. It will fall heavily on unions whose plans are expensive due to generous health benefits.

In the nearer term, a political iceberg looms next year. Insurance companies usually submit proposed pricing to regulators in the summer, and the open enrollment period begins in the fall for plans starting Jan. 1. Businesses of all sizes that currently provide health care will have to offer ObamaCare's expensive, mandated benefits, or drop their plans and—except the smallest firms—pay a fine. Tens of millions of Americans with employer-provided health plans risk paying more for less, and losing their policies and doctors to more restrictive networks. The administration is desperately trying to delay employer-plan problems beyond the 2014 election to avoid this shock.

Meanwhile, ObamaCare will lead to more part-time workers in some industries, as hours are cut back to conform to arbitrary definitions in the law of what constitutes full-time employment. Many small businesses will be cautious about hiring more than 50 full-time employees, which would subject them to the law's employer insurance mandate.

On the supply side, medicine will become a far less attractive career for talented young people. More doctors will restrict practice or retire early rather than accept lower incomes and work conditions they did not anticipate. Already, many practices are closed to Medicaid recipients, some also to Medicare. The pace of innovation in drugs, medical devices and delivery is expected to slow significantly, as higher taxes and even rationing set in.

The repeated assertions by the law's supporters that nobody but the rich would be worse off was based on a beyond-implausible claim that one could expand by millions the number of people with health insurance, lower health-care costs without rationing, and improve quality. The reality is that any squeezing of insurance-company profits, or reduction in uncompensated emergency-room care amounts to a tiny fraction of the trillions of dollars extracted from those people overpaying for insurance, or redistributed from taxpayers.

The Affordable Care Act's disastrous debut sent the president's approval ratings into a tailspin and congressional Democrats in competitive districts fleeing for cover. If the law's continuing unpopularity enables Republicans to regain the Senate in 2014, the president will be forced to veto repeated attempts to repeal the law or to negotiate major changes.

The risk of a complete repeal if a Republican takes the White House in 2016 will put enormous pressure on Democratic candidates—and on Republicans—to articulate a compelling alternative to the cost and coverage problems that beset health care. A good start would be sliding-scale subsidies to help people buy a low-cost catastrophic plan, purchasable across state lines, equalized tax treatment of those buying insurance on their own with those on employer plans, and expanded high-risk pools.

[From FoxNews, Nov. 20, 2013]

SECOND WAVE OF HEALTH PLAN CANCELLATIONS LOOMS

A new and independent analysis of ObamaCare warns of a ticking time bomb, predicting a second wave of 50 million to 100 million insurance policy cancellations next fall—right before the mid-term elections.

The next round of cancellations and premium hikes is expected to hit employees, particularly of small businesses. While the administration has tried to downplay the cancellation notices hitting policyholders on the individual market by noting they represent a relatively small fraction of the population, the swath of people who will be affected by the shakeup in employer-sponsored coverage will be much broader.

An analysis by the American Enterprise Institute, a conservative think tank, shows the administration anticipates half to two-thirds of small businesses would have policies canceled or be compelled to send workers onto the ObamaCare exchanges. They predict up to 100 million small and large business policies could be canceled next year.

''The impact I'm mostly worried about is on small young, entrepreneurial firms that will suddenly face much higher health insurance premiums if they want to offer health insurance to their employees,'' said AEI resident scholar Stan Veuger. ''I think for a lot of other businesses . . . they can just send their employees to the exchanges or offer them a fixed subsidy every month to buy health insurance themselves.''

Under the health care law, businesses with fewer than 50 workers do not have to provide health coverage. But if they do, the policies will still have to meet the benefit standards set by ObamaCare.

As reported by AEI's Scott Gottlieb, some businesses got around this by renewing their policies before the end of 2013. But the relief is temporary, and they are expected to have to offer in-compliance plans for 2015. According to Gottlieb, that means beginning in October 2014 the cancellation notices will start to go out.

Then, businesses will have to either find a new plan—which could be considerably more expensive—or send workers onto the ObamaCare exchanges.

For workers, their experience could mirror that of the 5 million or so on the individual market who already received cancellation notices because their plans did not meet new standards under the Affordable Care Act.

President Obama announced last week that insurance companies could offer out-of-compliance plans for another year. But that only means the cancellation notices will resume late next year.

Obama met Wednesday with state insurance commissioners about the change. In a statement afterward, National Association of Insurance Commissioners President Jim Donelon voiced concern with the change but said: ''We will work with the insurance companies in our states to implement changes that make sense while following our mandate of consumer protection.''

The business community has already been hit with another side effect from ObamaCare. Because the law will require businesses with more than 50 full-time workers to offer health coverage, there are reports that companies are shifting employees to part-time status to avoid hitting the threshold.

Though the administration describes these accounts as anecdotal—and has already delayed the employer mandate by a year—studies suggest otherwise.

The International Franchise Association and the U.S. Chamber of Commerce have studied the impact and say the president's health care law has resulted in higher costs and fewer full-time positions.

A survey showed 31 percent of franchise businesses, and 12 percent of non-franchise businesses, have already reduced worker hours. It also showed 27 percent of franchise businesses, and 12 percent of non-franchise businesses, have replaced full-time workers with part-time employees.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 323—EXPRESSING THE SENSE OF THE SENATE ON MAINTAINING THE CURRENT ANNUAL ADJUSTMENT IN RETIRED PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE AGE OF 62

Mr. CHAMBLISS (for himself, Mr. ISAKSON, Ms. MURKOWSKI, Mr. MCCAIN, Mr. HOEVEN, Mr. JOHNSON of Wisconsin, Ms. COLLINS, Mr. BLUNT, and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 323

Whereas is the responsibility of Congress to get the fiscal house of government in order, and all government spending should be examined to achieve that goal;

Whereas HJ Res. 59 (113th Congress), a bipartisan budget proposal, is a first step is this direction, though it fails to address broader government spending issues;

Whereas retirees from the Armed Forces, both those who served a full career and those medically retired and their survivors, have provided great service and sacrificed much for our country;

Whereas HJ Res. 59 (113h Congress) disproportionally targets these military retirees in the name of fiscal responsibility; and

Whereas, while the decisions regarding future spending cuts may be difficult and painful, the solution should require contributions from all Americans: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) retirees from the Armed Forces should not unfairly bear the burden of excessive government spending;

(2) military retirees earned the benefits they were promised upon entering military, and it is the duty of the Senate to protect them; and

(3) the Senate should seek alternatives to the provisions of section 403 of the Bipartisan Budget Act of 2103 (introduced as HJ Res. 59 (113th Congress)) before the effective date of that section and the amendments made by that section.

Mr. CHAMBLISS. Mr. President, I rise today to submit a sense of the Senate resolution to address the issue of military retirement pay in this budget proposal.

It is the responsibility of Congress to get our fiscal house in order and that all government spending should be examined to achieve that goal. However, this budget proposal disproportionately targets the retirees of the U.S. Armed Forces in the name of fiscal responsibility.

We, as a body, acknowledge military retirees, both those who served full careers and those who have medically retired and their survivors. They have provided great service and sacrificed much for our country. Making decisions regarding future spending cuts would be difficult and painful, but the solution should require contributions from all Americans, not just our servicemembers who have sacrificed so much.

Therefore, I, along with Senator ISAKSON—and I am pleased to say Senator MURKOWSKI and Senator MCCAIN—have joined in offering a sense of the Senate resolution that military retirees should not unfairly bear the burden of our excessive government spending.

Our military retirees earned the benefits they were promised upon entering the military, and it is our duty to protect them.

Mr. ISAKSON. Mr. President, I am pleased to join Senator CHAMBLISS in this sense-of-the-Senate resolution. It is absolutely important that we not disproportionately burden those who have served us and who have saved us, and our veterans have done both. As we deal with the difficult decisions in the years ahead on getting our debt and our deficit in order, it is important that we all share part of the burden, that we all put our shoulder to the yoke and we make sure we don't disproportionately put it on our veterans or on any segment of our society. We are all in this together. But, most importantly, we are all here today because of the sacrifice of our men and women in harm's way, and we cannot single them out for disproportionate savings in terms of the budget and the deficit.

I commend Senator CHAMBLISS on his leadership, and I am happy to join him in this resolution.

SENATE RESOLUTION 324—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO THE TRAGIC SHOOTING AT LOS ANGELES INTERNATIONAL AIRPORT ON NOVEMBER 1, 2013, OF EMPLOYEES OF THE TRANSPORTATION SECURITY ADMINISTRATION

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

S. RES. 324

Whereas on November 1, 2013, a gunman entered Terminal 3 of the Los Angeles International Airport and opened fire at a security checkpoint, targeting the Transportation Security Officers who are charged with protecting our aviation system and the people of the United States;

Whereas Gerardo Hernandez, a 39-year-old resident of Porter Ranch, California, a beloved husband and father of two, lost his life in the shooting and tragically became the first Transportation Security Officer to be killed in the performance of his duties;

Whereas James Speer and Tony Grigsby, dedicated Transportation Security Officers and colleagues of the deceased officer, were wounded in the attack;

Whereas a member of the traveling public, Brian Ludmer, a 29-year-old high school teacher from Lake Forest, Illinois, was also injured; and

Whereas Transportation Security Officers, law enforcement personnel, first responders, and medical professionals acted courageously to subdue the gunman, secure the airport, help move passengers out of harm's way, and treat victims of the attack:

Now, therefore, be it

Resolved, That the Senate—

(1) strongly condemns the senseless and appalling act of violence carried out at Los Angeles International Airport on November 1, 2013;

(2) offers its deepest condolences to the family, friends, and loved ones of Gerardo Hernandez;

(3) honors the dedicated public service of Gerardo Hernandez, James Speer, and Tony Grigsby;

(4) sends its hope for a quick recovery to the other victims of the horrific attack; and

(5) remains committed to preventing similar tragedies from happening again.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2600. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3304, to authorize 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; which was ordered to lie on the table.

SA 2601. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2602. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3304, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2600. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3304, to authorize 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; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. ____. REPEAL OF ANNUAL ADJUSTMENT OF RETIRED PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE AGE OF 62.

(a) REPEAL.—Effective immediately after the enactment of the Bipartisan Budget Act of 2013, section 403 of the Bipartisan Budget Act of 2013 is repealed.

(b) SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.—

(1) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's Social Security number on the return of tax for such taxable year.

''(B) JOINT RETURNS.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.

''(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.''.

(2) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return,''.

(3) CONFORMING AMENDMENT.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting ''WITH RESPECT TO QUALIFYING CHILDREN'' after ''IDENTIFICATION REQUIREMENT'' in the heading thereof.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2601. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3304, to authorize 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; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. ____. REPEAL OF ANNUAL ADJUSTMENT OF RETIRED PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE AGE OF 62.

(a) REPEAL.—Effective immediately after the enactment of the Bipartisan Budget Act of 2013, section 403 of the Bipartisan Budget Act of 2013 is repealed.

(b) STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.—

(1) STANDARD UTILITY ALLOWANCE.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(A) in subsection (e)(6)(C), by striking clause (iv); and

(B) in subsection (k), by striking paragraph (4) and inserting the following:

''(4) THIRD PARTY ENERGY ASSISTANCE PAYMENTS.—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household.''.

(2) CONFORMING AMENDMENTS.—Section 2605(f)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(A) in the matter preceding subparagraph (A), by striking ''and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))''; and

(B) in subparagraph (A), by inserting before the semicolon at the end the following: '', except that such payments or allowances shall not be considered to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))''.

SA 2602. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. MEDALS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO WERE KILLED OR WOUNDED IN AN ATTACK PERPETRATED BY A HOMEGROWN VIOLENT EXTREMIST WHO WAS INSPIRED OR MOTIVATED BY A FOREIGN TERRORIST ORGANIZATION.

(a) PURPLE HEART.—

(1) AWARD.—

(A) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1129 the following new section:

''§ 1129a. Purple Heart: members killed or wounded in attacks of homegrown violent extremists motivated or inspired by foreign terrorist organizations

''(a) IN GENERAL.—For purposes of the award of the Purple Heart, the Secretary concerned shall treat a member of the armed forces described in subsection (b) in the same manner as a member who is killed or wounded as a result of an international terrorist attack against the United States.

''(b) COVERED MEMBERS.—A member described in this subsection is a member on active duty who was killed or wounded in an attack perpetrated by a homegrown violent extremist who was inspired or motivated to engage in violent action by a foreign terrorist organization in circumstances where the death or wound is the result of an attack targeted on the member due to such member's status as a member of the armed forces, unless the death or wound is the result of willful misconduct of the member.

''(c) DEFINITIONS.—In this section:

''(1) The term 'foreign terrorist organization' means an entity designated as a foreign terrorist organization by the Secretary of State pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

''(2) The term 'homegrown violent extremist' shall have the meaning given that term by the Secretary of Defense in regulations prescribed for purposes of this section.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of such title is amended by inserting after the item relating to section 1129 the following new item:

''1129a. Purple Heart: members killed or wounded in attacks of homegrown violent extremists motivated or inspired by foreign terrorist organizations.''.

(2) RETROACTIVE EFFECTIVE DATE AND APPLICATION.—

(A) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as of September 11, 2001.

(B) REVIEW OF CERTAIN PREVIOUS INCIDENTS.—The Secretaries concerned shall undertake a review of each death or wounding of a member of the Armed Forces that occurred between September 11, 2001, and the date of the enactment of this Act under circumstances that could qualify as being the result of the attack of a homegrown violent extremist as described in section 1129a of title 10, United States Code (as added by paragraph (1)), to determine whether the death or wounding qualifies as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization for purposes of the award of the Purple Heart pursuant to such section (as so added).

(C) ACTIONS FOLLOWING REVIEW.—If the death or wounding of a member of the Armed Forces reviewed under subparagraph (B) is determined to qualify as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as so added), the Secretary concerned shall take appropriate action under such section to award the Purple Heart to the member.

(D) SECRETARY CONCERNED DEFINED.—In this paragraph, the term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(b) SECRETARY OF DEFENSE MEDAL FOR THE DEFENSE OF FREEDOM.—

(1) REVIEW OF THE NOVEMBER 5, 2009 ATTACK AT FORT HOOD, TEXAS.—If the Secretary concerned determines, after a review under subsection (a)(2)(B) regarding the attack that occurred at Fort Hood, Texas, on November 5, 2009, that the death or wounding of any member of the Armed Forces in that attack qualified as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as added by subsection (a)), the Secretary of Defense shall make a determination as to whether the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the same attack meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom.

(2) AWARD.—If the Secretary of Defense determines under paragraph (1) that the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the attack that occurred at Fort Hood, Texas, on November 5, 2009, meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom, the Secretary shall take appropriate action to award the Secretary of Defense Medal for the Defense of Freedom to the employee or contractor.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 18, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, ''What Information Do Data Brokers Have On Consumers, and How Do They Use It?''

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 18, 2013, at 2:15 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet

during the session of the Senate on December 18, 2013, in room SD–430 of the Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on December 18, 2013, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on December 18, 2013, at 2 p.m. in room 428A of the Russell Senate Office Building to conduct a roundtable entitled ''SBIR/STTR: Measuring the Effectiveness of the Reauthorization Act and Maximizing Research Dollars to America's Small Businesses.''

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

SUBCOMMITTEE ON EAST ASIA AND PACIFIC

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 18, 2013, at 10 a.m., to hold an East Asia and Pacific subcommittee hearing entitled ''Rebalance to Asia IV: Economic Engagement in the Asia-Pacific Region.''

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

SUBCOMMITTEE ON SOCIAL SECURITY, PENSIONS, AND FAMILY POLICY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Social Security, Pensions, and Family Policy of the Committee on Finance be authorized to meet during the session of the Senate on December 18, 2013, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Role of Social Security, Defined Benefits, and Private Retirement Accounts in the face of the Retirement Crisis.''

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

SUBCOMMITTEE ON AGING

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on December 18, 2013, to conduct a hearing entitled ''the Future of Long-Term Care Policy: Continuing the Conversation.''

The Committee will meet in room 562 of the Dirksen Senate Office Building beginning at 2:15 pm.

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

PRIVILEGES OF THE FLOOR

Mr. KING. Mr. President, I ask unanimous consent that Deanna Wilbur be granted the privilege of the floor for the purpose of being here during these remarks.

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

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that MAJ Bobby J. Cox, my defense fellow, be granted the privilege of the floor for the remainder of the week.

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

Mr. LEVIN. Mr. President, I ask unanimous consent that Whitney Reitz, a State Department fellow in the office of Senator LANDRIEU, be granted floor privileges for the remainder of the 113th Congress.

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

SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

Mr. DURBIN. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 316 and the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 316) supporting the goals and ideals of American Diabetes Month.

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

Mr. DURBIN. I further ask unanimous consent 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. 316) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of December 10, 2013, under ''Submitted Resolutions.'')

RESPECTING THE TRAGIC SHOOTING AT LOS ANGELES INTERNATIONAL AIRPORT

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 324 submitted earlier today by Senator ROCKEFELLER.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 324) expressing the sense of the Senate with respect to the tragic shooting at Los Angeles International Airport on November 1, 2013, of employees of the Transportation Security Administration.

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

Mr. DURBIN. I further ask unanimous consent 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. 324) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the chairman of the Committee on Commerce, Science, and Transportation, and pursuant to Title 46, Section 1295 b(h), of the U.S. Code, appoints the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy: The Senator from West Virginia (Mr. ROCKEFELLER), ex officio, as Chairman of the Committee on Commerce, Science, and Transportation and the Senator from Virginia (Mr. WARNER), from the Committee on Commerce, Science, and Transportation.

The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101–595, and upon the recommendation of the Chairman of the Committee on Commerce, Science and Transportation, appoints the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: The Senator from West Virginia (Mr. ROCKEFELLER), ex officio, as Chairman of the Committee on Commerce, Science and Transportation; and the Senator from Washington (Ms. CANTWELL), Committee on Commerce, Science, and Transportation.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), reappoints and appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy: The Senator from Colorado (Mr. BENNET), designee of the Chairman of the Committee on Armed Services, and the Senator from New Mexico (Mr. UDALL), from the Committee on Appropriations.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints and reappoints the following Senators to the Board of Visitors of the U.S. Military Academy: the Senator from New York (Mrs. GILLIBRAND), designee of the Chairman of the Committee on Armed Services, and the Senator from Louisiana (Ms. LANDRIEU), from the Committee on Appropriations.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), reappoints the following Senators to the Board of Visitors of the U.S. Naval Academy: The Senator from Maryland (Ms. MIKULSKI), from the Committee on Appropriations, and the Senator from Maryland (Mr. CARDIN), At Large.

The Chair, on behalf of the President pro tempore, pursuant to provisions of

Public Law 106–79, appoints the following Senator to the Dwight D. Eisenhower Memorial Commission: The Honorable JOE MANCHIN III of West Virginia vice the Honorable Daniel K. Inouye of Hawaii.

ORDERS FOR THURSDAY, DECEMBER 19, 2013

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, December 19, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate resume consideration of the motion to concur in the House message to accompany H.R. 3304, the National Defense Authorization Act; further, that all time during adjournment count postcloture on the motion to concur.

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

PROGRAM

Mr. DURBIN. Rollcall votes are possible throughout the day. Senators will be notified when they are scheduled.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order.

There being no objection, the Senate, at 7:50 p.m., adjourned until Thursday, December 19, 2013, at 10 a.m.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, December 19, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 7

2:30 p.m.

Committee on the Judiciary

Subcommittee on the Constitution, Civil Rights and Human Rights

To hold hearings to examine the Syrian refugee crisis.

SD–226

Daily Digest

HIGHLIGHTS

Senate agreed to the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.J. Res. 59, Budget Act.

Senate

Chamber Action

Routine Proceedings, pages S8919–8984

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 1848–1858, and S. Res. 323–324. **Pages S8975–76**

Measures Reported:

S. Res. 75, condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights, with an amendment and with an amended preamble.

S. Res. 288, supporting enhanced maritime security in the Gulf of Guinea and encouraging increased cooperation between the United States and West and Central African countries to fight armed robbery at sea, piracy, and other maritime threats.

S. Res. 312, calling on the government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history.

S. Res. 314, commemorating and supporting the goals of World AIDS Day.

S. Res. 318, expressing the sense of the Senate regarding the critical need for political reform in Bangladesh.

S. Res. 319, expressing support for the Ukrainian people in light of President Yanukovych's decision not to sign an Association Agreement with the European Union.

S. 653, to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1857, to reform assistance to Egypt. **Page S8975**

Measures Passed:

VA Expiring Authorities Extension Act: Senate passed H.R. 1402, to amend title 38, United States Code, to extend certain expiring provisions of law. **Page S8964**

American Diabetes Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 316, supporting the goals and ideals of American Diabetes Month, and the resolution was then agreed to. **Page S883**

Tragic Shooting at Los Angeles International Airport: Senate agreed to S. Res. 324, expressing the sense of the Senate with respect to the tragic shooting at Los Angeles International Airport on November 1, 2013, of employees of the Transportation Security Administration. **Page S8983**

Measures Considered:

Workforce Investment Act: Senate began consideration of the motion to proceed to consideration of S. 1356, to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth. **Page S8920**

House Messages:

Budget Act: By 64 yeas to 36 nays (Vote No. 281), Senate agreed to the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.J. Res. 59, making continuing appropriations for fiscal year 2014, after taking action on the following motions and amendments proposed thereto: **Pages S8920–57**

Withdrawn:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the joint resolution, with Reid Amendment No. 2547, to change the enactment date. **Pages S8921–57**

During consideration of this measure today, Senate also took the following action:

Reid Amendment No. 2548 (to Amendment No. 2547), of a perfecting nature, fell when Reid motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the joint resolution, with Reid Amendment No. 2547(listed above), was withdrawn. **Pages S8921–57**

National Defense Authorization Act—Agreement: Senate resumed consideration of the amendment of the House of Representatives to the amendment of the Senate to 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, taking action on the following motions and amendments proposed thereto: **Pages S8957–64**

Pending:

Reid motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill. **Page S8957**

Reid motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 2552, to change the enactment date. **Page S8957**

Reid Amendment No. 2553 (to Amendment No. 2552), of a perfecting nature. **Page S8957**

During consideration of this measure today, Senate also took the following action:

By 71 yeas to 29 nays (Vote No. 282), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill. **Page S8957**

Reid motion to refer the message of the House on the bill to the Committee on Armed Services, with instructions, Reid Amendment No. 2554, to change the enactment date, fell when cloture was invoked on the Reid motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill. **Page S8957**

Reid Amendment No. 2555 (to (the instructions of the motion to refer) Amendment No. 2554), of a perfecting nature, fell when Reid motion to refer the message of the House on the bill to the Committee on Armed Services, with instructions, Reid Amendment No. 2554 (listed above) fell. **Page S8957**

Reid Amendment No. 2556 (to Amendment No. 2555), of a perfecting nature, fell when Reid Amendment No. 2555 (to (the instructions of the motion to refer) Amendment No. 2554) (listed above) fell. **Page S8957**

A unanimous-consent agreement was reached providing for further consideration of the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill at approximately 10:00 a.m., on Thursday, December 19, 2013; and that all time during adjournment count post-cloture on motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill. **Page S8984**

Appointments:

Board of Visitors of the U.S. Merchant Marine Academy: The Chair, on behalf of the Chairman of the Committee on Commerce, Science, and Transportation, and pursuant to Title 46, Section 1295 b(h), of the U.S. Code, appointed the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy: Senator Rockefeller, ex officio, as Chairman of the Committee on Commerce, Science, and Transportation and Senator Warner, from the Committee on Commerce, Science, and Transportation. **Page S8983**

Board of Visitors of the U.S. Coast Guard Academy: The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101–595, and upon recommendation of the Chairman of the Committee on Commerce, Science, and Transportation, appointed the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: Senator Rockefeller, ex officio, as Chairman of the Committee on Commerce, Science and Transportation, and Senator Cantwell, Committee on Commerce, Science and Transportation. **Page S8983**

Board of Visitors of the U.S. Air Force Academy: The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), reappointed and appointed the following Senators to the Board of Visitors of the U.S. Air Force Academy: Senator Bennet, designee of the Chairman of the Committee on Armed Services, and Senator Udall (NM), from the Committee on Appropriations. **Page S8983**

Board of Visitors of the U.S. Military Academy: The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appointed and reappointed the following Senators to the Board of Visitors of the U.S. Military Academy:

Senator Gillibrand, designee of the Chairman of the Committee on Armed Services, and Senator Landrieu, from the Committee on Appropriations.

Page S8983

Board of Visitors of the U.S. Naval Academy: The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), reappointed the following Senators to the Board of Visitors of the U.S. Naval Academy:

Senator Mikulski, from the Committee on Appropriations, and Senator Cardin, At Large. **Page S8983**

Dwight D. Eisenhower Memorial Commission: The Chair, on behalf of the President pro tempore, pursuant to the provisions of Public Law 106–79, appointed the following Senator to the Dwight D. Eisenhower Memorial Commission:

Senator Joe Manchin III vice The Honorable Daniel K. Inouye of Hawaii. **Pages S8983–84**

Measures Placed on the Calendar: **Pages S8920, S8974**

Executive Communications: **Pages S8974–75**

Executive Reports of Committees: **Page S8975**

Additional Cosponsors: **Pages S8976–77**

Statements on Introduced Bills/Resolutions: **Pages S8977–81**

Additional Statements: **Page S8974**

Amendments Submitted: **Pages S8981–82**

Authorities for Committees to Meet: **Pages S8982–83**

Privileges of the Floor: **Page S8983**

Record Votes: Two record votes were taken today. (Total—282) **Page S8957**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:50 p.m., until 10 a.m. on Thursday, December 19, 2013. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8984.)

Committee Meetings

(Committees not listed did not meet)

DATA BROKERS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine what information data brokers have on consumers, and how they use it, after receiving testimony from Jessica Rich, Director, Bureau of Consumer Protection, Federal Trade Commission; Pam Dixon, World Privacy Forum, San Diego, California; Joseph Turow, University of Pennsylvania Annenberg School for Communication, Philadelphia; Tony Hadley, Experian, Costa Mesa, California; and Jerry Cerasale, Direct Marketing Association, Washington, DC.

RETIREMENT

Committee on Finance: Subcommittee on Social Security, Pensions and Family Policy concluded a hearing to examine the role of Social Security, defined benefits, and private retirement accounts in relation to retirement crisis, after receiving testimony from Robert G. Romasco, AARP, Andrew G. Biggs, American Enterprise Institute for Public Policy Research, and Dean Baker, Center for Economic and Policy Research, all of Washington, DC; and John Sweeney, Fidelity Investments, Boston, Massachusetts.

ASIA IV REBALANCE

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine economic engagement in the Asia-Pacific region, focusing on rebalance to Asia IV, after receiving testimony from Scot A. Marciel, Principal Deputy Assistant Secretary of State, Bureau of East Asian and Pacific Affairs; John Andersen, Principal Deputy Assistant Secretary of Commerce for Global Markets, International Trade Administration; and Matthew P. Goodman, Center for Strategic and International Studies, and Derek Scissors, American Enterprise Institute for Public Policy Research, both of Washington, DC.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

An original bill entitled, "Egypt Assistance Reform Act of 2013";

S. 653, to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia;

S. Res. 314, commemorating and supporting the goals of World AIDS Day;

S. Res. 288, supporting enhanced maritime security in the Gulf of Guinea and encouraging increased cooperation between the United States and West and Central African countries to fight armed robbery at sea, piracy, and other maritime threats;

S. Res. 312, calling on the government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history;

S. Res. 75, condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights, with amendments;

S. Res. 318, expressing the sense of the Senate regarding the critical need for political reform in Bangladesh;

S. Res. 319, expressing support for the Ukrainian people in light of President Yanukovych's decision not to sign an Association Agreement with the European Union; and

The nominations of Dana J. Hyde, of Maryland, to be Chief Executive Officer, Millennium Challenge Corporation, Mark E. Lopes, of Arizona, to be United States Executive Director of the Inter-American Development Bank for a term of three years, and Keith Michael Harper, of Maryland, for the rank of Ambassador during his tenure of service as United States Representative to the UN Human Rights Council, Department of State.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee order favorably reported the following business items:

S. 1417, to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act, with an amendment in the nature of a substitute;

S. 1719 to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program; and

The nominations of David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor, France A. Cordova, of New Mexico, to be Director of the National Science Foundation, and Steven Joel Anthony, of the District of Columbia, to be a Member of the Railroad Retirement Board.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 1352, to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, with an amendment in the nature of a substitute; and

The nomination of Vincent G. Logan, of New York, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior.

SMALL BUSINESS INNOVATION RESEARCH AND SMALL BUSINESS TECHNOLOGY TRANSFER

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine Small Business Innovation Research and Small Business Technology Transfer, focusing on measuring the effectiveness of the reauthorization act and maximizing research dollars to America's small businesses, after receiving testimony from Frank Rusco, Director, Natural Resources and Environment, Government Accountability Office; Chris Rinaldi, Small Business Innovation Research and Small Business Technology Transfer, and Andre Gudger, Director, both of the Office of Small Business Program, Department of Defense; Manny Oliver, Director, Small Business Innovation Research and Small Business Technology Transfer, Department of Energy; Matthew Portnoy, Director, Office of Extramural Programs, National Institutes of Health, Department of Health and Human Services; Pravina Raghavan, Deputy Associate Administrator, Office of Investment and Innovation, Small Business Administration; Lisa Sobolewski, Small Business Innovation Research Program Director, Department of Homeland Security; Robert Savoie, Geocent, LLC, Metairie, Louisiana; Charles Wessner, National Academy of Sciences, and Jere Glover, Small Business Technology Council, both of Washington, DC; Mahendra K. Jain, Kentucky Science and Technology Corporation, Lexington; Jenny Houston, Warwick Mills, New Ipswich, New Hampshire; and Dave Green, Physical Sciences, Inc., Andover, Massachusetts.

LONG-TERM CARE POLICY

Special Committee on Aging: Committee concluded a hearing to examine the future of long-term care policy, focusing on continuing the conversation, after receiving testimony from Bruce Chernof, The SCAN Foundation, Long Beach, California, and Mark Warshawsky, American Enterprise Institute, Arlington, Virginia, both of the Commission on Long-Term Care; and Judy Feder, Georgetown University McCourt School of Public Policy, and Anne Tumlinson, Avalere Health, both of Washington, DC.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 11 a.m. on Thursday, December 19, 2013 in pro forma session.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 19, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Energy and Natural Resources: business meeting to consider S. 37, to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, S. 404, to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest, S. 974, to provide for certain land conveyances in the State of Nevada, S. 1237, to improve the administration of programs in the insular areas, S. 1300, to amend the Healthy Forests Restoration Act of 2003 to provide for the conduct of stewardship end result contracting projects, S. 1301, to provide for the restoration of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon, S. 1341, to modify the Forest Service Recreation Residence Program as the program applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, S. 1491, to amend the Energy Independence and Security Act of 2007 to improve United States-Israel energy cooperation, H.R. 1158, to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area, and H.R. 2337, to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado, 9:30 a.m., SD–366.

Committee on the Judiciary: business meeting to consider S. 619, to amend title 18, United States Code, to prevent unjust and irrational criminal punishments, S. 1410, to focus limited Federal resources on the most serious offenders, S. 1675, to reduce recidivism and increase public safety, S. 975, to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009, and the nominations of John B. Owens, of California, and Michelle T. Friedland, of California, both to be a United States Circuit Judge for the Ninth Circuit, Nancy L. Moritz , of Kansas, to be United States Circuit Judge for the Tenth Circuit, David Jeremiah Barron, of Massachusetts, to be United States Circuit Judge for the First Circuit, Matthew Frederick Leitman, Judith Ellen Levy, Laurie J. Michelson, and Linda Vivienne Parker, all to be a United States District Judge for the Eastern District of Michigan, Christopher Reid Cooper, to be United States District Judge for the District of Columbia, Gerald Austin McHugh, Jr., and Edward G. Smith, both to be a United States District Judge for the Eastern District of Pennsylvania, M. Douglas Harpool, to be United States District Judge for the Western District of Missouri, Sheryl H. Lipman, to be United States District Judge for the Western District of Tennessee, Stanley Allen Bastian, to be United States District Judge for the Eastern District of Washington, Manish S. Shah, to be United States District Judge for the Northern District of Illinois, and Peter Joseph Kadzik, of New York, to be an Assistant Attorney General, Robert L. Hobbs, to be United States Marshal for the Eastern District of Texas, and Gary Blankinship, to be United States Marshal for the Southern District of Texas, all of the Department of Justice, 10 a.m., SD–226.

House

No hearings are scheduled.

Next Meeting of the SENATE

10 a.m., Thursday, December 19

Senate Chamber

Program for Thursday: Senate will continue consideration of the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 3304, National Defense Authorization Act, post-cloture.

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Thursday, December 19

House Chamber

Program for Thursday: The House is scheduled to meet at 11 a.m. on Thursday, December 19, 2013 in pro forma session.

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