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Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

God of grace and glory, hear our prayer and answer us when we call. Lord, You forgive our sins and heal our sickness, for Your mercy is great toward those who esteem Your Name. Thank You for Your promises to never forsake us and to render ineffectual the weapons we face.

Strengthen our Senators in their efforts to do good, sustaining them in their labors. Give them more than human wisdom to solve the problems of these momentous times. Keep them calm in the quiet center of their lives so that they may be serene in the swirling stresses of their work.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

REPEALING SECTION 403 OF THE BIPARTISAN BUDGET ACT OF 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 298.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 298, S. 1963, a bill to repeal section 403 of the Bipartisan Budget Act of 2013.

SCHEDULE

Mr. REID. Mr. President, at 5:30 p.m. there will be a rollcall vote on the motion to invoke cloture on the motion to proceed to S. 1963.

MEASURES PLACED ON THE CALENDAR—H.R. 3590 AND H.R. 3964

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

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

The legislative clerk read as follows:

A bill (H.R. 3590) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

A bill (H.R. 3964) to address certain water-related concerns in the Sacramento-San Joaquin Valley, and for other purposes.

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

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

RESTORING RETIREMENT PAY TO U.S. ARMED FORCES

Mr. REID. Mr. President, today the Senate will consider new legislation that would restore earned retirement pay to the men and women of our Armed Forces. The measure restores cost-of-living adjustments for all military retirees regardless of age, disability or employment status. Congress should protect veterans who put their lives on the line to protect our country.

I appreciate very much Senators PRYOR, SHAHEEN, HAGAN, and BEGICH for their leadership on this issue. Although the provision reversed by this measure doesn't take effect until the end of next year, there is no reason to delay, and we should move forward with it. I hope Republicans will join Democrats to pass this bill without their usual partisan games.

Unfortunately, the type of obstruction and delay I just referred to was on full display here last week. On Thurs-

day, the Senate fell one vote short of restoring unemployment insurance for 1.7 million Americans who lost their jobs through absolutely no fault of their own. Every single Democratic Senator voted for this bill. A few reasonable Republicans—four, to be exact—voted with us to restore benefits that would boost our economy and provide a lifeline for out-of-work Americans. But we are still one Republican vote shy before we are able to do this for these people.

It is so unfair. If someone loses their job today, they can apply for unemployment benefits and get them immediately. But if a person has been out of work for a long time at 57 years old and can't find a job, that person needs this, but they can't because of what the Republicans have done.

When 1.7 million struggling Americans fall short of the rent, skip meals to save cash or turn down the thermostat on freezing days, they will know who to blame—41 Republican Senators. We only need one more Republican—a total of 5 out of 45—to step up and do what is right for these desperate people.

We are not going to stop pushing to restore emergency unemployment insurance. In the weeks to come, we will vote again on this important issue and again if we need to. In the meantime I hope my colleagues across the aisle will think long and hard about their unsustainable position on this issue, a position that hurts middle-class families.

MINIMUM WAGE

In the weeks ahead the Senate will also consider legislation to give 17 million minimum wage workers a much needed raise and our economy a much needed boost. No American working full time should live below the poverty line, but many of them do. So we are going to push to make the minimum wage a living wage and raise it to \$10.10 an hour.

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



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To ensure this country's economic success, it is crucial that every American has an opportunity to succeed as well. When some people have to work two or three full-time jobs just to pay the rent and put food on the table, something is wrong.

Minimum wage workers spend their paychecks in local stores, gas stations, and restaurants. That is why an increase in the minimum wage would create 85,000 new jobs.

This increase is also key to ensuring every full-time worker has a shot at entering the middle class. Contrary to the common belief, raising the minimum wage isn't just about helping teenagers earn a little extra cash. Two-thirds of the people working for minimum wage are women. It is also about helping any woman, such as a 35-year-old woman earning half of her family's income and more than one-quarter of the workers who would benefit from a raise are supporting children.

Last week Republicans voted against the interests of middle-class Americans doing their best to survive unemployment. When it comes time to consider Democrats' minimum wage proposal, I hope the Republicans will choose the right way, not the wrong way, as they have done so often. They should stand for middle-class families rather than resort to obstruction.

RESERVATION OF LEADER TIME

I ask the Chair to announce the business of the day.

The PRESIDING OFFICER (Mr. KAINE). Under the previous order leadership time is reserved.

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1963.

The Senator from Vermont.

NSA SECURITY BREACH

Mr. LEAHY. Mr. President, the National Security Agency continues its indiscriminate collection of a massive number of phone records about Americans under section 215 of the USA PATRIOT Act. I have said over and over again that as a nation we have long needed to have the national conversation about bulk collection that is now underway, and the section 215 program should have been declassified long before it was.

I wish to make very clear, as I have said before, I do not condone the way this or other highly classified programs were disclosed. I am deeply concerned about the potential damage to our intelligence-gathering capabilities, our foreign relationships, and national security.

I am also deeply concerned that one person with a security clearance can wreak this much havoc. According to the New York Times, Edward Snowden accomplished his heist of extraordinarily sensitive information about NSA activities with "inexpensive and widely available software"; in other words, software that any one of us could get. He didn't even execute a particularly sophisticated breach. He did

not, apparently, face a particularly complex technological challenge while removing these sensitive documents from the NSA trove. Yet he pulled off what the Director of National Intelligence James Clapper recently called "the most massive and most damaging theft of intelligence in our history."

I continually ask the leaders of our intelligence community: What are you doing to stop this from happening again? I have learned that the NSA has devoted substantial resources to fixing the faults that allowed this to happen, has taken some steps to address them, and has identified a range of other actions that need to be taken. But one has to ask, especially in the wake of the Private Manning leaks, how could the NSA have allowed this to happen in the first place.

I say this not to beat up on the NSA. I know we have highly dedicated, patriotic men and women working there, and I applaud them for their service to their country. But when I hear their leadership ask us to trust that they will keep our information safe and that we should have faith in its internal policies and procedures, one has to ask: Is this accurate?

This is the same NSA that first told us that the section 215 program was essential to national security. They talked in speeches around the country that it thwarted dozens of plots. But then when they were asked questions in a congressional hearing specifically about it, that number went from in the fifties down to possibly one. The primary defense of the NSA's bulk collection program now appears to be the program is more of an insurance policy than anything else. But now even that new defense of the program has been called into question.

The Washington Post has reported that under this program the NSA collects less than 30 percent of domestic phone records. The Wall Street Journal says the number is less than 20 percent. These estimates are consistent with the public copy of the President's Review Group report, which cautioned against placing too much value on this program as a tool to rule out a domestic connection to a terrorist plot; thus, the so-called insurance policy. The Review Group report tells us it is precisely because—although the program is unprecedented in scope—it still covers only a percentage of the total phone metadata held by service providers.

It appears to this Senator that the intelligence community has defended its unprecedented, massive, and indiscriminate bulk collection by arguing that it needs the entire "haystack" in order for it to have an effective counterterrorism tool—and yet the American public now finds out they only have 20 to 30 percent of that so-called haystack.

These revelations call even further into question the effectiveness of this program.

Although the program is ongoing, some preliminary and positive changes

are underway. Just last week, the Director of National Intelligence announced that the FISA Court has approved procedures under which the government will seek approval by a FISA Court judge before querying these phone records—absent a true, almost instantaneous kind of an emergency. The President has directed the Attorney General and the Director of National Intelligence to develop alternatives to the section 215 phone records program and report back to him at the end of next month. That is progress but only some progress. It is not enough. It is not going to be enough to just reform the government's bulk phone records collection program.

The program, as expensive and extensive as it is, has not proven effective. But beyond that, it is not worth the massive intrusion on the privacy of the American people—of the good, law-abiding men and women in what is supposed to be the greatest democracy on Earth.

Congress should shut it down. We should enact the bipartisan, bicameral USA FREEDOM Act. Then Congress has to examine carefully—and to the extent possible publicly—the security breach that led to these revelations in the first place.

The Senate Judiciary Committee has had a number of hearings on this issue. We are going to continue working on these issues at a hearing this week with the Privacy and Civil Liberties Oversight Board—yet another voice concluding that the section 215 program should not continue. If the NSA is to regain the trust of the American people, it has to spend less time collecting data on innocent Americans and more time keeping our Nation's secrets safe.

I yield the floor.

I will suggest the absence of a quorum. Is time being divided?

The PRESIDING OFFICER. Time is not currently being divided.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RETIREMENT

Mr. HARKIN. Mr. President, I want to talk today about a subject that has immense implications for America's future. In fact, I often talk about it as being perhaps the darkest cloud hanging over the future economic well-being of our country that no one ever talks about. It has been hugely ignored; that is, the issue of retirement income and what people are going to do when they retire in the future.

I have been focused on this for several years. My HELP Committee has, over the last 2 or 3 years, had 10 hearings on this issue. We have met with a

lot of the investment community and retirement benefits community to take a look at what is happening and to see whether we can have a better system for retirement than we have.

Right now young people who are working to pay off student loan debt, maybe buy a new home, put a little money away for their own kids' education later on or people who are close to retirement, a nurse who has been working all her life, someone maybe worked in a small business and they are 60 years old, are wondering what are they going to do when they retire. They are worried they will not have enough money to live on.

Quite frankly, they are very right to be worried. If you looked at the future work force of America today and you said: What is it this group of people will need to live on when they retire and what they have saved for retirement, there is a deficit. They do not have enough saved on which to retire.

How big is that deficit? Calculations in our hearings show it is about \$6.6 trillion. That is a big chunk of change. That is a huge hole. So when you look at what is happening, half of Americans—half of Americans—have less than \$10,000 in savings.

As I talk and as we look at this, we have to remember that retirement has always been thought of as a three-legged stool. One leg is a pension; one leg is savings; the other leg is Social Security. So what is happening now is that on the retirement pension system, the savings systems are falling down. Social Security is still strong. I will have more to say about that. But what we have to do is look at how much people have in savings. Half of all Americans who are working today have less than \$10,000 in savings—less than \$10,000 in savings.

When I came to the Congress in the 1970s, one out of every two workers had a pension. That means they had a pension that would pay them a monthly income until the day they died. And if they died, their spouse would get it. One out of every two. Today it is one in every five and it is getting worse. Only one in five.

By the way, this has fallen by 30 percent in just two decades. Again, 75 million people have no retirement plan at all. Seventy-five million people—that is about half of the workforce in America—have no workplace retirement plan at all—nothing, no 401(k), no IRAs, no defined benefit program. Nothing. Half, one out of every two, have nothing whatsoever.

Unfortunately, instead of trying to improve the pension system and lift up everyone, there are too many people out there trying to score political points by scapegoating public servants for State and local budget shortfalls. Pensions are not the cause of State fiscal problems, and retired public servants are not living high on the hog on the taxpayer's dime. These are simply malicious myths being spread by people who I think have two objectives:

one, to discredit public sector unions; secondly, to dismantle the pension system.

Pensions are one of the best ways to ensure that middle-class people can have a secure retirement because they provide a guaranteed source of income that a person can count on for as long as he or she lives.

Can the current pension system be improved? I believe so. But there is no reason to abandon a system that has worked for millions of people.

The sad truth is that these days the vast majority of employees with any retirement plan at all have a 401(k). Again, I am not here to bad-mouth 401(k)s. They can be a very good way to help people put some money aside to supplement their pension. But 401(k)s were never intended to replace pensions. It was to be that other leg of the stool, the savings part.

Again, we know that savings rates are too low. As I said, most people have less than \$10,000. There is no simple way for people to convert their savings into a stream of retirement income that they cannot outlive. The promise people made about 401(k)s was that more businesses would start them, more people would participate.

Well, I was here when 401(k)s started. It sounded like a good idea, an easy way for people to save. But decades after the start of 401(k)s, the number of workers participating in these plans has stayed flat. According to Monique Morrissey of the Economic Policy Institute, in 1989, participation in 401(k)s was at 46 percent of the workforce. In 2010, it was 45 percent. So it has stayed flat.

We have seen some modest increases in savings the last few years. That is what people told me at our hearings. We have seen some modest increases. I said: Really? Okay, let's take a look at that. This kind of surprised me, that we had an uptick in savings. But then we looked at the data. What does it show? It shows who is saving what. The top 10-percent income earners, the top 10 percent of income earners in America have 100 times more saved for retirement than the median household. So we charted it out. You see back here in 1989, well, they were not too far apart. Here is the top 10 percent. The top 10 percent now has nearly \$239,000 set aside for retirement; the median household, \$2,500. You say savings have gone up. Yes, look who has saved—the top 10 percent, those of us who work here. So \$239,000 as opposed to \$2,500 for the average family.

I might also add that buried in this, buried in this chart, is an unacceptable amount of racial and gender inequality in this system. The National Institute on Retirement Security recently found that Black, Asian, and Latino workers have significantly less access to retirement plans on the job than White Americans, especially in the private sector. As a result, the vast majority of working-age households headed by people of color have little or no retirement

savings. For those with a retirement plan, the average account balances for Black and Latino households are less than one-fifth that of White households. So if I am not mistaken, one-fifth of \$2,500 would be about 500 bucks. So buried in this—keep in mind—is unequal gender and racial inequality.

Addressing the issue of retirement security again would be particularly beneficial to women. We all know about the income gap between men and women. But what a lot of people do not realize is the gap worsens after retirement. When you think about it, you can understand that. In 2011, the median annual income of older women; that is, over retirement age—keep this in mind, the median annual income was \$14,225. The median annual income of that same core of older men was \$24,794.

Why is that? Think about it. Unequal pay during their working years. That means women have less opportunity to save. They may take some time off during their working years to start a family. They have less time to save. Additionally, women tend to be concentrated in jobs that do not traditionally offer retirement plans. It has been said many times that women save more money than men. Well, yes, they have higher rates, but they are starting from a very low point. So women still lag behind men when it comes to total retirement savings.

That sort of sets the stage for our committee and for me to introduce the USA Retirement Funds Act, S. 1979—if anybody wants to write down the number of the bill. It is a new retirement program, and I am going to explain, basically, how it operates.

The USA retirement means it is universal, it is secure, and it is adaptable. That is what the USA stands for. It would tackle the retirement crisis head-on by ensuring that the 75 million people—remember my earlier chart—without a workplace retirement plan would have the opportunity to earn a safe and secure pension—universal, secure, and adaptable.

The concept is very simple. Employers who don't offer a pension or a well-designed 401(k) would automatically enroll their employees in this retirement fund. If an employee wanted to opt out, he or she could. No one would be forced to participate. But by making the system opt out instead of opt in, we get millions more people participating.

Employer and employee contributions would go into a fund that would be managed by a board of trustees. When a participant retires, the fund would provide the retiree with a monthly benefit as long as he or she lives, and if that person died it would go on to their spouse.

Over time, as people contribute, they would earn a real retirement benefit that will be a better bang for their buck than what they could have gotten on their own. That is because these funds would spread retirement risk over large groups of participants.

A recent report by David Madland at the Center for American Progress found that the USA Retirement Fund, with risk pooling and professional management, would make retirement much more affordable for working families. In fact, it would cut in half the amount people would need to save over the present system of defined contribution 401(k)s.

So it is basically universal access; everybody is in. You could work for an employer—with three employees, four employees, two employees—or you could be self-employed and have universal access.

You would get monthly benefits for life. You wouldn't be borrowing against it. You wouldn't be taking out a lump sum. It would be there, and you would get a monthly benefit for life with a spousal survival.

"Professionally managed" means that it would be managed by a board of trustees who would have a fiduciary responsibility to this pool to invest it wisely—fiduciary responsibility. That relieves the individual from trying to figure out what is the best place to put my little, meager amount of savings.

You wouldn't have to consider whether or not you should follow Uncle Fred's advice about this stock that he has that is going to make you a lot of money in the future or Mr. Ponzi's—what was the Ponzi guy's name again—where all you had to do was give him a lot of money or maybe Bernie Madoff in later years. You wouldn't have to worry about that. This would be a professional board that would have a fiduciary responsibility. As I said, it would have lower costs—about 50 percent.

In other words, what this means is if you were 35 years old and working, and you figured under your 401(k) you would need \$2 million by the time you retired in order to live out your life and have a decent retirement income, if you were involved in this program, you would only need \$1 million because the costs would be that much less.

A big portion of that \$2 million goes into fees during the life of that 401(k). So that is the big savings. USA retirement, that is for the personnel.

Let's take a look at what it means for the business, the business community itself. These are the benefits to the business. It is easy to offer. They don't have to set up a plan. For a small mom-and-pop business, if they are filling out FICA taxes anyway, they just have a separate line for this, send it off, and they haven't anything else to do. They don't have to manage it—no risks and no fiduciary responsibility as an employer, none whatsoever—and they get quality benefits.

This is what this means. A lot of employers want to make sure their employees have a good retirement benefit because as they get older they earn more. Let's face it, you would like to have people retire so you could bring younger people into the workforce.

If you have people now who can't retire because they don't have enough

money, they stay working. If you have a good, quality benefit, when people get to the age of retirement, basically they can retire now; they have their retirement set up. It means for an employer, for a business, they get the kind of turnover they need to bring in new, younger workers.

As I said earlier, it is professionally run. The company has no fiduciary responsibility whatsoever such as they do under a defined benefit program. They don't have to manage it, don't have to do anything and, as I said, no risk to the business whatsoever.

I would add also that under the bill employers could voluntarily contribute to the program. They don't have to, but they could voluntarily contribute.

If you are signing up one of your workers at 6 percent, the employer could say: I want to have a good workforce; I want to hire really good people. I have good people, and I want to keep them, but I will tell you what, I will kick in 2 percent, 3 percent or 2.5 percent.

They can kick in whatever they want as a management tool, maybe even as a recruitment tool to recruit very good workers. Again, it is a good recruitment and management tool for businesses.

For the economy in general, this would be good. This is what a lot of people don't consider. By bringing more people into this retirement system, there are going to be more savings, and there are going to be savings that are long-term type savings.

It is what we call patient capital. In other words, with the capital that comes into these big retirement pools, they don't need to earn and think about the quarterly bottom line, but they do think about the long term.

Haven't we spent a lot of time in this body and around the country talking about the need for infrastructure, long-term projects for this country, energy systems, electrical systems, roads, bridges, sewers, all of these. Plus, we need long-term capital for the new entrepreneurs starting these new businesses that may take a long time for them to return some capital, but they need that access to that long-term patient capital that something like this could provide for them.

As I said, it creates a lot of jobs. Again, because of this ability to invest over the long term, they are going to be able to start creating more jobs in our country.

I want to emphasize two more key points before I yield the floor.

First, USA Retirement Funds would not replace pensions or 401(k)s. Employers could and should continue to offer these plans at the workplace. But what this would do is give people without access to a quality employer-provided plan the opportunity to earn a retirement benefit.

The second point I want to make is that USA Retirement Funds isn't a new government program. There have already been some stories written about this in the paper.

Someone said: HARKIN has come up with a new government program.

No, I haven't. This is not a government program. This is a 21st century retirement plan run entirely by the private sector, just like pensions and 401(k)s.

Finally, I would be remiss if I didn't talk about that third leg of the stool, and that is Social Security. We have to improve the most efficient, most effective retirement program we have, and that is Social Security. Last year, I, along with others, introduced a bill, S. 567—a nice, easy number to remember—to expand the benefits by \$65 a month. That means that if you are at the lower end of the income scale when you retire, your replacement rate will be a little bit better. You get \$65 a month.

For some at the higher end, \$65 a month is not that big of a deal, but it sure helps those at the bottom end. So it would increase that by \$65, and it would index the living adjustment so you would have improved cost-of-living adjustment in the future because it would look at the CPI—the cost-of-living for elderly. I look at that and adjust it for that.

Secondly, it would strengthen the trust fund by lifting the cap on the payroll tax. If we do all of that, we strengthen Social Security, we actually increase the benefit a little bit, and it extends the life to 2050. So it makes Social Security stronger for future beneficiaries.

By improving the private retirement system, bolstering Social Security, we can do a lot to take away that dark cloud. We can tell people, assure people, that they will be able to save and have a retirement benefit, an annuity, every month, as long as they live.

Secondly, we make it easier for businesses to set it up. Third, it creates jobs in our economy by long-term types of investment. During this time of economic insecurity, it is more important than ever that working people have the opportunity to prepare for retirement.

I urge my colleagues to help rebuild the pension system in this country by supporting the USA Retirement Funds Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

(The remarks of Mrs. FISCHER and Mr. KING pertaining to the introduction of S. 2007 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

I thank the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, we find ourselves today considering legislation to fix a problem that Congress and the President created only 2 short months ago. We knew from the Ryan-Murray spending deal that it cut military pensions. Yet this Senate passed the bill anyway, over my objections and those of many of my Republican

colleagues. Congressional Democrats insisted on keeping the military pension cuts in the Ryan-Murray deal. They would not accept change. Almost every Democrat supported Majority Leader REID and rejected amendments to stop the cuts and voted for the final passage. So they ignored the warnings I and others issued, and virtually every Senate Democrat voted to keep these cuts rather than close clear Federal tax loopholes that allow illegal aliens to gain money improperly.

So what happens? Constituents back home were outraged. Senate Democrats are trying to claim credit for fixing the very problem they created—which, in itself, is not bad, but unfortunately, instead of doing this in a good-faith way consistent with our spending priorities and limitations under the Murray-Ryan bill, the Pryor bill before us now authorizes more spending, unpaid for, in direct violation of the spending limits set out in the Ryan-Murray legislation passed just a few weeks ago.

So we passed legislation, we set limits on spending, and here we are blithely walking in again. I am at a loss to see why my colleagues continue to resist replacing these cuts—cuts to veterans who have earned it, who have been drawing these benefits, and not replacing them by closing the tax credit loophole for illegal immigrants.

Closing of this loophole was recommended by the inspector general of President Obama's own Treasury Department. So why are there those determined to protect billions of dollars in tax fraud and allow it to continue? Would it not be in our national interest to close this loophole, restore these pensions for our veterans, and maintain the savings we promised to the American people? Indeed, the savings would more than pay for the replacement of the veteran retirement provision, and it would help reduce our huge deficits.

Let's review how we got here.

In August of 2011, as we approached the statutory borrowing limit—the debt ceiling—Congress passed a Budget Control Act, which Congress agreed to immediately increase the debt limit by \$2.1 trillion, but Congress promised to reduce the projected growth of spending from \$10 trillion over the next 10 years to \$8 trillion over the next 10 years. This was said to be a spending cut but was really a reduction in the growth of spending.

So this 2011 legislation, passed into law and signed by the President, promised to reduce the growth of spending by \$2.1 trillion. I did not support this act. I thought we could have done more, and hoped to do more. Of course, I recognized it applied to our military in a disproportionate way—although we hoped it would ultimately be avoided, but it was not.

Once this legislation was passed, I felt—and I think most of us in Congress believed—we should honor the agreement we made to the American people. But almost immediately, many

of our colleagues began saying even those spending reductions were too much. At every turn, the Senate passed or attempted to pass legislation which broke the spending caps.

I raised a number of budget objections. I am the ranking member on the Senate Budget Committee, and when spending violates the spending limits we have, I have on a number of occasions raised objections, or budget points of order. It takes 60 votes to spend more than the budget allows us to spend, so it gives us a check on spending.

Many of my objections were sustained, almost entirely with Republican votes, but in plain fact our colleagues were unwilling to save the money they promised the American people. We agreed to save a certain amount of money—we promised to do so. But when things get tight and their political groups want more, we tend to spend more, make excuses, and violate the budget. That, of course, is why we are in this deep, adverse financial situation.

Chairman MURRAY and Chairman RYAN entered into a negotiation to ease the Budget Control Act spending cuts—the sequester. They unveiled a plan which increased spending above the BCA level in exchange for increased revenues and some spending cuts. They said the new increases in spending were paid for. The increases in spending happened in 2 years, promised cuts were over a long period of time in the future, but it did in fact balance as they described it at the time.

However, immediately my staff alerted me to a provision in the bill which proposed cutting military retirement benefits by \$6 billion—not for future recipients but for current soldiers and retirees. Some servicemembers would see a lifetime reduction of \$120,000 or more, some \$72,000. This is a cost-of-living reduction of more than 60 percent for some people. I felt this was unacceptable. There are a lot of other things we ought to be cutting before we cut the promised earned retirement benefits to our veterans who serve 20 years. Only those who have a 20-year service record qualify for this. I thought this was unacceptable and pointed it out.

Of course, no one seems to know where this provision came from. The Department of Defense said they weren't consulted. This is not surprising, since the legislation was produced by a secret few behind closed doors—something I do not think is a good process. The traditional legislative conference committee process was abandoned.

The good news is it was caught before it came to the floor, and when the bill came up, some of us offered proposals to fix this problem while staying within the spending caps. So as to not cut veterans \$6 billion we needed to find some other place to cut \$6 billion. This would at least have kept the promises of the bill sponsors of Ryan-Murray.

Military retirement cuts were a significant part of pay for this new spending. In that spirit, I proposed what I thought was a reasonable alternative. For over 2 years now, I have been trying to close a massive tax loophole.

In July of 2011, the U.S. Treasury Department, part of President Obama's administration, reported that illegal aliens received more than \$4 billion in free child tax credits in just 2010 alone. In some cases, households received tens of thousands of dollars year after year, in many cases claiming as dependents people who don't even live in the United States. A number of these filers had no tax liability—that is, they were paying no tax at all—but they were getting tax credit checks from the Federal Government. The inspector general of the Treasury Department asked Congress to act and close this clear abuse. And it is dramatic, really.

What we found, in 2005, is credits claimed under this provision amounted to \$924 million. But the inspector general reported by 2010, it was \$4.2 billion—it has gone up four times in 5 year or 6 years—surging, as word got out that all you had to do was make these claims, nobody checks that the children were in the United States or if there were children at all. There is no way to check.

The inspector general of the Treasury Department has made at least three reports on this subject, and in its 2009 report pointed out the problems we face.

And it is not accurate to say that we somehow want to abuse children and deny them support. We are talking about plain fraud and abuse in this system.

This is what the inspector general said in March of 2009:

Legislation should be considered to require a Social Security Number in order to be eligible for the Additional Child Tax Credit—

That is basically the amendment I offered, and what the amendment Senator AYOTTE is now offering and I co-sponsored with her would do—just require you to have a Social Security number before you claim a big check from the U.S. Treasury. This would be consistent with the requirements, the IG said, for the earned income tax credit. Americans who file an earned income tax credit have to have a Social Security number. This is for people who work and receive a low income.

The Inspector General goes on:

[A]s it now stands, the payment of Federal funds through this tax benefit appears to provide an additional incentive for aliens to enter, reside, and work in the U.S. without authorization . . .

By the way, he said, this would appear to be an additional incentive for people to illegally enter the country, because you can come in unlawfully here and claim credit for children who may not even exist. And, if they do, they might be in a foreign country. It is now running at the rate of \$4 billion-plus a year.

Remember, over 10 years the cost of the cuts to veterans is \$6 billion. Closing this loophole would more than pay for this.

The inspector general goes on to say:

As far back as 2007, [IRS] employees responsible for resolving errors on tax returns, including those filed by individuals with an ITIN, raised concerns to IRS management about its policies for handling errors in ITIN tax returns. These employees stated that management did not take any subsequent action to address their concerns. A formal complaint was subsequently filed with the TIGTA.

In its 2009 report in December, some 6 or 9 months later, it goes on to say:

The volumes of ITINs is growing, increasing the risk that fraudulent tax returns using ITINs could be submitted.

ITINs were issued without sufficient support documentation. A statistical sample of 658 forms . . . selected from 1.5 million application[s] . . . submitted from January 1 through November 1, 2008, showed that . . . 78 percent contained errors.

The inspector general goes on to say:

There are . . . no controls to prevent an ITIN from being used by more than one taxpayer on multiple tax returns.

Nobody is checking if the ITIN number is used again, so they just file multiple returns.

It goes on to say:

More than 60,000 ITINs were assigned and used on multiple tax returns, processed in Calendar Year 2008.

So more than 60,000 of these numbers issued to individuals were used on more than one tax return. They shouldn't be using them but on one.

It goes on to say:

In addition, more than 55,000 ITINs were used multiple times on approximately 102,000 tax returns with refunds totaling more than \$202 million. These are just the ones which used the number on more than one return.

The report goes on:

97 percent [of] supporting identification documents . . . were missing or illegible . . . 23 percent [of] signatures were missing . . . [and] 5 percent [had incorrect] birth dates.

And it goes on and on.

Something of interest is the news media has dug into this a bit. NBC's affiliate in Indianapolis in April of 2012 reported this:

An undocumented worker in southern Indiana told Channel 13-Investigates just how easy it truly is.

He said four other illegal immigrants file tax returns using his address, even though none of them actually lives there. And he said this year, those four workers filed tax returns claiming 20 children live inside his small trailer home. As a result, the IRS sent the illegal immigrants tax refunds totaling more than \$29,000. But none of the 20 children listed as dependents on the tax returns lives in Indiana or even in the United States. "No, they don't live here," admitted the undocumented worker. "The other kids are in their country of origin, which is Mexico."

On July 2012, they further reported about an IRS officer with a complaint in South Carolina. They reported that Howard, the IRS officer, received a stack of ITIN applications for dozens of children attending the same school in

South Carolina. When he researched that school, he discovered it didn't even exist. When Howard reported the scam to his bosses, he claims his managers ordered him to approve the applications anyway. The inspector general also looked into that complaint.

This is not good. The taxpayers don't need to be subjected to this kind of fraud and abuse, and we absolutely should not cut veterans' earned retirement benefits while refusing to take action against such fraud and abuse as identified by our Treasury Department.

I offered the amendment to save the soldiers' pensions and pay for it by closing this tax loophole, but the majority leader—supported by his caucus, including the authors of this legislation—blocked the effort, not once but twice.

Let me make it clear that this bill before us—because our colleagues are refusing to utilize this possible fraud-closing mechanism to save enough money to more than pay for it—will be asking us to violate the fundamental principle of the Ryan-Murray Act. The Ryan-Murray Act promised we would spend more but that new spending would be paid for by taxes and spending cuts, and one of the spending cuts were the cuts to the veterans. If we take out the cuts to the veterans, where are we going to get the money to make sure the bill is paid for as promised? That is the question. We have offered a perfectly reasonable and essential loophole-closing mechanism to pay for that and pay even more than that. Let me make it clear: The bill before us is placing us in a position to choose from allowing an illegality to continue or cutting benefits earned by our veterans.

What we are seeing—in an astonishingly cynical move, if you think about it—is that we would restore the pensions to veterans without paying for it, without admitting that a mistake was made and not living up to the plain promises made in the Ryan-Murray bill, which reinforced and repassed spending limitations.

Congress passed spending caps in 2011. Ryan-Murray spent more but also established higher and clearer spending caps. It reestablished spending cuts. The Pryor legislation busts the in law Ryan-Murray caps. This is not acceptable. Are we blithely ignoring plain spending limits passed into law just a few weeks ago? Is there no shame, no embarrassment at such a dramatic breach of legal and budgetary spending limits?

Closing the ITIN tax credit loophole is a no-brainer. Let's stop this abuse and not cut current retirement of our veterans.

I hope we can move forward with the legislation today. I am uneasy and worried, but let's move forward. Let's bring the bill to the floor and maybe a compromise that is acceptable can be reached. I certainly believe that Senator AYOTTE's proposal—the one I am supporting—is a perfectly reasonable

compromise that ought to have overwhelming support in this body.

If such an amendment of this nature is not accepted to pay for this change, I think the legislation is not going to pass in its current form. It would be a plain violation of the promises we made to limit spending just a few weeks ago. It is the kind of erosion of integrity that will lead this country to financial disaster. We are running up too much debt.

The Congressional Budget Office Director will testify before the Budget Committee tomorrow, and I trust the Presiding Officer will be there. He is an excellent member of that committee.

The Congressional Budget Office Director is going to tell us that interest on the debt of the United States—which will increase every year for the next 10 years and begin to surge upward in the outer years—in the 10th year alone will be \$890 billion. That is stunning. The Department of Defense is just at \$500 billion.

Right now interest on the debt is \$250 billion. It is going to \$900 billion in 10 years. The first money this government will have to pay is the money we pay on our interest on the debt that we have run up—\$17 trillion. According to CBO, we are going to add another \$7 trillion over the next 10 years. We will have to pay \$24 trillion on interest.

He told us that if interest rates go up 1 percent, it will add \$1.5 trillion to the amount of interest we would pay over the next 10 years. Most people tell us our interest rates are going up.

I guess what I am saying to my colleagues is that we know we face a financial challenge. We know we have to get spending under control. The Ryan-Murray bill was designed to ease this year's cuts in the Budget Control Act and sequester, and this was the tightest and toughest year of all. They eased that, and they said they paid for it with tax increases and spending reductions.

The bill before us would eliminate one of the pay-fors and substitute nothing else, which would mean we would add another \$6 billion to the deficit. That is the path to fiscal irresponsibility and financial danger, and we need to get off of it.

I thank the Chair, 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.

The PRESIDING OFFICER. The Senator from Arkansas.

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

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

Mr. PRYOR. Mr. President, today I rise in support of S. 1963, the Military Pay Restoration Act.

Last year, the Senate passed the Bipartisan Budget Act—a bipartisan and bicameral agreement that funded our government, provided stability for our

economy, and reduced our deficit by over \$22 billion.

I think my colleagues and the American people will agree that last year was tough. We saw the delay of the farm bill, the government shutdown, and the debt ceiling. Needless to say, this budget agreement was a positive step forward.

However, I will be the first to admit—and I think I maybe was the first to admit, possibly—that this wasn't perfect, especially when it came to the harmful budget cuts made at the expense of our men and women in uniform.

There is no question we need to cut our spending. I think almost everyone in this Chamber agrees with that, and I think so many Americans agree with that, but we must do it responsibly. We can address the issues we all talk about, such as cutting waste and fraud and abuse. We can be smart and eliminate items—again, once we think about them and roll up our sleeves and do the hard work and recognize we should—such as unnecessary government property purchases and maintenance, and pursue other cuts such as out-of-date and inefficient programs. All of those issues should be addressed.

But we cannot balance the budget on the backs of our hard-working military members and their families. We are a free nation today because of the sacrifices our men and women in uniform make. They make those sacrifices for all of us. They make sacrifices for the Nation and for the world. They lay their lives on the line for us, often-times in places far away from their homes and their families, so we can live in peace right here at home.

Ashley, a soldier's wife from Alma, AR, recently wrote me and said: "My husband signed up to serve so those that don't want to wouldn't have to."

We have made a commitment to our servicemembers and we need to honor that commitment today by ensuring they receive the benefits they have earned.

When Aaron of Lake City, AR, signed up for the Army and deployed to Iraq, he counted on those earned benefits to provide for himself and his family. As he said in his letter: "I held up my end of the contract and I believe the government should uphold their end."

I agree with Aaron. Singling out our brave servicemembers isn't just unfair, it is wrong.

Dwayne of Drasco, AR, who served in the Air Force, said: "I have been to Iraq and Afghanistan many times. I left a wife and three kids that depended on me. I fulfilled my obligation."

The government must right this wrong and fulfill our obligation to servicemembers such as Dwayne.

I have introduced the Military Retirement Pay Restoration bill to repeal section 403 of the budget agreement that unfairly reduces the cost-of-living adjustment benefits for our military retirees under the age of 62 by 1 percent and to ensure that our future

military retirees receive their full retirement pay.

Unfortunately, I have heard a lot of back-and-forth here in the Senate and on the Senate floor about this provision. Instead of working against each other, let's work together to get this done. As President John F. Kennedy said:

Let us not seek the Republican answer or the Democratic answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future.

We can fix this. Today, we will take an important step forward in fixing it. I am proposing a responsible solution which everyone on this floor should be able to support. In fact, I have even heard Speaker BOEHNER down the hall here urging his colleagues over in the House to consider supporting legislation that would repeal section 403 of the budget agreement, just as mine does, just as ours does.

Supporting our men and women in uniform is not a partisan issue; it is an American issue. We have seen 30 of the major veterans groups urge us to fix this: the Air Force Association, the Marine Corps League, the Enlisted Association of the National Guard of the U.S., the Association of the U.S. Navy, the Military Officers Association of America, just to name a few. There are 30 of these organizations that have urged us to fix this. They have told us: "This provision breaks faith with each individual who has faithfully served their nation for over two decades in uniform."

So let's fix it. Let's restore America's faith in Congress by doing the right thing today. Let's give our soldiers and their families the unwavering support they have given us. Let's put the partisanship aside, and let's pass this bill. Our military members and their families are counting on us.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. I ask unanimous consent that the order for the quorum call be rescinded.

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

GUN VIOLENCE

Mr. MURPHY. I try to come down to the floor every week or so to give voices to the victims of gun violence. All across this country, every day and every week, dozens, hundreds, thousands of Americans are gunned down on our streets and in our homes, in part because the Congress does absolutely nothing, has done absolutely nothing over the course of the past several years, over the course of the past decade, to try to curb this scourge of destruction that plagues virtually every corner of our society. Eighty-six people a day die at the hands of guns; 2,639, approximately, people every month. We lose 31,000 people every

year. There is not another first-world country in the world that can come close to the level of gun violence we have here in the United States.

On top of these numbers are the horrific trendlines on mass shootings. Over the course of January, we saw a school shooting essentially every 2 days that school was in session. "Luckily" is not the word to ascribe to this sentence, but luckily, in each one of those instances, the damage was relatively minor to the potential damage that will unfortunately one day come when a shooter walks into one of these schools and is able to perpetrate the kind of violence that Adam Lanza did in Newtown, CT. We are sending a message of complicity when the Senate and the House of Representatives stand absolutely silent in the face of this violence.

I have come to the floor almost every week, and I hope that almost every time I arrive at the floor, I let my colleagues know that I don't expect that any law we pass is going to reduce 31,000 or 2,600 or 86 to zero. I understand that the reality is there is no law we can pass that will end all incidents of gun violence, that there is no panacea to this problem that Congress can offer, but we send a very clear message when we do nothing. When the Senate does not act, when the House does not act, we tell people in this country that we must be OK with the numbers that continue to accrue and move upward. I know that isn't the case. I know my Republican colleagues are just as sickened as I am at 86 people dying every day from guns. I know that supporters of the NRA, gun owners themselves, can't stand that this number is so high at 31,000 a year. But if the stats don't do it, then hopefully the voices of these victims will. So I offer four more recent victims, all from the streets of our cities in Connecticut.

Varnouard Hall was killed just a few days ago in New Haven, CT, January 31. He was shot and killed on the corner of East Pearl Street and Pierpont Street in New Haven. Emergency personnel were dispatched shortly before 10 p.m., and they found Hall lying on the ground, unresponsive, with a gunshot wound to his head. He was pronounced dead at the scene. Hall was the third homicide victim of the year, 31 days into January.

A couple of days later about 60 people gathered at the corner where Hall was shot. He had a lot of family, he had a lot of friends, and they mourned together. His family members and friends remember him as a very kind person. The family says: We don't want retaliation; we want justice.

Hall's sister Renee Evans said:

I need people to stop being afraid to say what they see. If you see it, say it; you don't need to give your name. . . . Anyone who knows something should call the police.

He was a well-liked person all across the neighborhood.

Varnouard Hall, shot dead, was 33 years old.

Durell Patrick Law was killed 10 days earlier in New Haven. He had just started attending church regularly, the Faith Revival Temple Church in West Haven. He had gone to one of his first services on January 19, and he didn't make it to the next service—not by choice but because he was shot dead on Eastern Street on January 20. This was the city's first homicide of 2014. Mourners packed that church, where he was a new parishioner, to mourn him. They said he was a good man who liked to goof around, especially with his many family members.

Durell leaves behind a 1-year-old son. He was very active in sports in high school, and he was only 20 years old. In high school he had participated in football and track.

Justin Mariano was 29 years old when just before the new year he was killed in Bridgeport, CT. He was shot on the evening of November 9. Police responded to Bridgeport Hospital, where Mariano later died from his injuries. He had just started working at a barbershop called Sharp Cutz, and he was remembered by the people who worked with him and the folks who trained him at a local cosmetology school as talented, bright, and energetic.

Jerome Copeland was 22 years old when he was killed on the streets of Hartford. He was the 16th homicide victim in Hartford when he was killed in the late summer of 2013. A woman who knew him said that "he was a young father, struggling, trying to make ends meet." He leaves behind a son, a brother, two sisters, and a loving girlfriend who described him as "an energetic man who loves music."

When I was at Central High School in Bridgeport a few weeks ago, I was sitting with a group of kids who wanted to see what they could do to end the violence on the streets of their city, to feel a little safer when they walked to school in the morning. I asked them all: How many of you know someone—a close relative or friend—who has been killed by guns? They looked at me strangely; in part, because every single one of them raised their hands. At Central High School you just accept at some point before you reach the age of 18 you are going to know somebody—a close friend or relative—who has been killed by guns in that city.

At a similar meeting of high school students in Hartford, CT, one young girl said the signs of police sirens at night were her lullaby growing up. She just knew there was a pretty good chance on any night someone was going to be killed in her neighborhood and she had come to accept the signs of crisis response as just the pitter-pat of raindrops outside.

To these kids, they look at their lives, in which they fear for their safety when they walk to school, in which they accept the inevitable fact they will lose someone close to them over the course of their teenage years, and they do not understand the complacency of the Senate.

A recent study of Cook County hospitals in and around Chicago showed of all the people they treated for episodes of violence, nearly half of them displayed signs of PTSD. The fact is, in these neighborhoods, PTSD is a reality in the same way it is for our troops who serve us overseas because they witness horrific acts of violence in neighborhoods that are supposed to be safe for our kids. We shouldn't have to compare the levels of PTSD in the neighborhoods our kids transit in the same way we look at PTSD on the field of battle.

It is time we did something—whether it is an investment in new mental health resources or beefed-up background checks to make sure criminals aren't buying guns or a recognition there are some weapons that probably deserve to be in the hands of the military rather than in the hands of everyday citizens. It is time for us to have an answer. These numbers—31,000, 2,600, and 86—are too high. If the stats don't do it, then hopefully over time the voices of victims will.

The PRESIDING OFFICER. The Senator from North Dakota.

RECOGNIZING NORTH DAKOTA FIREMEN

Ms. HEITKAMP. Madam President, most of the country watched with a great deal of interest right before the new year, when we unfortunately had a train derailment in Casselton, ND. What was unique about this train derailment was that the train that derailed subsequently derailed another train which resulted in a fairly large explosion, which sent shock waves through the rest of the country as we started to address the issue of how do we maintain safety on the rails.

So we have been having a lot of discussions about what is the appropriate level of regulation. We have been having a lot of discussions about tank cars. The U.S. Department of Transportation has been meeting with the railroad industry as well as the oil and gas industry trying to assure whatever decisions are made, that they enhance safety. But I wish to talk about something that is not about government regulation and it is not about long-term strategies, except to point out the heroics and the importance of first responders.

I rise to honor the heroics of Geoff Andersen, an engineer in training for the Burlington Northern Santa Fe Railroad, whose bravery following the recent train derailment near Casselton prevented the dangerous explosions from the crash from spreading even farther.

For many of us in the Senate, the Casselton derailment has trained our focus on our efforts to improve safety for the rail shipments of crude oil. From increased track inspections to updated tanker car standards, to the consideration of new routing options for crude shipments, all angles for improving the safety of crude rail shipments are being considered. What we should not overlook in our efforts,

however, is the importance of skillful and well-trained railmen on the lines. Railmen such as Geoff Andersen are the backbone of that industry, and when one goes above and beyond the call of duty to prevent a disaster from spreading, they deserve to be recognized.

On December 30, a grain car carrying soybeans to the Pacific Northwest derailed near Casselton, ND. An axle broke on the car near the middle of the train, forcing the car off the rails and onto the tracks of the adjacent line carrying trains in the opposite direction. Conductor Bruce Anderson and Road Foreman of Engines Paul Douglas radioed the emergency to the oncoming train on the opposite track, but there was insufficient time to slow down that train headed their way. In the brief moments following the derailment, an eastbound train carrying crude oil collided with a soybean car lying over the tracks and the eastbound train exploded.

Following the crash, Geoff and the entire crew of the westbound grain train sprang into action. Immediately following the derailment, Conductor Bruce Anderson went back and pulled approximately 50 cars away from the fire. Recognizing the fire would soon spread to the remaining cars, Geoff worked with Assistant Fire Chief Adrian Kieffer to hatch a plan to couple back onto the remaining oil cars and unhook the tanker cars and pull them to safety.

Geoff, a former civilian firefighter for the Grand Forks Air Force Base, borrowed two radios and fire protection gear from the Casselton Fire Department. His engineer and trainer, Tom Cooks, jumped into the rear engine of the train to reverse the locomotive toward the fire and connected the train to the tanker cars in danger of exploding.

Geoff, armed in fire protection gear, walked toward the fire to connect the train to the cars. He then walked even closer to the fire to pull the pin on the closest tanker car within a safe distance, getting 25 more cars away from the fire.

Remember, these are cars filled with crude oil.

Once the pin was pulled, Geoff radioed to Tom to pull the cars away.

Because of Geoff's heroics, the danger from the derailment was minimized and the explosions were isolated to the tanker cars adjacent to the derailment. Had it not been for Geoff, this disaster would have been much worse.

I would like to take this time to thank not only Geoff Andersen but all those involved in the response, including Engineer Tom Cooks, Conductor Bruce Anderson, Road Foreman of Engines Paul Douglas, Casselton Fire Chief Tim McLean, and Casselton Assistant Fire Chief Adrian Kieffer, for their presence of mind and their decisive action following the crash to minimize the danger of this derailment.

I rise with some awareness of what firemen do. As attorney general for the

State of North Dakota, I had the pleasure of also being responsible for the fire marshal's office. As somebody in charge of the fire marshal's office, I spent a great deal of time traveling across North Dakota visiting not only with full-time firemen but the wonderful volunteer fire offices we have all across North Dakota.

I have a special spot in my heart for firemen. My dad was chief of the fire department in Mantador, ND, for years and years, and took that effort quite seriously, took the training quite seriously.

As we move forward in this discussion of guaranteeing the safety of crude moving on the rails, I ask this body to consider a third prong, beyond simply looking at routing decisions and prevention of derailment, and then in the unfortunate incidence, of containment of the consequences of derailment; that is, the importance of training, the importance of doing everything we can to provide the equipment and to provide the training and the resources to our first responders.

Anyone who doubts the commitment of those first responders to put their lives in harm's way need only look to the 9/11 responders and realize, if you have worked with firemen, they all knew when they walked into that building their chances of returning were virtually nonexistent. Yet they walked into that building in an effort that we can only shake our heads at—the heroics of that effort. Take a look at the heroics of Geoff Andersen and his colleagues in doing everything they could to promote public safety and to guarantee public safety. Let's respond with appropriate public policy and appropriate training and appropriate resources for our first responders.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BEGICH. 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. BEGICH. Madam President, I am one of the sponsors of the bill pending before the Senate at this moment. As we know, the bill is about as simple as we can get around this place: a one-sentence measure to restore the fairness to America's military retirees. The bill repeals the COLA cut Congress gave to working-age military retirees when we passed the budget just before Christmas.

The budget bill had a lot of good provisions and passed with large bipartisan support on both sides of the Capitol. It avoided another government shutdown. Alaska's delegation was unified in passing the budget bill. It prevented another round of major cuts to Defense Department and other agencies. It showed the American people that Republicans and Democrats can

work together. But it wasn't much of a Christmas present for our veterans—the brave Americans who made a career out of serving their country and, in many cases, putting their lives on the line.

That budget deal says working-age military retirees will see their pension COLA adjustments reduced by 1 percent annually. For many this is a hit totaling tens of thousands of dollars over years. For some the total reduction over their lifetime is upwards of \$80,000. It is completely unacceptable. This is why many of us only supported the budget deal because we had already committed to rolling back the COLA cut once the deal was completed.

The bill before us right now will take care of the problem once and for all. The chief sponsors are Senators HAGAN, PRYOR, SHAHEEN, and myself. Many others are coming onboard. In fact, I don't know a single Member of this Chamber who opposes making sure our military retirees continue to receive their full COLA. It is right to do. When these heroes signed on to serve and made their military service a career, it is what they were promised. They should expect no less now.

But I have been around the block a few times and I know what is coming. Many of our colleagues on the other side of the aisle are going to come to this floor and talk a good game. They are going to pledge their loyalty to the troops, they are going to wrap themselves in the flag, and then they are going to pivot. They are going to start qualifying things. They are going to say the sky is falling. And they are going to say we can only pass this bill if we pay for it. We have already been down that road. Many of us in this Chamber tried to fix the military COLA last month, but our efforts failed in a fight over what is known around here as a pay-for. Honestly, I am sick of it.

The bill before us right now—the bill I proudly sponsor—has no pay-for. Why is that, people ask. Because the men and women of our Armed Services have already paid—paid up on their end of the deal—and now it is time for us to pay our part.

Unfortunately, too many of them have paid the ultimate sacrifice, with their lives. All of them—even those who served, who survived, and were lucky enough to retire—had agreed to put their lives on the line. That is the deal when you sign up to serve this country.

So to my colleagues I say, don't come down to this floor and lecture me about paying for this bill, because it is a simple thing to do.

I have a list right here of Alaskan soldiers who died in battle during the wars in Iraq and Afghanistan, the wars that weren't paid for. There are 22 names here. Alaska is a small-populated State, so every one of these losses hit us hard.

In all, nearly 6,800 American soldiers have died in these 2 wars. Half of these

fallen soldiers were between the ages of 18 and 24 years old. With permission, I am going to read just a few of the names of our fallen Alaskans:

TSgt Leslie Williams, Air Force, age 36, Juneau; PFC Adare Cleveland, Army, age 19, Anchorage; SGT Kurtis Arcala, Army, age 22, Palmer; Michael Lasky, Marine Reserves, age 22, Sterling.

Twenty-two Alaskans have paid the price. Granted, we will never know if these brave soldiers would have chosen to make a full career out of the military. We will never know if they would have collected a pension from the country they served. But this much we do know: Every American troop who is serving right now, especially the career soldiers, signed on with a promise from the rest of us that in return for their sacrifice, their government would take care of them.

It is time for those of us in Congress to step up and do that—both sides of the aisle on both sides of the Capitol. It is time for us to pass this bill and to make good once again on our end of a deal.

Let me make one point. Our actions so far on this issue are not theatrical. This isn't about some ideological policy debate. By voting to reduce the COLA adjustment, we have already impacted real people and real families and created uncertainty in their future. Here are just two examples of Alaskan constituents.

A soldier from Anchorage wrote to me and said:

I myself am on active duty with just over 18 years of service. Maybe I made a mistake by devoting my life from age 19 to now to the Air Force.

He said he has moved six times, has two failed marriages and two children, one of whom is disabled. He says we changed the rules of the game and now wonders what would have happened if he had chosen college instead of the military. The letter says:

I can't undo 18 years of service. I can't change my career path. It seems very unfair to be changing our retirement like this.

Another family from the North Pole up near Fairbanks wrote to me. The husband served 20 years in the Air Force, and their daughter is currently a major in the Air Force. They were promised benefits for life, such as good health care and retirement benefits with a COLA adjustment. The husband could have left sooner and started another career, but he chose to stay because of the benefits. Their message to me was very simple: The vote to reduce the COLA breaks faith with them, with those already retired, and with everyone who has chosen a military career.

And what about those bright young people who are deciding right now whether to sign up and perhaps make a career out of the military? What are they thinking about their Congress and their future?

We need to fix this, and fix it right now, starting with our vote this evening—not next month, not later

this spring, not next fall, but right now.

I know there is going to be a lot of debate. Hopefully tonight we will see the cloture vote and move to the debate. I know there will be a list of pay-fors. As I said earlier, the people whom this protects and ensures they have a COLA and retirement they can depend on are people who served this country and put their lives on the line. We have an obligation—an obligation today, tonight, and tomorrow—to finish this and put their COLA back in place.

I know we will hear arguments about the deficit and all these explanations. But I can't say enough about the payment that has already been made by our military, by the people who served not only on the frontlines but throughout this world, protecting our country. I hope we put aside our political debates and our politicking, and get on with doing what is right.

When we put this in perspective about the 6,800 who perished in the two unpaid-for wars—\$2 trillion-plus unpaid for—this is a \$6 billion issue over the next 10 years. It is a small amount to make sure we solve this problem for our retirees.

The military coalition—an incredible organization of many of our military organizations around the country—has sent a letter today supporting S. 1963, the bill we have up today. So I hope Members on both sides put aside this whole argument on the pay-for and let's get on with doing what is right with our retirees. They have paid the price, they have served our country, and it is time to pay the bill—and that is voting for this piece of legislation tonight, voting to close it in cloture, and then moving on to final passage.

I look forward to the debate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WICKER. 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. WICKER. Madam President, I wish to speak as if in morning business.

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

Mr. WICKER. Madam President, I see that S. 1963, a bill to repeal certain reductions made by the Bipartisan Budget Act of 2013, is on the calendar. I didn't vote for the Bipartisan Budget Act of 2013, and my no vote was cast for one reason—this so-called CPI-minus-1-percent injustice done to military retirees. Military retirees under the age of 62—according to this newly passed bipartisan budget bill signed by the President—will not be able to keep up with the cost of living because their annual cost-of-living adjustment, or COLA, would be reduced each year by 1 percent.

I think we have clearly pointed out to the American people the injustice of this provision in the Budget Act. An enlisted person would lose approximately \$80,000 out of his or her pocket over their lifetime. These military retirees have fulfilled every part of their bargain. After they have done their share and subjected themselves to worldwide duty—perhaps serving in a war zone any number of times—the government comes along in the form of this bill and says: We have changed our minds. We are not going to give you your full cost of living. We are going to take a percent of that each year. For officers it is even more than \$80,000 over their lifetime.

I believe most Americans now realize that it was a mistake to do this. It needs to be corrected, and we need to go back and keep our promise to military retirees. We have an obligation to do this for our military retirees.

At the same time, we have an obligation to future generations not to go back on the budget savings that were so hard fought in this budget act. I supported the level of budget savings, but I didn't like the way they were done.

Time and time again I, along with Senator AYOTTE, Senator GRAHAM, and others came to the Senate floor and pointed out that there were other ways to pay for the savings that needed to be made in the budget. There are better ways to do that than taking it out of the hides of the people who volunteered to serve their country in the military.

We have a bill, S. 1963, that we will be considering, and it is authored by Mr. PRYOR, Mrs. HAGAN, Mrs. SHAHEEN, and Mr. BEGICH. I like the idea of addressing the problem. There is only one fault in the bill. It does not have a pay-for. So of the budget savings that we made last December, some \$6 billion of that would simply go away and we would end up spending that \$6 billion we were planning to save.

Our obligation needs to be to the military people and to future generations. Why do we need to cut \$6 billion? Why do we need to stay with the \$6 billion in budget savings? Because we have an obligation to do something about the debt. That was the whole reason for the budget bill last December. We are drowning in a sea of debt to the tune of \$17 trillion-plus and growing every day. We need to rectify the wrong done to military people, and at the same time we need to find the budget savings elsewhere.

Today I will vote to proceed to the bill. I will do so in the hope that Republicans and conservatives will be allowed to offer amendments in the regular order and find the \$6 billion in savings needed over a 10-year period to pay for this bill.

There is a proposal by me, Senator AYOTTE, and Senator GRAHAM that would use an Obama administration pay-for to pay for the cost of rectifying the wrong to the military retirees. It is a closing of a loophole in the U.S. Tax Code. The loophole I am referring to al-

lows people to improperly claim an additional child credit.

The Joint Committee on Taxation has estimated that this change could save approximately \$20 billion over the next decade. This was an issue identified by the Obama administration's Treasury Department and their inspector general. We are not taking something from the Heritage Foundation. This is something by the Treasury Department of the Obama administration and their inspector general.

I simply submit this to my colleagues. Let's rectify the wrong done to the military retirees and also admit we have an obligation to future generations and not add to the debt any more than this Congress has already done. We can fulfill both of these obligations today, and the way to do it is to vote for cloture on the motion to proceed, which I, and I believe many of my Republican colleagues, will do.

In return, we ask for regular order on this important bill. Allow amendments and pay-fors through the Ayotte-Graham-Wicker legislation or perhaps through another amendment. If there are Members on the other side of the aisle who have a better pay-for, bring that to the floor, offer it, let the sun shine on these suggestions, and let the American people know where we stand on righting the wrong and protecting future taxpayers.

I say to my colleagues, vote yes on cloture on the motion to proceed. I say to the leadership, don't lock it down this time like it has done in the past. Don't fill up the amendment tree. Allow Republicans and Democrats—who have other ideas about how to protect our future generations from a sea of debt—to bring those ideas to the floor, vote on them, and let the American people see that we can correct this wrong to the military without adding \$6 billion to the debt.

I hope we will have a bipartisan consensus and begin this new year with regular order and allow the elected representatives of the States to work their will rather than having deals cut behind closed doors.

I thank the Presiding Officer and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 298, S. 1963, a bill to repeal section 403 of the Bipartisan Budget Act of 2013.

Harry Reid, Mark L. Pryor, Mark Begich, Kay R. Hagan, Jeanne Shaheen, Jack Reed, Brian Schatz, Christopher A. Coons, Angus S. King, Jr., Bill Nelson, Richard J. Durbin, Tim Kaine, Robert P. Casey, Jr., Jeff Merkley, Debbie Stabenow, Barbara Boxer, Kirsten E. Gillibrand.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1963, a bill to repeal section 403 of the Bipartisan Budget Act of 2013, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Tennessee (Mr. CORKER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Florida (Mr. RUBIO).

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

The yeas and nays resulted—yeas 94, nays 0, as follows:

[Rollcall Vote No. 26 Leg.]

YEAS—94

Alexander	Gillibrand	Murphy
Ayotte	Grassley	Murray
Baldwin	Hagan	Nelson
Barrasso	Harkin	Paul
Begich	Hatch	Portman
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Blunt	Heller	Reid
Booker	Hirono	Risch
Boozman	Hoeven	Roberts
Boxer	Inhofe	Rockefeller
Brown	Isakson	Sanders
Burr	Johanns	Schatz
Cantwell	Johnson (SD)	Schumer
Cardin	Kaine	Scott
Carper	King	Sessions
Casey	Kirk	Shaheen
Chambliss	Klobuchar	Shelby
Coats	Landrieu	Stabenow
Cochran	Leahy	Tester
Collins	Lee	Thune
Coons	Levin	Toomey
Cornyn	Manchin	Udall (CO)
Crapo	Markey	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

NOT VOTING—5

Coburn	Graham	Rubio
Corker	Johnson (WI)	

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 0. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I rise today to speak in support of S. 1963.

I ask unanimous consent that after my remarks, Senator BROWN from Ohio follow me for a time not to exceed 10 minutes.

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

Mrs. HAGAN. Mr. President, this is a bill Senator PRYOR and I have intro-

duced to repeal the harmful cuts to military retirement pay in the recent Bipartisan Budget Act. As the Senator from the most military-friendly State in the Nation, I am pleased that we have just voted to advance this important legislation that will affect so many brave men and women from North Carolina and around the country who serve our Nation in the military.

These harmful cuts to military retirement pay were included in the recent bipartisan budget that passed the House and Senate with bipartisan support. While I supported the Murray-Ryan budget because it rolled back across-the-board sequester cuts that threaten our military capabilities and the safety of our troops, I am opposed to the provisions in this budget that reduce these cost-of-living adjustments for military men and women who have served our country with honor and distinction. Without action these cost-of-living cuts will take effect in December of 2015. By passing this legislation this week we can keep our promise to our servicemembers and veterans who do not deserve to have their retirement benefits cut.

The proposed cuts would affect our current and future retirees who are still serving our country on Active Duty. If allowed to remain, the cost-of-living cuts would cost a typical retiree over \$80,000. In my State of North Carolina, close to 90,000 retirees as well as thousands of servicemembers still on Active Duty would bear the brunt of these cuts.

I recently heard from a veteran from Apex, NC, who served in the military for 21 years, including two tours in Afghanistan, one in Saudi Arabia, and one in Korea. He said the cost-of-living cuts changed the promise made to his family. After moving 12 times in 21 years, his family made decisions on where to live, what house to purchase, what job to take, and how to save for his son's education based on this pension income.

I also heard from a woman whose husband is an Active-Duty marine stationed at Camp Lejeune in Jacksonville, NC. She wrote:

My husband has served 16 years in the infantry, four tours in Iraq and is preparing to deploy to Afghanistan soon. He has kept his promise to the U.S. and earned his benefits in full. We have lived with long-term separations, uncertainty and financial stress. Please do not add to that. The money may not sound like a lot to some, but it means a whole lot to us.

Once again, that woman's husband is an Active-Duty marine.

This is unacceptable. We have made a commitment to these brave men and women, many of whom have deployed multiple times to combat zones overseas. We must keep our promises to our servicemembers after they have sacrificed so much for us.

These cost-of-living cuts would negatively impact not only individual servicemembers but also the military as a whole. I serve on the Armed Services Committee. Two weeks ago military

leaders testified that retirement benefits are an integral part of a servicemember's decision to remain in the military or to further reenlist. We cannot overlook the consequences these cuts would have on the retention of servicemembers, particularly midgrade officers and noncommissioned officers who are considering the length of their future service, nor can we overlook the effect they would have on the military's long-term readiness.

I am pleased that we have acted to prevent the cost-of-living cuts for the most severely wounded military retirees and Survivor Benefit Plan recipients, but our bill would go further. This would repeal these cost-of-living adjustment cuts for all military retirees. Yes, it is true that our country faces difficult fiscal challenges. However, we can never balance the budget on the backs of those who have answered the call to duty. We must keep the promises we have made to our veterans, who have put their lives on the line to protect us. I urge my colleagues to support our legislation that will ensure current and future veterans receive the benefits they have earned.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I appreciate the words of Senator HAGAN, who has been a leader in the Senate on issues for our veterans, for their health care and Camp Lejeune and so many other ways, looking out for pensions and health care for those who have earned it and sacrificed for us. She, as do I, believes it is an honor to honor those who have sacrificed for us.

CVS TOBACCO SALES

Today I was at a CVS drugstore in Lakeland, OH, a city west of Cleveland, thanking and celebrating, if you will—perhaps a strong word—CV's decision they announced last week that they would stop selling tobacco products at their 7,000 stores and pharmacies and that they would invest in a national smoking-cessation campaign designed to help people quit smoking. CVS's CEO said that is "the right thing to do for customers and our company to help people on their path to better health . . . Put simply, the sale of tobacco is inconsistent with our purpose."

That is good news.

In my State one in every five deaths is connected to tobacco. Ohio ranks sixth in the adult smoking rate, and 16,900 children in Ohio under 18 start smoking each year. The Presiding Officer knows what we know about tobacco. We know that every year in the United States of America 480,000 people die of tobacco-related illnesses. Do you know what else we know? Because 480,000 Americans die from tobacco-related illnesses, we know that the big tobacco company executives understand they have to find 480,000 new customers every year to buy their products.

The Presiding Officer knows there is nothing particular about his age or

mine, but they do not aim at people such as us. They do not aim at people in their forties, fifties, and sixties to get them to join to replace those 480,000 people who have passed away; they aim at people the age of our pages who are sitting in the well.

In fact, they don't aim at only 16- and 17-year-olds, they are aiming at 12-, 13-, 14-, and 15-year-olds.

Joining me at CVS today were two young women, Shanisha Collins and Melissa Renton. They both smoke and are both working to quit smoking. Both are doing very well as they quit smoking. They both started smoking, they told us, as teenagers, and CVS is working with them in their smoking-cessation campaign.

We were also joined by Michael Roizen of the Cleveland Clinic who has done remarkable work in preventive care in a preventive medical practice, if you will, at the Cleveland Clinic. He is a heart doctor who also has done so well in various kinds of care to help people quit smoking, to help people lose weight, and to help people prevent diabetes—all of the preventive care he has worked on.

We were also joined by two nurse practitioners, Lauren and Molly, who as part of the CVS clinic have helped people do to better manage their health.

The point is CVS has made this decision. It isn't earth-shaking. Half of the cigarettes bought today are from gas stations, and that is not going to change much. Cigarettes are going to be available. It is a legal product. In fact, people should have the right to buy cigarettes if they choose to. But the point is tobacco companies shouldn't be able to target young people the way they do.

We have seen major progress. Fifty years ago the Surgeon General issued his groundbreaking report on the health effects of tobacco use. Look at the progress we have made. Some 42 percent of adults smoked cigarettes in 1965. Today 18 percent of adults smoke cigarettes. It has been a huge public health victory, and it has been a huge public health victory in small steps and large steps.

First, the report was very important. We remember as kids—the Presiding Officer is old enough to remember this, as I am—we could smoke anywhere in our society. State governments then began to prohibit smoking in public buildings and then began to prohibit smoking in other publicly owned buildings—government buildings. Then people couldn't smoke in public places in many States around the country.

We remember people used to smoke on airplanes. Then over time smoking was restricted to, I remember, aisles 18 to 35 or something—so you could smoke if you were in one of those aisles but not in a seat in front of that or behind that—whatever it was. Now smoking is banned on all flights. We have seen major progress made.

CVS is one step in that. We have sent a group of us led by Senator HARKIN—

Senator BLUMENTHAL has been involved, and a number of others—asking the other drugstore chains—Walgreens and Right Aid—to do the same, to quit selling cigarettes there.

So we have seen progress, but it is still a major public health problem. In one of the places it is particularly a problem. I said at the beginning of my remarks that 480,000 people in America die from tobacco-related illnesses every year—heart diseases, cancer, a whole host of illnesses that are connected to smoking or chewing tobacco. So they aim at children, for sure, with their targeted campaigns, but they also go overseas. The tobacco companies are trying to undermine public health laws, particularly in poor countries around the world.

If someone is a public health official in India, they have to worry about cholera, malaria, TB, HIV/AIDS, child diarrhea. They have to worry about all the things that kill people prematurely in that country. When the tobacco companies come in—whether they are American companies, British companies or companies from any other country—they don't have much defense against that. That is why I know the Presiding Officer from Indiana has been a real leader in opposing bad trade policy for our country.

But one of the elements of a bad trade policy is giving U.S. tobacco companies too much power to go into far too many of these countries to cajole, threaten, and even undermine public health laws.

In fact, we have seen in more than one country—thought to be a poor country, without too many people, and that does not have many public resources, and where people are very poor—we have seen tobacco companies threaten those countries that are about to enact a health care law, and that country backs off because they don't have the dollars or the resources to fight the tobacco companies' efforts in court.

We have a lot of work to do.

I wanted to share what happened today in Lakewood, OH, with my colleagues, how important it is, and what a huge public health victory. Again, I want to emphasize how successful these efforts to curb the use of tobacco are—the greatest preventable killer in the country—and how successful we have been. More than 40 percent of people smoked in 1965 and today fewer than 20 percent. That is because of a partnership among government, local officials, public health officials, the American Cancer Society, and the American Heart Association. So many of these organizations have stepped up in a way that has mattered—the American Lung Association and others—to protect the public interest and especially to protect children.

I applaud the efforts of that company and the efforts of so many of my colleagues who have been working on this issue.

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. BEGICH. Mr. President, 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. BEGICH. Mr. President, 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.

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

CONGRATULATING PAT MULROY

Mr. REID. Mr. President, I rise today to honor the hard work and dedicated service of my friend Pat Mulroy who is retiring from her position as general manager of the Las Vegas Valley Water District and the Southern Nevada Water Authority.

In Nevada, as well as much of the Southwest, water is an important and scarce resource; and since 1989, Pat has been an unparalleled leader for Nevada and the Nation in managing our precious water supplies. I applaud her tremendous abilities and vast understanding of our region's water demands, which helped her lead our State through unprecedented strains on our water resources.

During her time at the water district and the water authority, Pat worked tirelessly to invent solutions to solve Nevada's complex water problems and has been instrumental in finding a balance between regional growth and water conservation. In a 6-year span, from 2002 to 2008, the population in the Las Vegas area increased by more than 400,000 people. Yet Pat's innovative conservation techniques have helped reduce Southern Nevada's water usage by a third.

Over the years, I have watched Pat rise to challenge after challenge. Early on, she initiated negotiations with water purveyors in Arizona, then Utah, California, and Mexico. Pat has proven herself as a powerful and effective voice for Nevada when negotiating Colorado River system agreements, and her strong leadership helped her build unmatched partnerships with the States that share the Lower Colorado River Basin. Through Pat's persistence and proactive response to climate change and western water issues, she has truly helped shape Southern Nevada and the region into what it is today.

Pat has received many acknowledgements and awards for her hard work, including the National Jewish Medical and Research Center's Humanitarian Award, the University and Community College System of Nevada Board of Regents' Distinguished Nevadan Award, and the Public Education Foundation's Education Hero Award.

Many know Pat as an expert on water issues, but I also know her as a loving wife to her husband Robert, a devoted mother, and an active leader in her community. I think so highly of Pat and believe she has done such important work for our State and our country. She will surely be missed, and I wish her all the best in her future endeavors.

REMEMBERING CAPTAIN JOHN JAMES MCGINTY III

Mr. MCCONNELL. Mr. President, I rise today with a heavy heart to report some sad news to my colleagues. John James McGinty III—raised in my hometown of Louisville, KY—succumbed to bone cancer on Friday, January 17, after 73 years of life. Although his wife Elaine passed in 1991, he is survived by his sons Michael and John IV. Mr. McGinty was a veteran of the U.S. Marine Corps who received the Medal of Honor for his exemplary record of valor in the Vietnam War. Our country owes him, as we do all of our veterans, an unimaginable debt of gratitude for his service.

John J. McGinty III was born to John and Eve McGinty on January 21, 1940, in Boston, MA. The family soon moved to Louisville, where John completed grammar school and began high school. The call to serve his country, however, rang more loudly and clearly than the school bell. After a year and a half, he dropped out and enlisted in the Marine Corps Reserves in February 1957.

John enlisted in the regular Marine Corps the following year. He served as a drill instructor and a brig officer until 1966, when he volunteered for duty in Vietnam. In June of that year he took part in Operation Hastings, during which his service to his country would extend above and beyond the typical call of duty. Three days into the operation, McGinty's company, reduced to a strength of 100 men, was ordered to withdraw. On July 18, Sergeant McGinty's platoon was providing rear security for the withdrawal when they were attacked by what was estimated to be 1,000 North Vietnamese soldiers.

Amidst the chaos of the attack, two squads from his platoon were cut off and nearly surrounded. Sergeant McGinty rushed through the jungle under a hail of gunfire to find his men in dire straits—20 were wounded and their medical corpsman had been killed. Showing little regard for his own shrapnel wounds to his leg, back, and left eye, Sergeant McGinty reloaded the wounded men's weapons and, according to his Medal of Honor citation, "directed their fire upon the enemy." When the attackers inched closer and closer to his men, Sergeant McGinty drew his .45-caliber pistol and killed five enemy soldiers at point-blank range. Then, with enemies at all sides and still taking heavy gunfire, he accurately called in naval airstrikes to within 50 yards of his position.

His actions that day were consistent with the highest traditions of the United States Marine Corps, and at a White House ceremony on March 12, 1968, President Lyndon Johnson bestowed upon then-Second Lieutenant McGinty the Medal of Honor.

Although he retired from the Marine Corps as a captain in 1976, Mr. McGinty continued to work to better the lives of America's service men and women. He worked for the Department of Veterans Affairs in various capacities, and along with fellow veterans, made several trips to Iraq and Afghanistan to visit with American troops. He would, however, stop wearing his Medal of Honor after becoming a born-again Christian in the early 1980s. His son Michael McGinty explains, "He didn't have a problem with the honor." Rather, it was the medal's depiction of the Roman goddess Minerva that ran contrary to his deeply held belief that the reason he was still alive is the one true God.

Captain McGinty was modest about his own heroic actions. His son Michael has said, "My father used to say that he did what any Marine sergeant would have done in that situation." There can be no doubt, with his record of valor, however, that CAPT John James McGinty III is indeed a hero, and America has lost a hero with his passing. John's service to his country, both as a U.S. Marine and as a private citizen, is deserving of the highest praise and respect of this body. Thus, I ask my U.S. Senate colleagues to join me in honoring and mourning this fallen soldier with roots in the Commonwealth of Kentucky. All Kentuckians, and all Americans, should be honored that he fought to protect us, and grateful for his service and sacrifice.

2014 OLYMPIANS

Mr. HELLER. Mr. President, today it is with great pride I congratulate all of the 2014 Winter Olympians, especially Tim Jitloff, David Wise, and Chas Guldemon, the three Nevada proudly call their own.

A Reno native, Tim Jitloff grew up on skis and has been claiming international titles since 2005. Tim's unwavering dedication to his sport has developed him into a two-time Olympic athlete, qualifying for the Men's U.S. Ski Team for the first time when he was just 19 years old. In Sochi, he will compete in Alpine skiing's super combined giant and common slalom. Tim's successes extend not only to a first place finish at the 2013 U.S. Championship, but off the snow where he is a determined advocate in the fight against breast cancer, as his mother is a survivor. Tim's passion for service is marked by the respect he has earned on the big snow as well as his earnestness and resounding hard work.

David Wise's Olympic status begins in the Reno snow where he began skiing as a 3-year-old. He turned professional at an early age after securing

his first U.S. national title when he was 15. His wins include The Dew Tour, The Grand Prix, and repeat Winter X Game titles. David continued his achievements in 2013 when he qualified for his first Olympics in this year's debut sport of ski halfpipe. David's dedication to his passion, family, and faith personifies a true talent, unmatched and inspiring for all of Nevada.

Chas "Chuck G" Guldemon has been a driving force in snowboarding since moving to Lake Tahoe in 2005. Working a series of odd jobs to pay his own way for the sport for years is just one of the testaments of character Chas contributes to the 2014 U.S. Olympic team. Chas has had seven healthy seasons of competition and won almost every major event in snowboarding since his early days of participating in the sport. In Sochi, he competes as one of the biggest names in slopestyle. The dedication and sacrifices Chas has made in pursuit of his dream are commendable.

Steadfast in their training, each one of these athletes reminds us that even the seemingly unfathomable is possible. Our American pride grows stronger as these Nevadans compete in Sochi. It is an honor to watch them and the entire team compete in the name of a United States victory in these 22nd Winter Olympics. I ask my colleagues to join me in congratulating these and all of the remarkable athletes on their accomplishments thus far. We wish them a safe and gold-winning trip to Russia.

ADDITIONAL STATEMENTS

TRIBUTE TO GERARD GRIMALDI

• Mrs. MCCASKILL. Mr. President, I ask the Senate to join me today in honoring the work of Gerard Grimaldi. Gerard has a long history of public service in Kansas City, stretching back to his time serving as an aide to Senator Tom Eagleton and later as an aide to Congressman Alan Wheat. More recently, since 2001, Gerard has ably served as vice president of health policy and government relations for Truman Medical Centers. Everyone who knows Gerard respects him, and everyone who gets to work with him considers themselves lucky.

A few years ago, I asked Gerard to serve as my nominee on a volunteer community advisory panel for the Bannister Complex in Kansas City, MO. This opportunity required a significant time commitment from Gerard—time he would normally spend with his beautiful wife and four lovely children—to serve on a panel which offered Gerard no personal or professional benefit. Not only that, but this panel was created to help facilitate constructive community dialogue around some sensitive issues in a very heated environment. But, true to his background as a public servant, Gerard didn't hesitate when I asked him to volunteer.

Gerard not only served on the community advisory panel for over 3 years, but he also was the chair of the panel, heading a diverse group of community leaders. This panel worked diligently to facilitate constructive community input and to help ensure transparency by government agencies involved in the Bannister Complex environmental cleanup and redeployment efforts. The work Gerard and the panel did was successful and has now come to an end.

In the course of my adult life, I have been fortunate to meet many outstanding public servants—men and women who exemplify leadership and a genuine desire to contribute to the greater good. Of those public servants, Gerard is one of the best. I am proud that he is a Missourian, and I am honored to be able to recognize him here today.

I ask that the Senate join me in congratulating and honoring Gerard Grimaldi for his exemplary public service to Kansas City and the great State of Missouri.●

BEAR PAW DEVELOPMENT CORPORATION

● Mr. TESTER. Mr. President, today I wish to honor Bear Paw Development Corporation of Northern Montana, which celebrates its 45th anniversary this month. Bear Paw Development is a proven leader in providing economic and community development solutions to challenges faced by northern Montana's small businesses and local and tribal governments. On behalf of all Montanans, I commend Bear Paw Development for its 45 years of outstanding work to build economic momentum and institutional support to ensure a brighter future for our State.

Bear Paw Development Corporation, one of the oldest federally recognized economic development districts in the Nation, provides information, technical support and hands-on assistance for northern Montana, helping business owners and local leaders take hold of their potential and build on their success. The dedicated employees of Bear Paw Development assist our communities in every aspect of planning and development, from providing business loans and small business counseling to facilitating investment in critical infrastructure projects.

As a farmer, I have a special appreciation for their work in value-added agriculture. Bear Paw serves as one of four centers in the Montana Food and Agriculture Development Center Network, working with farmers to create greater market access so that Montana agricultural products can compete on a global scale.

Working with local governments, Bear Paw coordinates millions of dollars of investment every year into infrastructure. Through the construction of drinking water systems, wastewater systems, bridges, and other community infrastructure projects, Bear Paw's work is vital to the residents, commu-

nities and businesses of northern Montana.

Since the creation of Bear Paw Development's revolving loan fund, they have assisted hundreds of small businesses with their financing needs to either start a new business or expand an existing one. In total, through more than 330 individual loans, Bear Paw Development has disbursed \$21.7 million to businesses in northern Montana, helping to create or retain a total of over 1,240 jobs.

Over the next 45 years, I fully expect Bear Paw Development to continue its historic and significant success in the areas of business growth, alternative energy, workforce development, community improvement, and of course, agriculture. Its continued commitment to the economic growth and diversification of northern Montana will continue to be a shining example of the role economic development districts can play throughout our country.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGE FROM THE HOUSE

At 2:04 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2954. An act to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance.

MEASURES REFERRED

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

H.R. 2954. An act to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 3590. An act to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

H.R. 3964. An act to address certain water-related concerns in the Sacramento-San Joaquin Valley, 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-4591. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Chariton, IA" ((RIN2120-AA66) (Docket No. FAA-2013-0255)) received in the Office of the President of the Senate on January 29, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4592. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Gainesville, TX" ((RIN2120-AA66) (Docket No. FAA-2013-0586)) received in the Office of the President of the Senate on January 29, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4593. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Chatom, AL" ((RIN2120-AA66) (Docket No. FAA-2012-1186)) received in the Office of the President of the Senate on January 29, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4594. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Donlin Creek, AK" ((RIN2120-AA66) (Docket No. FAA-2013-0786)) received in the Office of the President of the Senate on January 29, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4595. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Danville, IL" ((RIN2120-AA66) (Docket No. FAA-2013-0657)) received in the Office of the President of the Senate on January 29, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4596. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Sisseton, SD" ((RIN2120-AA66) (Docket No. FAA-2013-0641)) received in the Office of the President of the Senate on January 29, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4597. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Leesburg, VA" ((RIN2120-AA66) (Docket No. FAA-2013-0033)) received in the Office of the President of the Senate on January 29, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4598. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

2013-0879)) received in the Office of the President of the Senate on February 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4623. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0370)) received in the Office of the President of the Senate on February 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4624. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Loup City, NE" ((RIN2120-AA66) (Docket No. FAA-2013-6070)) received in the Office of the President of the Senate on February 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4625. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky Helicopters)" ((RIN2120-AA64) (Docket No. FAA-2013-0636)) received in the Office of the President of the Senate on February 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4626. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CENTRAIR Gliders" ((RIN2120-AA64) (Docket No. FAA-2013-0018)) received in the Office of the President of the Senate on February 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4627. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters" ((RIN2120-AA64) (Docket No. FAA-2013-0634)) received in the Office of the President of the Senate on February 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4628. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0095)) received in the Office of the President of the Senate on February 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4629. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Turboshift Engines" ((RIN2120-AA64) (Docket No. FAA-2013-1003)) received in the Office of the President of the Senate on February 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4630. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Alexander Schleicher, Segelflugzeugbau Gliders" ((RIN2120-AA64) (Docket No. FAA-2013-4-0019)) received in the Office of the President of the Senate on February 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4631. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Turboshift Engines" ((RIN2120-AA64) (Docket No. FAA-2013-0575)) received in the Office of the President of the Senate on February 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC-4632. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2013-0635)) received in the Office of the President of the Senate on February 6, 2014; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-195. A resolution adopted by the Township Council of the Township of East Hanover, New Jersey urging Congress to dedicate additional federal funds for highway maintenance and infrastructure improvements in New Jersey; to the Committee on Appropriations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mrs. FISCHER (for herself, Mr. KING, and Mr. RUBIO):

S. 2007. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for regulating clinical and health software, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU (for herself and Mr. RISCH):

S. 2008. A bill to strengthen resources for entrepreneurs by improving the SCORE program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. UDALL of New Mexico (for himself and Mr. HELLER):

S. 2009. A bill to improve the provision of health care by the Department of Veterans Affairs to veterans in rural and highly rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARRASSO:

S. 2010. A bill to amend the Water Conservation and Utilization Act to authorize the development of non-Federal hydropower and issuance of leases of power privileges at projects constructed pursuant to the authority of the Water Conservation and Utilization Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself and Mr. CORKER) (by request):

S.J. Res. 31. A joint resolution relating to the approval of the proposed Agreement for Cooperation Between the American Institute in Taiwan and the Taipei Economic and Cultural Representatives Office in the United States Concerning Peaceful Uses of Nuclear Energy; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 398

At the request of Ms. COLLINS, the name of the Senator from Virginia (Mr. WARNER) 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. 619

At the request of Mr. LEAHY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 619, a bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments.

S. 1133

At the request of Mr. ROCKEFELLER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1133, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 1143

At the request of Mr. MORAN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1352

At the request of Ms. CANTWELL, the name of the Senator from Massachusetts (Ms. WARREN) 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. 1410

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1410, a bill to focus limited Federal resources on the most serious offenders.

S. 1456

At the request of Ms. AYOTTE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1456, a bill to award the Congressional Gold Medal to Shimon Peres.

S. 1761

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1761, a bill to permanently extend the Protecting Tenants at Foreclosure Act of 2009 and establish a private right of action to enforce compliance with such Act.

S. 1827

At the request of Mr. MANCHIN, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Massachusetts (Ms. WARREN), the Senator from Maine (Ms. COLLINS), the Senator from Delaware (Mr. COONS), the Senator from New Jersey (Mr. BOOKER), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 1827, a bill to award

a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country's freedom throughout the history of aviation warfare.

S. 1828

At the request of Mr. INHOFE, his name was added as a cosponsor of S. 1828, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 1941

At the request of Mr. MANCHIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1941, a bill to establish requirements for the adoption of any new or revised requirement providing for the screening, testing, or treatment of an airman or an air traffic controller for a sleep disorder, and for other purposes.

S. 1943

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1943, a bill to incentivize State support for postsecondary education and to promote increased access and affordability for higher education for students, including Dreamer students.

S. 1956

At the request of Mr. SCHATZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1956, a bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes.

S. 1963

At the request of Mr. PRYOR, the names of the Senator from Virginia (Mr. WARNER), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Oregon (Mr. WYDEN), the Senator from Florida (Mr. NELSON), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1963, a bill to repeal section 403 of the Bipartisan Budget Act of 2013.

S. 1972

At the request of Mr. BLUMENTHAL, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1972, a bill to prohibit discrimination in employment on the basis of an individual's status or history of unemployment.

S. 1977

At the request of Ms. AYOTTE, the names of the Senator from Indiana (Mr. COATS), the Senator from Kentucky (Mr. PAUL), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Texas (Mr. CORNYN), the Senator from Kansas (Mr. ROBERTS), the Senator from Georgia (Mr. ISAKSON) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 1977, a bill to repeal section 403 of the Bipartisan Budget Act of 2013, re-

lating to an annual adjustment of retired pay for members of the Armed Forces under the age of 62, and to provide an offset.

S. 1978

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1978, a bill to increase access to primary care services through training and accountability improvements.

S. 1982

At the request of Mr. SANDERS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1982, a bill to improve the provision of medical services and benefits to veterans, and for other purposes.

S. 1987

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1987, a bill to authorize the Secretary of Veterans Affairs to enter into enhanced-use leases for certain buildings of the Department of Veterans Affairs at the West Los Angeles Medical Center, California, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FISCHER (for herself, Mr. KING, and Mr. RUBIO):

S. 2007. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for regulating clinical and health software, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FISCHER. Mr. President, I rise today to speak about rapid advancements in health care information technology or health IT. Health IT holds amazing potential to transform Americans' everyday lives for the better. I believe that protecting this kind of exciting innovation from overregulation and excessive taxation needs to be a high priority.

That is why I am introducing the Preventing Regulatory Overreach to Enhance Care Technology or the PROTECT Act of 2014. Together with Senator ANGUS KING of Maine and Senator MARCO RUBIO of Florida, we are putting forward this pro-jobs, risk-based framework governing health IT.

Before I speak about our bill, I thank my colleague from Maine Senator ANGUS KING for joining me in this effort. I am informally telling people that our efforts might be the start of the "surf and turf caucus" in the Senate, the place where Nebraska and Maine come together politically to find common ground and work to address real problems in this country.

We are able to do so together because Senator KING is known as an independent thinker, a problem-solver who isn't afraid to work across the aisle in order to get things done. It is refreshing, and I sincerely appreciate his willingness to work with me.

I also give special thanks to Senator RUBIO for his interest in this issue as well. He is also an original cosponsor, and he has worked with us on this important topic.

What we are trying to do is clarify the Food and Drug Administration's oversight authority over health information technologies. Under current law dating back to 1976, the FDA can apply its definition of a medical device to assert broad regulatory authority over a wide array of health IT, including applications that do not pose a threat to human safety.

That means low-risk health IT can be treated like traditional medical devices, subjecting job creators and innovators to these challenges that really don't make sense.

The PROTECT Act fixes this discrepancy. The PROTECT Act keeps the FDA's resources focused on products that pose the highest risk to human health. In doing so it also gives regulatory certainty to innovators and job creators who are developing these new products that use data safely to improve health care and also to reduce its cost. Furthermore, the PROTECT Act relieves categories of low-risk clinical and health software from the 2.3-percent medical device tax. Most importantly, though, it protects and promotes American jobs in a key growth sector of our economy.

The mobile health and mobile application market is expected to exceed \$26 billion by 2017, while the U.S. mobile apps economy is responsible for nearly half a million new American jobs. A report from Health Data Management anticipates 23-percent annual growth in this sector over the next 5 years. The FDA highlights on their Web site that 500 million smartphone users worldwide will be using health apps by 2015. The mobile analytics platform Localytics, which monitors more than 20,000 apps, has seen a 19-percent increase in new health and fitness apps in 2013 from the year prior. That is amazing.

But what is even more impressive is the health IT's ability to protect people. Consider the example of a young man named Xavier Jones whose basketball coach downloaded a \$1.99 mobile application that gave him a refresher course on how to properly administer CPR. It was a skill that came in handy the very next day when Xavier collapsed in the middle of practice.

In 2012 the Departments of Defense and Veterans Affairs partnered to release a free Apple and Android app called the Post-Traumatic Stress Disorder Coach. PTSD Coach has been downloaded over 100,000 times in 74 countries. It provides reliable information on PTSD and treatments on users' smartphones.

Other types of health IT, such as electronic health records and low-risk clinical decision software, can also lower costs and can improve outcomes. Some of these technologies hold the power to quickly and broadly disseminate new information about effective

treatments and recent clinical trials. Patients want their doctors to have access to these cutting-edge therapies. Protecting low-risk health IT is about empowering people with access to information. We need to protect that kind of innovation because innovation is an equalizer for consumers.

These technological benefits don't stop at our borders. Think about this statistic: One estimate shows that mobile health deployment in Africa could save as many as 1 million lives by 2017. From assisting nurses with scheduling to reminding pharmacists to refill their stock or even tracking emerging malarial epidemics, mobile health is already transforming the landscape of the developing world in very dramatic ways.

These stories only scratch the surface of where this technology is going. It is important how we treat innovation here in the United States. Other countries around the world are looking at how our government will regulate and oversee these low-risk technologies.

Our bill makes it so low-risk, highly innovative clinical and health software technologies—and the potential they have to empower people—are not undercut by these burdensome regulations. FDA's promise to use its enforcement discretion over low-risk health IT only serves to create confusion and uncertainty in the marketplace. Regulatory discretion by its very nature is something that can easily change over time, and discretion can be misused or abused.

Clear rules should be set because the current FDA regulatory model for medical devices is not well suited for low-risk health information technologies. In a House Energy and Commerce Committee hearing last year, the FDA submitted a letter to the committee that said:

For 2011 and 2012, the average time for FDA review of medical device submissions that were identified as containing a mobile medical app was 67 days and the average total time from submission to FDA decision was 110 days.

When regulatory days turn into months, problems are going to persist, and that is not something we should leave to discretion. The regulatory time line for risky devices should not be the same for low-risk software that gets released every 60 days, has major updates every month, and sees regular changes every week. Having an approval process that takes longer than the shelf life of the average device operating system stifles opportunity and it stifles innovation.

Innovators, regulators, and consumers need clarity and certainty into how these regulations are going to be enforced. Since mobile wellness apps and most clinical decision support technologies pose little risk to patients, they should not be subject to the same costly painstaking processes as medical devices. The answer is the commonsense, risk-based regulatory

approach the PROTECT Act provides. It protects innovation, it protects jobs here in the United States, and it protects jobs in this U.S.-based job sector. Most importantly, it protects patient safety by giving the FDA continued authority and oversight over health IT that is risky and by creating an appropriate regulatory framework for that which is lower risk.

With the introduction of the PROTECT Act, I would also like to acknowledge the great work of Senator LAMAR ALEXANDER of Tennessee, Senator ORRIN HATCH of Utah, Senator MICHAEL BENNET of Colorado, and others who have undertaken this effort in the past. These Senators have helped to lay the groundwork for the development of a risk-based framework for health IT. The ideas included in the PROTECT Act would not be possible without the progress they secured in previous Congresses and in the FDA's Safety and Innovation Act.

I am committed to working with anyone on these issues to exchange views and to exchange ideas so we can get the right policy balance our country needs and deserves.

Again, I thank my friends Senator KING from Maine and Senator RUBIO from Florida for joining me in this important effort. Together, we can achieve our shared vision of protecting patient safety, protecting innovation, and protecting U.S. economic job growth and opportunity.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, it is a pleasure to join the Senator from Nebraska. I love the idea of the surf-and-turf caucus reaching across the country to try to find commonsense solutions. I often think about legislation and what we are attempting to do, and there is an attempt to codify common sense, to try to bring to the regulatory process, as it deals with medical devices, a little more thoughtfulness and cautiousness as it affects health information technology.

The first part of the bill actually sets up a process whereby we can examine in a thoughtful kind of way some of these issues to reduce the regulatory burden and at the same time foster innovation and, very importantly, protect patient safety. It sets up a process involving the National Institute of Standards and Technology and other parts of the administration so that the regulatory process in this area can be rationalized across agencies and better coordinated.

The heart of the bill, however, as the Senator just outlined, is our attempt to differentiate between medical software, which has a direct impact upon patient health, and software that is more peripheral and can range from the app I have on my iPhone, which is a pedometer that tells me how much I have walked each day and how much I should walk each day, to the kind of software that is being developed across

the country to assist medical practices in their billing and in the operational part of the medical business.

I think one of the most important points, as the Senator pointed out, is that software evolves almost overnight, and if you go through this burdensome regulatory process—whether it is 60 days, 120 days, or 1 year—to get your software approved and then you find there is a bug you have to fix, that could restart the whole regulatory process. So I think we should acknowledge that this is a bit of preemptive legislation because the FDA thus far has not intruded very deeply into this process, and we believe it is important in order to define the areas where regulation and the protection of patient safety is important, but software that manages the billing process of a medical practice should not fall into that category and should not be subject to that level of regulation. That is really what we are talking about.

As the Senator mentioned, this law goes back to 1976. In thinking about 1976, Gerald Ford was President and software was a mink coat. We weren't really thinking about what we are doing today, and of course the legislation did not anticipate the kind of intense innovation and new thinking that is going on that is able to protect people's health just by giving them information about themselves. No doubt the time will come when a smartphone will be able to do blood pressure or temperature or certainly provide one's heart rate, and that is information we should have ourselves, not necessarily regulated by the Federal Government.

I am delighted to join the Senator from Nebraska and the Senator from Florida in introducing this piece of legislation. I think it is important. It is part of a larger project to try to bring our Federal regulatory process into the 21st century where time is of the essence, innovation is at the speed of light, and that we can't burden our people who are creating these innovations with a lengthy and, yes, expensive process that has a tendency to discriminate against smaller entrepreneurs and businesspeople.

I compliment the Senator from Nebraska for bringing this piece of legislation forward. I am absolutely delighted to join her in its sponsorship, and I look forward to moving it through the legislative process. There is a companion piece of legislation in the House, and I think this, as I said at the beginning, is an effort to get as close as we can to legislating common sense in this area, and I believe it will make a difference for businesses, for people, for patients, and for the health care system in America.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2732. Ms. AYOTTE (for herself, Mr. GRAHAM, Mr. WICKER, Mr. MCCONNELL, Mr. CORNYN, Mr. INHOPE, Mr. THUNE, Mr. CHAMBLISS, Mr. JOHANNIS, Mr. BURR, Mr. BOOZMAN,

Mr. COATS, Mr. PAUL, Mr. SESSIONS, Mr. ENZI, Mr. ROBERTS, Mr. ISAKSON, and Mr. TOOMEY) submitted an amendment intended to be proposed by her to the bill S. 1963, to repeal section 403 of the Bipartisan Budget Act of 2013; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2732. Ms. AYOTTE (for herself, Mr. GRAHAM, Mr. WICKER, Mr. MCCONNELL, Mr. CORNYN, Mr. INHOFE, Mr. THUNE, Mr. CHAMBLISS, Mr. JOHANNIS, Mr. BURR, Mr. BOOZMAN, Mr. COATS, Mr. PAUL, Mr. SESSIONS, Mr. ENZI, Mr. ROBERTS, Mr. ISAKSON, and Mr. TOOMEY) submitted an amendment intended to be proposed by her to the bill S. 1963, to repeal section 403 of the Bipartisan Budget Act of 2013; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. REPEAL OF REDUCTIONS MADE BY BIPARTISAN BUDGET ACT OF 2013.

(a) REPEALS.—

(1) ADJUSTMENT OF RETIREMENT PAY.—Section 403 of the Bipartisan Budget Act of 2013 is repealed as of the date of the enactment of such Act.

(2) CONFORMING AMENDMENT.—Title X of the Department of Defense Appropriations Act, 2014 (division C of Public Law 113-76) is hereby repealed.

(b) SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.—

(1) IN GENERAL.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended to read as follows:

“(e) IDENTIFICATION REQUIREMENT WITH RESPECT TO QUALIFYING CHILDREN.—

“(1) IN GENERAL.—Subject to paragraph (2), no credit shall be allowed under this section to a taxpayer with respect to any qualifying child unless the taxpayer includes the name and taxpayer identification number of such qualifying child on the return of tax for the taxable year.

“(2) REFUNDABLE PORTION.—Subsection (d)(1) shall not apply to any taxpayer with respect to any qualifying child unless the taxpayer includes the name and social security number of such qualifying child on the return of tax for the taxable year.”.

(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 TIN under section 24(e)(1) (relating to child tax credit) or a correct Social Security number required under section 24(e)(2) (relating to refundable portion of child tax credit), to be included on a return.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on February 12, 2014 at 10 a.m., to hear testimony on the “Bipartisan Support for Improving U.S. Elections: An Overview from the Presidential Commission on Election Administration.”

For further information regarding this hearing, please contact Lynden

Armstrong at the Rules and Administration Committee (202) 224-6352.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 10:30 a.m., on February 12, 2014, to conduct a business meeting to consider the nominations of Thomas Hicks and Myrna Perez to be members of the Election Assistance Commission.

For further information regarding this meeting, please contact Lynden Armstrong at the Rules and Administration Committee at (202) 224-6352.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet on February 13, 2014, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled From Poverty to Opportunity: How a Fair Minimum Wage Will Help Working Families Succeed.”

For further information regarding this meeting, please contact Sarah Cupp of the committee staff on (202) 224-5363.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Elizabeth Lievens and David Pope, interns in my office, be granted floor privileges for the remainder of today.

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

Mr. KING. Mr. President, I ask unanimous consent that Chris Sweitzer, a military fellow in the office of Senator PRYOR, be granted the privilege of the floor for the duration of the calendar year.

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

LETTER OF RESIGNATION

The PRESIDING OFFICER. The Chair lays before the Senate the letter of resignation of Senator MAX BAUCUS of Montana dated Thursday, February 6, 2014.

Mr. BEGICH. Mr. President, I ask unanimous consent that the letters relating to the resignation of the Senator from Montana, MAX BAUCUS, be printed in the RECORD.

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

U.S. SENATE,

Washington, DC, February 6, 2014.

Governor STEVE BULLOCK,
Montana State Capitol,
Helena, MT.

DEAR GOVERNOR BULLOCK: In order to assume the responsibility of serving as the United States Ambassador to China, I write to resign my seat in the United States Senate effective upon my appointment as Ambassador. Representing the people of Montana for 40 years has been the honor of a lifetime. I am grateful for the trust Montanans have bestowed on me and the opportunity to contribute to our great state and nation.

Respectfully,

MAX BAUCUS.

FEBRUARY 7, 2014.

Hon. JOSEPH R. BIDEN, Jr.,
President of the Senate,
Washington, DC.

DEAR VICE PRESIDENT BIDEN: In accordance with my letter of February 6, 2014 to Governor Bullock, this is to clarify that my resignation as United States Senator became effective at the close of business on February 6, 2014.

Sincerely,

MAX BAUCUS.

PROVIDING FOR EXTENSION OF ENFORCEMENT INSTRUCTION

Mr. BEGICH. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 1954 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1954) to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014.

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

Mr. BEGICH. I ask unanimous consent that the bill be read for a third time, passed, and the motion to reconsider be laid upon the table.

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

The bill (S. 1954) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1954

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS THROUGH 2014.

The Secretary of Health and Human Services shall continue to apply through calendar year 2014 the enforcement instruction described in the notice of the Centers for Medicare & Medicaid Services entitled “Enforcement Instruction on Supervision Requirements for Outpatient Therapeutic Services in Critical Access and Small Rural Hospitals for CY 2013”, dated November 1, 2012 (providing for an exception to the restatement and clarification under the final rule-making changes to the Medicare hospital outpatient prospective payment system and calendar year 2009 payment rates (published in the Federal Register on November 18, 2008, 73 Fed. Reg. 68702 through 68704) with respect to requirements for direct supervision by physicians for therapeutic hospital outpatient services).

COMMEMORATING THE 150TH ANNIVERSARY OF THE MAYO CLINIC

Mr. BEGICH. I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 339 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 339) commemorating the 150th anniversary of Mayo Clinic.

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

Mr. BEGICH. I 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. 339) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in the RECORD of Monday, January 27, 2014, under "Submitted Resolutions."

READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. BEGICH. Mr. President, I ask unanimous consent that notwithstanding the resolution of the Senate of January 24, 1901, the traditional reading of Washington's Farewell Address take place on Monday, February 24, following the prayer and pledge; further, that Senator KING be recognized to deliver the address.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, as modified by the order of February 10, 2014, appoints the Senator from Maine (Mr. KING) to read Washington's Farewell Address on Monday, February 24, 2014.

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

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

ORDERS FOR TUESDAY, FEBRUARY 11, 2014

Mr. BEGICH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, February 11, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to S. 1963, the military retirement pay restoration bill, postcloture;

that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings; and, finally, that all time during adjournment and recess count postcloture on the motion to proceed to S. 1963.

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

PROGRAM

Mr. BEGICH. Senator-designate WALSH from Montana will be sworn in at 12:15 p.m. tomorrow. Senators will be notified when the next vote is scheduled.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BEGICH. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:38 p.m., adjourned until Tuesday, February 11, 2014, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

ROBERT O. WORK, OF VIRGINIA, TO BE DEPUTY SECRETARY OF DEFENSE, VICE ASHTON B. CARTER, RESIGNED.

MILLENNIUM CHALLENGE CORPORATION

MARK GREEN, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF TWO YEARS. (REAPPOINTMENT)

DEPARTMENT OF STATE

CASSANDRA Q. BUTTS, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

MATTHEW T. MCGUIRE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS, VICE IAN HODDY SOLOMON, TERM EXPIRED.

FOREIGN SERVICE

THE FOLLOWING NAMED PERSONS OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MARK L. DRIVER, OF COLORADO
LAWRENCE RUBEY, OF MARYLAND
TODD M. SORENSON, OF TEXAS
SHERYL A. STUMBRAS, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MONICA MCQUEARY AZIMI, OF FLORIDA
DAVID A. BRUNS, OF THE DISTRICT OF COLUMBIA
ANNA MARY COBURN, OF VIRGINIA
MATTHEW EVAN COHEN, OF CALIFORNIA
ANNE MARIE DEL CASTILLO, OF FLORIDA
JAMES J. DOBSON, OF MARYLAND
KRISTINE ANN HERRMANN-DELUCA, OF PENNSYLVANIA
DAVID ISAO HOFFMAN, OF CALIFORNIA
BRIONI E. JAMES, OF WASHINGTON
BENJAMIN D. KAUFFELD, OF VIRGINIA
MARK A. KERR, OF FLORIDA
KENT ADAMS LARSON, OF VIRGINIA
WENDY S. MARSHALL, OF THE DISTRICT OF COLUMBIA
STACIE E. MARTIN, OF NEW YORK
PAUL G. McDERMOTT, OF CALIFORNIA
TATIA L'KAE MILLER, OF NEW YORK
SAM F. NASSIF, OF TEXAS
JOHN R. PASCH, OF MAINE
JULIA BECKER RICHARDS, OF TEXAS
PETER RILEY, OF MASSACHUSETTS

HEATHER ANN SCHLIDGE, OF VIRGINIA
JAIDEV SINGH, OF WASHINGTON
ZERIC KAY SMITH, OF NEW YORK
LEWIS J. TATEM, OF VIRGINIA
W. DAVID YOUNG II, OF NEW YORK

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MICHELLE BAHK, OF NEW YORK
LAURA MARIE BUTLER BERGER, OF OHIO
SUSAN BETSY BRUCKNER, OF CONNECTICUT
SCOTT CAMERON, OF CALIFORNIA
SUSAN L. CHEUNG, OF PENNSYLVANIA
SUSAN CHUWA EASLEY, OF TEXAS
ERICKA ERSLAND, OF FLORIDA
BRIAN G. FINK, OF MICHIGAN
CHITAHKA N. FLOORE, OF COLORADO
MARTY D. GEORGE, OF THE DISTRICT OF COLUMBIA
TIMOTHY HART, OF VIRGINIA
DANIEL E. HARTER, OF VIRGINIA
BLAIR ANDREW KING, OF MARYLAND
TALY S. LIND, OF NEW YORK
HANNAH MALONEY, OF OHIO
CLARE DAVINA MASSON, OF WISCONSIN
ELIZABETH MENDENHALL, OF PENNSYLVANIA
JUANA MORALES, OF FLORIDA
MEGHAN WATKINS TIERNEY NALBO, OF VIRGINIA
JESSICA PEARCH, OF MARYLAND
LESLIE CARL PETERSEN, OF VIRGINIA
TIMOTHY PRUETT, OF TEXAS
SONJAI REYNOLDS COOPER, OF MARYLAND
AARON H. RUBLE, OF CALIFORNIA
EDUARDO SANTOS, OF FLORIDA
DANIEL CURTIS SWIFT, OF VIRGINIA
RYAN M. WEDDLE, OF NEW HAMPSHIRE
JAMES B. WHITAKER, OF VIRGINIA
AMY FRANCESCA WIELKOSZEWSKI, OF ARIZONA
KARL WILLIAM WURSTER, OF WASHINGTON

THE FOLLOWING NAMED PERSONS OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

SCOTT S. SINDELAR, OF MINNESOTA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

JEANNE F. BAILEY, OF ILLINOIS
CLAY M. HAMILTON, OF TEXAS
KATHERINE C. NISHIURA, OF FLORIDA
BOBBY GENE RICHEY, JR., OF TEXAS
CHRISTINE M. SLOOP, OF OREGON

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. TRAVIS D. BALCH

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ANTHONY G. CRUTCHFIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF THE DENTAL CORPS AND ASSISTANT SURGEON GENERAL FOR DENTAL SERVICES, UNITED STATES ARMY, AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 3036 AND 3039(B):

To be major general

COL. THOMAS R. TEMPEL, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL E. CANNON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

AIZENHAWAR J. MARROGI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

THOMAS E. BYRNE
JAMES H. CHANG

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

CHRISTOPHER D. COULSON
JACKIE A. HUBER
JAMES NUGENT, JR.
FREDERICK D. PASLEY

LEO A. RYAN
MICHAEL WOODRUFF

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

RALF C. BEILHARDT
JERRY M. CARBONE
LISA A. FRANKLIN
WILLIAM J. GREENWOOD
BRETT H. HENSON
TAWANNA MCGHEETHONDIQUE
RICHARD V. RITTER
RICHARD L. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

MICHAEL P. ABEL
HANS E. BAKKEN
DOUGLAS B. BEECH
RICHARD A. BICKEL, JR.
DANIELLE N. BIRD
LORANEE E. BRAUN
SCOTT E. BRIETZKE
RICHARD O. BURNEY
ARTHUR L. CAMPBELL III
AUSTIN H. CHHOEU
DAVID W. COLE
WILLIAM P. CRUM
PETER J. CUENCA
KURT G. DAVIS
SHAD H. DEERING
KENT J. DEZEE
CHARLES S. DIETRICH III
MARTIN DOPERAK
MARY J. EDWARDS
MELISSA L. GIVENS
JOSEPH D. GRAMLING
BRET A. GUIDRY
CHAD A. HALEY
DONALD L. HELMAN, JR.
JEFFREY V. HILL
SEAN A. HOLLONBECK
DEAN H. HOMMER
DANIEL J. IRIZARRY
CHRISTOPHER G. JARVIS
DWIGHT C. KELLICUT
MARY M. KLOTE
JEFFREY K. KLOTZ
GREGORY T. LANG
CHRISTOPHER L. LANGE
BRENT L. LECHNER
CHRISTINE F. LETTIERI
PEDRO F. LUCERO
JAMES H. LYNCH IV
LOUIS R. MACAREO
CHRISTOPHER B. MAHNKE
ROBERT F. MALSBY III
MARK W. MANOSO
CHRISTOPHER R. MARTIN
GREGORY J. MARTIN
LARRY J. MCCORD
IAN K. MCLEOD
LEAH P. MCMANN
CHRISTIAN J. MEKO
MICHAEL J. MINES
JEFFREY S. MORGAN
PAUL M. MORRISSEY
ROBERT J. O'CONNELL
MICHAEL E. PARKER
TARAK H. PATEL
JEREMY G. PERKINS
KRISTOFER A. RADCLIFFE
THOMAS J. RICHARD
INGER L. ROSNER
DEAN A. SEEHUSEN
CASTANEDA A. SIEROCKA
KAREN E. SMITH
MARSHALL H. SMITH
BENJAMIN SOLOMON
SCOTT R. STEELE
TIMOTHY S. TALBOT
RENEE THAI
SEAN F. THOMAS
KIRK H. WAIBEL
JUSTIN T. WOODSON
JOHNNIE WRIGHT, JR.
D001883

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

EDWARD AHN
IAN W. BALDWIN
STEVEN E. BRADY
SHELLA L. BURNS
BRIAN K. CARR
CESAR B. CASAL
CHRISTOPHER COLEMAN
DAVID C. COLLVER
WILLIAM J. COOK
JENNIFER G. H. COX
KEVIN S. COX
SHANNA L. CRONIN
CHRISTOPHER C. CROSS
NOBERTO O. DALUZ
GRETCHEN L. DAVENPORT
SHESSY T. DAVIS

CHRISTIAN E. DELUKE
MATTHEW E. DYSON
CRAIG C. FORD
JUSTIN P. FREELAND
JERROD B. FUSSNECKER
ROBERT L. GADDY
RICHARD M. GALLAGHER
EDWARD P. GILMAN
ELISABETH L. GILMAN
MICHAEL F. HAYDEN
ERIK S. HENDRICKSON
ADAM M. HILL
JONATHAN D. HOAG
MATTHEW P. HURT
AARON R. INKENBRANDT
DAVID M. JONES
CHRISTOPHER M. JUDAH
NOLAN T. KOON
RYAN D. KROHN
DAVID C. LAI
RACHEL A. LANDSEE
RYAN A. LITTLE
BRIAN D. LOHNES
MICHAEL J. LOVELACE
BRENDAN J. MAYER
MEGHAN A. MCENERNEY
ROBERT N. MICHAELS
ROBERT E. MURDOUGH
JOHN A. NELSON
MIKE S. NI
LAURA A. O'DONNELL
JOHN C. OLSON
ANTHONY M. OSBORNE
KIRK W. OTTO
BENJAMEN J. PERRY
DAVID L. PETERSON
MARK S. PITZAK
ROBERT K. PRUITT
STEWART M. REYES
GEOVANNY A. ROJAS
EMILY M. ROMAN
LUKE S. ROSE
ROBERT C. ROTEN
SARAH J. RYKOWSKI
DOUGLAS J. SACKETT
DOUGLAS M. SCHAEFER
CRAIG J. SCHAPIRA
PAUL M. SHEA
CHRISTOPHER L. SIMONS
BURT D. SMITH
CORMAC M. SMITH
JOHN T. SORON
KENTON E. SPIEGLER
DAVID H. STEM, JR.
ANGELA D. SWILLEY
BRETT A. WARCHOLAK
ALAN W. WEHBE
EDWARD L. WESTFALL
JENNY S. WHITE
MALCOLM H. WILKERSON
JOHN R. WITHERS
JOSHUA J. WOLFF
ABRAHAM L. YOUNG
D012017

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

To be major

RYAN M. OLEKSY

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

SEAN T. HAYS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

LAKENDRICK D. WRIGHT

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOHN E. SIMPSON III

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BILL W. BROOKS, JR.
MICHAEL W. COSTA

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAMES R. KELLER

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CLENNON ROE III

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RICHARD P. OWENS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ANTHONY REDMAN

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JEFFREY P. WOOLDRIDGE

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ROBERT M. MANNING

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BILLY A. DUBOSE
JOHN P. MULLERY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHRISTOPHER S. EICHNER
JAMES SMILEY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RANDALL E. DAVIS
PAUL E. RICHARD
WADE E. WALLACE

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAMON L. ANDERSEN
JAMES Y. MALONE
RICHARDO A. SPANN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

PAULO T. ALVES
THOMAS E. JAMES
PATRICK J. TOAL

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHRISTIAN D. GALBRAITH
JACOB A. HAGAN
BYUNG H. KIM
MARK J. LEHMAN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

TIMOTHY J. ALDRICH
MARCO R. GOMEZ
LONNIE M. MCGHEE, JR.
DAVID W. PECK
CODY D. STEWART
CHRIS A. STOREY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KENNETH L. AIKEY
DONALD A. FRITZ
JACOB R. LEWIS
LEAH R. PARROTT
JAMES H. RAMSEY
SCOTT B. ROLAND

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE

UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

TERRY H. CHOI
JASON D. ECK
CLARK E. HOWARD II
SHAWN E. MCGOWAN
PETER D. NELSON
CHRISTOPHER T. PIENKOWSKI
JOHN A. TAPP IV
FREDDIE D. TAYLOR

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

MEGAN M. DONNELLY
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

DANIELLE L. LEIBY
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

MICHAEL R. CATHEY
DIANA TOROK

To be lieutenant commander

MELISSA C. AUSTIN
BENJAMIN R. BLEVINS
ANDREW C. BRIGHT
CHRISTOPHER M. DAVIS
JUSTIN A. DYE
JOHN A. ENGLER
NAZIMA N. KATHIRIA
MICHAEL A. KUHNE
FRANKLIN C. MARGARON
CHRISTOPHER S. MUDGE
CHARLES G. ROGERS III
BRIAN W. SHIPPERT
DENISE M. THIGPEN
ANDREW J. YOUNG