Sessions	Thune	Vitter
Shelby	Toomey	Wicker

NOT VOTING—3

Boozman	Brown	Rockefeller

The PRESIDING OFFICER. On this vote the yeas are 62, the nays are 35. The motion is agreed to.

NOMINATION OF JOHN JOSEPH TUCHI TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of John Joseph Tuchi, of Arizona, to be United States District Judge for the District of Arizona.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to the vote to invoke cloture on the Humetewa nomination.

Without objection, all time is yielded back.

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 nomination of Diane J. Humetewa, of Arizona, to be United States District Judge for the District of Arizona.

Harry Reid, Patrick J. Leahy, Robert Menendez, Christopher Murphy, Elizabeth Warren, Christopher A. Coons, Angus S. King, Jr., Richard Blumenthal, Cory A. Booker, Jeff Merkley, Amy Klobuchar, Dianne Feinstein, Richard J. Durbin, Tom Udall, Sheldon Whitehouse, Charles E. Schumer, Edward J. Markey.

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 nomination of Diane J. Humetewa, of Arizona, to be United States District Judge for the District of Arizona, 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. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

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

The yeas and nays resulted—yeas 64, nays 34, as follows:

[Rollcall Vote No. 146 Ex.]

YEAS—64

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

NAYS—34

Alexander	Grassley	Risch
Blunt	Heller	Roberts
Burr	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Corker	Kirk	Thune
Cornyn	Lee	Toomey
Crapo	McConnell	Vitter
Cruz	Moran	Wicker
Enzi	Paul	
Fischer	Portman	

NOT VOTING—2

Boozman	Rockefeller

The PRESIDING OFFICER. On this vote the yeas are 64, the nays are 34. The motion is agreed to.

NOMINATION OF DIANE J. HUMETEWA TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Diane J. Humetewa, of Arizona, to be United States District Judge for the District of Arizona.

NOMINATION OF ROY K.J. WILLIAMS TO BE ASSISTANT SECRETARY OF COMMERCE FOR ECONOMIC DEVELOPMENT

NOMINATION OF CARLOS ROBERTO MORENO TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BELIZE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of the following nominations, which the clerk will report.

The bill clerk read the nominations of Roy K.J. Williams, of Ohio, to be Assistant Secretary of Commerce for Economic Development; and Carlos Roberto Moreno, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belize.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the Williams nomination.

Mr. LEAHY. I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Roy K.J. Williams, of Ohio, to be Assistant Secretary of Commerce for Economic Development?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior a vote on the Moreno nomination.

Mr. LEAHY. I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Carlos Roberto Moreno, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belize?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the time until 5:15 p.m. will be equally divided between the two leaders or their designees.

The time from 3 p.m. to 3:45 p.m. will be controlled by the Republicans, and the time from 3:45 to 4:30 p.m. will be controlled by the majority.

The Senator from Maryland.

UNANIMOUS CONSENT REQUEST—S. 357

Mr. CARDIN. Mr. President, as I think my colleagues know, this is National Police Week. I know I express the sentiment of every Member of this body who wishes to show their appreciation for the 900,000 Federal, State, and local law enforcement officers who literally put their lives on the line every day to keep us safe. We cannot thank them enough, but we can help them by our actions. In 2013 there were 105 who lost their lives in the line of duty, so obviously this is a matter that requires the attention of the Senate.

Let me cite the most recent casualty in the State of Maryland. On August 28, 2013, Baltimore County police officer Jason Schneider, who was only 36 years of age, was shot and killed while serving a search warrant at a home on Roberts Avenue in Catonsville at approximately 5 o'clock in the morning. Officer Schneider was part of a tactical team that had entered the house in search of a juvenile subject wanted in relation to a shooting of the previous week. The entry team encountered four subjects inside the house who attempted to flee. Officer Schneider was pursuing a subject toward the rear of the house when another subject attacked him and opened fire, striking him several times. Despite being mortally wounded, Officer Schneider returned fire and killed the subject. Officer Schneider is survived by his wife and two children.

Unfortunately, that story was told 105 other times in 2013 with law enforcement officers who lost their lives in the line of duty.

I have introduced legislation—S. 357—which provides for a national blue alert. I think most Members are familiar with AMBER alerts. It means the

rapid dissemination of information to help law enforcement. Well, a blue alert would deal with an officer who has been assaulted, attacked, or killed.

Law enforcement will tell us rapid dissemination is the most important part of law enforcement. So it is critically important that information be made available.

This is a bipartisan bill. I originally filed the bill with Senator GRAHAM, and I appreciate his help.

Senator LEAHY has been a real champion. As chairman of the Judiciary Committee, I can't thank him enough for his help with this legislation and the work he has done on behalf of law enforcement.

Senator MCCONNELL today in his leader time discussed that this week is National Police Week and mentioned he is a cosponsor of the legislation I am referring to and urged that this is the type of bill we need to pass.

Senator BLUNT is on the floor. I thank him very much. He has been a real leader in regards to law enforcement issues and Blue Alert.

This bill passed with 406 votes in the House of Representatives. It is a bill which provides for smart ways to help law enforcement. It is endorsed and supported by a whole host of groups, including the Fraternal Order of Police, the National Association of Police Organizations, the Federal Law Enforcement Officers Association, the Concerns of Police Survivors, and the Sergeants Benevolent Association of the New York Police Department. The list goes on and on. So we are looking for a way we can not only express our appreciation to those in law enforcement but we can tangibly do something to help.

Mr. President, I ask unanimous consent as if in legislative session the Senate proceed to Calendar No. 194, S. 357, the National Blue Alert Act; that the bill be read a third time and passed; and the motion to reconsider be laid upon table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. COBURN. Mr. President, per the Senate rules I have submitted a letter outlining my reasons for objecting to this, besides it not being paid for, and I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Vermont.

Mr. LEAHY. Mr. President, I commend the Senator from Maryland who, just as he did when he was in the State legislature and has done every single day since he has been in the Senate, has been supportive of law enforcement and police officers. I am sorry there was an objection.

I spoke earlier to my dear friend, the Senator from Maryland, Mr. CARDIN. I told him that earlier today I chaired a hearing on the Bulletproof Vest Partnership Grant Program. The distinguished Presiding Officer, the Senator from Delaware, was there, as were law enforcement officers from Delaware.

During that hearing we heard from Officer Ann Carrizales of the Stafford, TX, police department. This was some of the most powerful testimony I have heard in my almost 40 years on that committee.

She was shot in the face and chest during a routine traffic stop last year. She was saved by her protective vest. She returned fire and then pursued the suspects for 20 miles and ultimately helped a neighboring police jurisdiction apprehend the shooter—a determined police officer, former Marine, mother, and wife.

We also heard from a police chief who will be staying here with law enforcement during National Police Week. We talked about the Bulletproof Vest Partnership Grant Program, which Senator Ben Nighthorse Campbell—who served in law enforcement, a Republican from Colorado—and I first introduced, and for decades it has been passed unanimously. It saves lives. It is not a luxury item.

Last week, I came to the Senate floor, seeking to do what this body has done 3 times before, and that is to reauthorize the Bulletproof Vest Partnership Grant Program. My legislation to renew this life-saving program for another 5 years has the support of every Democrat in the Senate. It is strongly supported by leading law enforcement groups, and on a much more personal note, we know that vests provided by this program have protected thousands of officers and spared their families and loved ones from unspeakable grief.

Officers like Officer Ann Carrizales. If her story does not inspire us all to support brave law enforcement officers by providing them with the most basic protection, then I do not know what could. She brought with her today almost 200 letters from her daughter's elementary school, all calling on the Senate to act. One of the letters I have is from her daughter MiKayla, talking about what her mother faced. This was powerful testimony.

Unfortunately, my efforts to pass this important reauthorization were blocked last week by a Republican Senator who seems to think that bulletproof vests are a luxury item. Some Republican Senators also believe that the Federal Government has no role to play in assisting local law enforcement. I could not disagree more. We in Congress have long supported local law enforcement because we have a duty to keep our communities safe.

Today, during National Police Week, Senators who say they stand with law enforcement should demonstrate their support and put real meaning behind those words by supporting two important bills. All Senators should support the passage of S. 933, the Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013. To date, this program has enabled over 13,000 State and local law enforcement agencies to purchase over 1 million vests. It we act today, this program could help provide more vests to the law enforcement officers who protect us every day. We should also pass the National Blue Alert Act, a bill sponsored by Senators CARDIN and GRAHAM that would create a national alert system when an officer is injured or killed in the line of duty. We can put real meaning behind our rhetoric. These are commonsense bills and they should be enacted without further delay.

Mr. President, as if in legislative session, I ask unanimous consent the Senate proceed to the consideration of Calendar No. 162, S. 933, the Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013; that the bill be read a third time and passed; and that the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. I object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, we went through this 10 days ago, and I gave a very long and detailed explanation of my objections to this bill. I won't belabor that again. But again, we are at the process where we owe $17 trillion, and we are spending money that we don't have in areas that are far lower in priority than this issue.

I have no objection, and I think, in terms of bulletproof vests, this is actually a great way to protect those who protect us. But again, as I stated the last time we had this discussion, under the enumerated powers this is the responsibility of the States and local communities. On that basis I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEAHY. Mr. President, I am sorry for that because we will waste more money in 1 or 2 weeks in Afghanistan and Iraq, than this would cost for years—years—to protect American law enforcement, police officers who protect us every day.

We ought to allow this matter to come to a vote and have everybody vote yes or no. The Senator from Vermont would vote yes. I know the Senator from Maryland would vote yes, and I know the distinguished Presiding Officer from Delaware would vote yes, as would every single Democratic Senator, and I believe a number of Republicans would.

We will give great speeches this week saying we stand with law enforcement. Well, as some say, put up or shut up. Let's stand with them. Let's pass this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I wish to say a few words about National Police Week. I am pleased to be able to cochair with the Presiding Officer and the Senator from Delaware Mr. COONS the Law Enforcement Caucus which we

founded when we came to the Senate together. I am proud to be a cosponsor of the National Blue Alert Act that Senator CARDIN talked about, and I would like to see that done. I think we can do things to provide more safety and security for local police officers as we have done for the fire grants, all those things that followed 911.

As I was listening, I was thinking about how much we benefit every day from the Capitol Police. We walk by them in their positions securing these buildings and standing in the way of harm, and we often forget they are there for that purpose. When others are able to look for a safer place to be, our police officers run to where the danger is. They stand between us and that danger.

In the time I have been here, two of our Capitol police officers have been killed in the building on duty, one just a few feet away from where my office would be in the next Congress. They were there for us. I remember on 9/11 leaving the building with every reason to believe this building could be and perhaps was going to be an immediate target to our enemies attacking us that day. I remember walking out of the building as the Capitol Police were insisting we get out of the building and looking over my shoulder and seeing they were all still in the building.

So whether it is the police we see daily here, the police who serve us in our communities, or the families who send their loved ones into harm's way every day, this is an important time to recognize that service, but also it should be an important time to think about what we could do about it.

The National Blue Alert bill doesn't mandate that States create a system. It simply provides that States could have access to a system which would create an alert system so that when someone has harmed a police officer, we make a maximum and immediate effort to see that person is apprehended and eventually be called to pay the penalty for what they have done.

We benefit from these people who again run to where the danger is, who stand between us and that which creates danger for us as citizens. Whether trying to go to the local grocery store, the local shopping center or the school play, there is somebody in that community whose job it is to make it a safer place than it would otherwise be.

I am pleased to have had a chance to work with the Presiding Officer on so many issues. During National Police Week, I rise with and on behalf of all of our colleagues to say thank you for those who stand to defend and protect us here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

NET NEUTRALITY

Mr. MARKEY. Mr. President, I rise to speak on the issue of net neutrality. Right now there are people who are watching the floor of the Senate streaming live on C–SPAN.org.

They might be engaged political junkies or maybe they need something to help them take a nap. Let's face it; the action in this most deliberative body can sometimes feel a little slow.

Now imagine just a few companies deciding that C–SPAN.org will be put into a slow lane; that the public interest content streamed out to the world will be sent out at an even more deliberative pace, while kitten videos will get priority.

When people talk about net neutrality, that is what we are talking about. Instead of open and free Internet where the billions of clicks and links made by customers and entrepreneurs in their living rooms and garages determine who wins and loses, it will be just a few companies in a few corporate boardrooms deciding who gets into the express lane and who falls behind in a traffic jam.

We need a truly open Internet because an open Internet has become the world's greatest platform for innovation, job creation, and economic growth. An open Internet enables freedom of expression and the sharing of ideas across town or around the world. An open Internet is driving economic growth in Massachusetts and throughout the United States.

Openness is the Internet's heart, nondiscrimination is its soul, and any infringements on either of these features undermine the intent of net neutrality.

The vitality of this free platform is at stake today because right now our Internet regulators at the FCC are determining how they will use its authority to keep the Internet open for business.

When the FCC first unveiled its new Open Internet proposal a few weeks ago, the Commission contemplated whether to allow paid prioritization. Under these proposed Internet rules of the road, fast lanes could open to those who can pay, leaving others stuck in traffic. The result: Consumers could be stuck in an online provider pileup when a broadband provider decides to slow down a streaming of Netflix's House of Cards or bring a high-speed Yahoo search to a crawl or block a free online call to a friend abroad. But the worry goes far beyond simply slowing down the videos we watch on YouTube.

Without a truly open Internet, startups and small businesses would suffer, slowing our economy and job growth throughout Massachusetts and around the country. No one should have to ask permission to innovate. But with fast and slow lanes, that is precisely what an entrepreneur will need to do.

Right now the essence of the Internet is to innovate and test new ideas first. If an idea then takes off, the creator can attract capital and expand. The Internet today is a level playing field where the competition for the best in technology and ideas thrives.

Creating Internet fast and slow lanes would flip this process on its head. Instead, an entrepreneur would first need to raise capital in order to start innovating, because she would need to pay for fast-lane access to have a chance for her product to be seen and to succeed. Only those with access to deep pockets would develop anything new. Imagine the stifling of creativity if startups need massive amounts of money even to innovate. So consider an app developer or creator of a new product in Boston or throughout the country. How will she reach potential customers and viewers if her Web site is stuck on a gravel path while those with access to capital whiz by on the interstate as they flash their Internet E-ZPass? She won't reach her customers; only those with money will.

If you don't believe me, consider the more than 100 tech companies—including Amazon, Microsoft, Google, Yahoo, and Twitter—that characterize broadband providers imposing tolls on Internet companies as a ''grave threat to the Internet.'' Consider the 50 venture capitalists who wrote to Chairman Wheeler last week and said that with paid prioritization, ''an individual in a dorm room or design studio will not be able to experiment out loud on the Internet. The result will be greater conformity, fewer surprises, and less innovation.'' Less disruption—less creation of the next big idea. That would be the end of the Internet as we know it today.

Unfortunately, I have seen this fight before. In 2006, when the open Internet was under attack, I introduced the first net neutrality bill in the House of Representatives. Today our battle to preserve an open and free Internet wages on. That is why last week I joined with 10 of my Senate colleagues to urge Chairman Wheeler to rethink paid prioritization and to insist that he explore all options, including reclassifying broadband as a telecommunications service.

We need to put on the books the strongest open Internet rules as possible, and if title II reclassification is the most effective way to accomplish this goal, that is what the FCC should do because then it would be treated as a common carrier service. That is how we treat traditional phone service. That, in fact, is what the Internet has become in the 21st century. You cannot live without it. We have to treat it as such. To be connected in the 21st century, you need Internet access. That is why, if needed—and it just might be—title II will have to be the way to go.

As one of the primary authors of the 1996 Telecommunications Act—a bill that unleashed competition and created hundreds of millions of dollars in private investment—I know the FCC has both the power and the responsibility to oversee the operation of broadband networks and intervene in its efforts to preserve competition and safeguard consumers. It is time for the FCC to use that power to protect the tremendous potential of the Internet.

The Internet is a vital tool that helps businesses compete and expand, pumping life into our economy. Again, after

the 1996 act, $1 trillion of private sector investment went into developing new companies online, into expanding the Internet. Why? The government acted to make sure there was a level playing field in the 1996 act and then got out of the way and watched the competition flourish in this chaotic new world of broadband. There was no YouTube. There was no Google or Amazon. There was no Twitter. There was no Facebook. It didn't exist. It could have existed before then but not if we didn't have a flourishing Internet that was wide open for competition and investment from the private sector.

That is why this decision by the Federal Communications Commission is so important. It is understanding the very nature of this new communications job-creating revolution that we have here. We must fight to protect it.

I thank you, Mr. President, for allowing me this time, and I yield back.

The PRESIDING OFFICER. The Senator from Wyoming.

(The remarks of Mr. BARRASSO pertaining to the introduction of S. 2339 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I would like to thank Senator BARRASSO for his leadership on this issue. As a longtime practicing physician before he came to the Senate, he has provided great leadership and expertise and is able to evaluate and comment so wisely on the important issue of health care.

I thank the Senator.

IMMIGRATION

Today, Majority Leader REID—the leader of the Democratic majority of the Senate—and Senator CHUCK SCHUMER came to the Senate floor to demand that the House of Representatives pass their immigration bill. They labeled Republicans as extremists for not giving in to their demands. And they are correct about one thing: The House is not giving in.

At this point in time, the House is refusing to yield to the pressure of special interest groups and political lobbyists and Senate Democrats to pass a bill that would be bad for America. It just will be bad for America. So I think once again the special interests will lose and the voice of the American people will be heard.

Senator SCHUMER said Republicans are xenophobes because they won't pass his plan. Let's talk about what is extreme. A new report just out revealed that this administration has released 36,000 criminal aliens from ICE detention. Our Immigration and Customs Enforcement officers receive them as prisoners from a State or Federal penitentiary where they have been convicted of some criminal offense unrelated to immigration, usually in a State court. 36,000 are now being released into the general population.

This report found there were 193 homicide-type convictions, 1,153 sexual offenders, 303 kidnapping convictions, and 1,075 aggravated assault convictions. These are serious crimes. If you will recall, these criminals are the only group this administration says they are the deporting. They don't deny that they are not deporting others who violate our immigration laws. They promised they are faithfully removing people who commit crimes unrelated to immigration. This report proves that claim not to be so.

These dangerous offenders should be kept in custody. They should not be released into the general population. We had a study of such releases several years ago. The statistics showed that when a person who entered the country illegally was released on bail, they didn't show up for court. If they are willing to enter the country illegally and a judge has them set for trial and he releases them on bail, we then have an incredibly high number who don't show up for trial. This was called catch and release and was roundly criticized. This is now being done with immigrants who have serious criminal charges and convictions.

Do you know what else is extreme? Extreme is trying to pass an immigration bill that would double the flow of guest workers into our country and triple the number of new permanent residents when 50 million working-age Americans are out of work. We have a very serious unemployment problem. Is no one concerned about that?

It is not xenophobic, but it is compassionate to say we should focus our attention on struggling and hurting American workers. It is not xenophobic. It is our patriotic duty to defend the integrity of our borders and enforce the long-established laws of the United States. It is the oath we all took as Senators to defend the Constitution of the United States. It is the oath the chief law enforcement officer, President Obama, took. We have a duty to defend our citizens and our people at a time when they are struggling financially. There is just no doubt about it.

There was one group of people not referenced when Majority Leader REID and Senator SCHUMER talked earlier this morning. Do you know what group it was? Completely omitted from the conversation was the American worker. The American worker is not being discussed by amnesty supporters in this debate. We know the U.S. Chamber of Commerce's view. They would like more workers creating slack labor markets and lower wages. We know certain special interest groups want more immigration. We know certain politicians think this will be good for them politically.

According to the Congressional Budget Office—our own professional team that is selected in a nonpartisan way and gives us advice on the ramifications of legislation we pass—has looked at the Reid-Schumer bill that passed the Senate. According to CBO, the Senate Democratic immigration bill—which was supported by a small number of Republicans, but it is overwhelmingly a Democratic bill—would increase unemployment while reducing wages. It would increase unemployment while reducing wages of American workers for the next 12 years, and it will reduce the per person wealth or GNP for the next 17 years.

If we bring in 30 million people over the next 10 years—as this bill would do—it will triple the number that normally would be given legal status in America. It will bring down the per person wealth and it will bring down wages. Surely the U.S. Chamber of Commerce understands the free market, do they not? Surely Senator REID understands that, does he not?

We were on a conference call yesterday regarding the American steel industry. A large amount of steel is being dumped into America. What is the impact of that? What is the concern? If we bring in more steel, there will be lower prices for steel. If we bring in more cotton, there will be lower prices for cotton. If we bring in more labor, it will result in lower wages for American workers.

CBO told us that. There is no dispute about it. Yet we have Senators who come to the floor and repeatedly say this is going to increase wages. Give me a break. You can't just say something and think it is going to make it reality when it is the opposite of reality.

Under current law, we are admitting more than 600,000 guest workers each year. Guest workers come to America not to be citizens but just to take jobs that someone contends we don't have enough workers. We grant permanent residence to 1 million immigrants each year and perhaps ultimately become citizens. That is the current law. Right now wages are falling and it is serious, but this is the law that has been established and that is what the nation has agreed to.

The bill Senator REID maneuvered through this Senate would admit more than 1.2 million guest workers each year, thereby doubling the number of guest workers, and it will give permanent residency to 30 million immigrants over the next 10 years and that is triple the normal rate.

Research from Harvard professor Dr. George Borjas—perhaps the most preeminent student of labor, wages, and immigration in America—shows that American workers lose more than $400 billion in wages each year due to competition from low-cost workers from abroad. That is $400 billion in wages each year—not million but billion.

Dr. Borjas's research also shows that from 1980 to 2000—he did an empirical study using the census, the Department of Labor, and other official data—wages declined 7.4 percent for lower skilled working Americans. These are the people who go out and work every day. These are not people who have a college degree. I am talking

about the working people in this country. Their wages declined from 1980 to 2000 by 7.4 percent as a result of this very large flow of legal and illegal immigration.

There is no doubt—and my colleagues have to understand this—a vote for the Reid-Schumer immigration bill is a vote to lower the wages of American workers. Not only that, it will make it harder for Americans to get a job, period. It appears the people who are hurt worst by the Democratic immigration policies are young Americans, low-income Americans, and minority workers.

According to Dr. Borjas's studies—and others—minority workers are particularly damaged by high levels of immigration. This includes Hispanics who have lawfully come to America. They are trying to get started so they can make their way up. They would like to have a pay raise, but their wages are also being pulled down by an extraordinary, unjustified flow of labor that the economy can't absorb effectively. We don't have jobs for them now. That is the problem.

I don't dislike people who want to come here. I know most of them are good people who would like to advance themselves. But, as Senators we have a responsibility to the citizens of our country and we need to ask: Is this good for America? Can we absorb this number of people and maintain decent wages or are we in a long term trend that will allow lower and middle-income workers' wages to continue to erode? I think it is a serious issue that we need to be honest about and I hope we will do so. Young and low-income Americans are also hurt.

Senator SCHUMER says we should do the bidding of the U.S. Chamber of Commerce—buddying up with them now. He says there is a hijacking out here, but it seems Mr. SCHUMER's party has been the one that has been hijacked by special interests, and they have lost sight of whom they claim to represent—working Americans. That is my charge and that is what I say.

We have a generous immigration policy, and we need to make sure it is enforced correctly and lawfully carried out. That is what the American people have asked of us. They have demanded this from us. They want a lawful system that we can be proud of and treats people fairly, where a person fills out an application and lays out their qualifications. Those qualifications are then evaluated on an objective basis, and the best qualified person, the one who is most deserving, is then admitted to the country. What is wrong with that? That is what Canada does. That is what the UK does. That is what Australia does. There is nothing wrong with such a policy. That is what we should be doing.

We should decide how many people the country can absorb and in what wage categories before we admit huge numbers of people and certainly before we double the number we presently bring in.

A number of Senators have complained on the floor of the Senate that the tech industries can't find qualified Americans. We have all heard that charge. I sort of accepted it at first, but in fact the data shows something different and it is rather surprising. In fact, we have twice as many STEM graduates each year as there are STEM jobs—science, technology, engineering, and mathematics.

Here is a recent paper by Professor Hal Salzman from Rutgers University. He carefully analyzed data from the Department of Education and the Department of Labor. He concluded that we first need to get accurate data to truly inform policy decisions. If we are going to make a policy decision about how large our immigration flow should be—not to end it but how large it should be—shouldn't we have good data?

He says:

> The first data to consider is the broad notion of a supply crisis in which the United States does not produce enough STEM graduates to meet industry demand. In fact, the nation graduates more than two times as many STEM students each year as find jobs in STEM fields. For the 180,000 or so annual openings, U.S. Colleges and Universities supply 500,000 graduates.

They supply more than twice the number of graduates as we have jobs for now, so I am a little dubious about these big business types claiming they can't get enough people.

What about IT specifically? We hear some of our Silicon Valley executives promoting any kind of immigration as long as they get more IT workers.

Mr. Salzman says:

> The only clear impact of the large IT guest worker inflows over this decade can be seen in salary levels, which have remained at their late-1990s levels and which dampens incentives for domestic students to pursue STEM degrees.

Did you know that? IT graduates' salaries are stuck at 1990 levels. It is causing students in college to wonder if this is such a great field to go into. In fact, the author says there are other fields that do better. If that is true, does that change Senator REID's view of the legislation he jammed through the Senate and he is so proud of and he is demanding the House pass? If that is true, if Mr. Salzman is correct, will Senator REID change his mind?

Then he goes on to say—and I agree with this line. He is talking about all STEM graduates now:

> If there is a [talent] shortage, where are the market indicators (namely wage increases) . . . ?

So Mr. Donohue and friends at the U.S. Chamber of Commerce who believe in the free market: Why are wages down if we have a shortage of workers? Why aren't wages going up?

Another businessman said recently:

> There are 600,000 jobs in manufacturing going unfilled today. This immigration bill can go a long way toward helping us fill these positions.

Well, great Scott. I have seen instances where thousands of people apply for just a few jobs. Does he have any interest, first of all, in promoting sound national goals? Our goal as policymakers for the United States of America should be to say: Wait a minute. You have jobs at your manufacturing plant and we have to get unemployed people ready to take them. Americans are on welfare and on dependency who need to go to work. Give us a chance to get our people into those jobs first before we start bringing in more foreign workers to take a limited number of jobs.

From 2000 to 2013, the grim fact is that all net job gains went to immigrant workers. Can you imagine that? That is what the numbers show. Under the Democratic plan, this bill, if it were to pass the House, job decline will accelerate.

From 2000 to 2013, the number of working-age Americans increased by 16 million. Yet the jobs for American workers—the number of American workers actually working—fell by 1.3 million. That is why the unemployment rate and the workforce dropout rate is so high.

But during that same period, 2000 to 2013, the number of working-age immigrants increased by 8.8 million while 5.3 million immigrants got jobs. So all the jobs created during this period of time have been, in effect, mathematically speaking, taken by foreign workers. Is this healthy? Isn't this one of the reasons why people are having a hard time today?

There are 50 million working-age Americans who are not working today. Wages are lower today than they were in 1999. Median household incomes, adjusted for inflation, have dropped nearly $2,300 since 2009. We have the smallest workforce participation in 36 years.

So I say to Mr. REID and Mr. SCHUMER, I am glad to talk about this issue. I am glad to talk about immigration, but we are going to talk about what is in the interests of the American people. We are not going to talk about your politics and your ideology and your special interests. We are going to talk about what is good for America and what is good for America is to get more of our unemployed working, to get wages going up rather than down. I am not surprised they didn't talk about workers and wages in their remarks when they demeaned people who disagree with them and who oppose their great bill they drafted that will not work.

We are not going to be scared off. We are not going to be intimidated into handing over control of our immigration laws to a small group of special interests who are meeting in politicians' offices and maybe promising support. I feel strongly about this. I don't feel there is anything wrong, morally or public policy-wise, to say we need to have a lawful system of immigration we can be proud of. That is what the American people have asked of us for over 30 years and Congress refuses to give. Congress is not listening to the

people. And we can do it. It is possible. I have been in law enforcement almost as long as I have been in the Senate. I know this can be done, if we have a leader who wants to see it done. But if the President doesn't want to enforce the law and says he is only going to enforce it against people who commit serious crimes, and we now find out even those criminals aren't deported when they are caught, then I think we have a deep problem. I think we can do better.

Let's don't go down this road of pushing, pushing, pushing, just pass a bill, any bill—oh, we have to do it fast. That has been the message all along. We have to ram it through, but this thing has been out there in the public now for a long time. The mackerel has been in the sunshine for a long time and it doesn't smell so good when it is examined, and the American people are not prepared to eat it and they shouldn't.

I thank the Chair and the Senate for giving me a chance to express these concerns. I believe we need to put American interests first, and when we do we will draft an immigration bill that is far different from the one being promoted today.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

VA HEALTH CARE

Mr. FLAKE. Mr. President, I rise today to speak about the unfortunate allegations of mismanagement and neglect that have been leveled against the Phoenix VA health care system.

By now we have all seen the headlines highlighting unsettling allegations that veterans may be dying while awaiting care in Phoenix. These revelations have come to light after whistleblowers in Arizona have suggested that Phoenix VA officials were manipulating appointment requests and waiting lists.

Recent reports suggest that some veterans may have been placed on an unofficial waiting list outside of the VA's official electronic waiting list, which exists to calculate how long a veteran has to wait for care.

The alleged reason for the existence of this secret—or unofficial—list was to keep officially reported wait times down and to disguise longer actual waiting times. This apparently would help the Phoenix VA save face and reflect more positively on the VA's system as a whole. As a result, as many as 1,400 veterans' actual wait times may have been significantly longer than what was reported by Phoenix VA officials.

Now the VA's inspector general's office has launched an investigation, and senior officials with the Phoenix VA have been placed on administrative leave.

At a recent hearing in the Senate Veterans' Affairs Committee, after cautioning that there should be no ''rush to judgment,'' a senior VA official indicated that after a preliminary review they found no evidence of a ''secret list.''

Nothing would make me happier than to believe the allegations that were leveled were just as a result of sour grapes from some unhappy current or former employees. But, sadly, similar allegations surrounding delayed care have also surfaced elsewhere in the country.

Just this week, CNN has reported that two VA officials in North Carolina have been placed on administrative leave because of ''inappropriate scheduling.'' CNN also reports that a scheduler at a VA facility in San Antonio suggested there had been some ''cooking [of] the books'' there to hide lengthy wait times.

Will it be any surprise if more VA health care facilities share these issues? We have all heard about the backlog of more than 300,000 claims made by veterans to the Department of Veterans Affairs. This backlog has resulted in a wait time for compensation for disability claims that reportedly averages a dismal 5 months.

The wars in Iraq and Afghanistan have resulted in greater numbers of veterans seeking treatment in VA facilities. As more and more servicemembers leave the Armed Forces, these numbers are sure to increase.

Clearly, the VA is having a hard time providing adequate and timely care to veterans. This is and should be a nationwide concern.

While backlogs are one thing, efforts to obscure or hide them is something else entirely, and a disturbing pattern of allegations to that end are coming into focus.

What is alleged to have gone on just in the Phoenix VA system demands an honest, independent, and timely investigation. If these allegations are confirmed, anyone behind an effort to cover up these wait times or interfere with the truth coming out needs to be held accountable. Heads should roll. Veterans and families impacted by any sort of neglect and mismanagement in the Phoenix VA system deserve nothing less.

In addition, an apparent pattern of similar problems around the country would suggest that Congress needs to ensure that its own role in substantive, rigorous, and effective oversight has not been blatantly ignored.

VA Secretary Eric Shinseki will be testifying before the Senate Committee on Veterans' Affairs later this week to answer questions about the ''state of veterans health care.'' Given what appear to be pervasive failures at a growing number of VA health care facilities, he will have more than a few questions to answer. I look forward to the results from that hearing.

This situation cannot go on. In Phoenix and around Arizona people are concerned. We are receiving a record number of calls to our office from veterans who are concerned who want to tell their story of the care they are receiving or not receiving on a timely basis. This is something we cannot countenance in our oversight responsibilities here in Congress.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXPIRE ACT

Mr. HATCH. Mr. President, today the Senate will begin consideration of the Expiring Provisions Improvement, Reform, and Efficiency Act, otherwise known as the EXPIRE Act. This legislation has, so far, moved forward in a cooperative, bipartisan fashion, and I am hoping that spirit will continue here on the floor.

It seems that the new norm for tax policy around here is conducting this ritual where tax provisions expire, we wait until the following year to decide which ones to extend, and then we finally enact them into law for 1 retroactive year and 1 prospective year.

When that happens, half of the benefit is more of a windfall rather than an incentive. And, needless to say, this process causes great uncertainty when businesses and individuals try to manage their taxes and budgets.

I am not casting blame on anyone for this flawed methodology. Indeed, both parties share responsibility for how the tax extenders process has devolved over the years. I think the American people deserve better.

I share the view of many on both sides of the aisle—including both chairmen of the tax-writing committees—that comprehensive tax reform will be necessary to ensure long-term growth and prosperity in our economy. When it comes to tax policy, that type of reform should be our ultimate goal. Hopefully, if we can reform our Nation's Tax Code, this process of extending certain provisions over and over will come to an end. However, I am not naive.

Fundamental tax reform is unlikely to take place in the immediate future. That being the case, Congress needs to work to address the tax relief provisions that expired last year or will expire by the end of this year, and we need to do so in a timely fashion.

The EXPIRE Act should serve as a starting point for temporarily resolving the expired and expiring tax provisions. The Senate Finance Committee voted to report the EXPIRE Act on April 3, 2014. It passed through the committee by a voice vote. Not every member supported the final bill, but

the committee process was, from the outset, constructive and inclusive and allowed for the full participation of both Democrats and Republicans. I give the distinguished chairman a lot of credit for that.

I have to commend Chairman WYDEN, who conducted a fair and open debate on tax extenders during the Finance Committee markup. His approach was a prime example of how the Finance Committee is supposed to operate and, in my view, it should serve as a model for all of the Senate committees in how they should consider legislation in their various jurisdictions.

The process reminds me of a historical analogy with respect to the chairman's home State of Oregon. Everyone knows about the Oregon Trail. Thousands of pioneers started in Independence, MO, and traveled to Independence, OR. They used covered wagons. In fact, the covered wagon is part of Oregon's State seal. The pioneers followed the ruts that previous wagons had cut.

Like those pioneers, the chairman has taken this tax extenders wagon, following the bipartisan, inclusive ruts of the legislative trails charted by previous chairmen of the Finance Committee. I hope we can stay on this trail now that the bill is on the floor.

In the end, of the 55 or so tax extenders considered by the Finance Committee, only two were not extended. Personally, I would have preferred seeing a smaller number of extended provisions, continuing the process we started in 2012 of reducing the number of tax extenders.

But, in the end, the final product represented the consensus views of the committee, and I have been very pleased to work with Chairman WYDEN in the process.

As I said during the markup on the EXPIRE Act, as the committee has considered these extenders package, Chairman WYDEN and I have worn two hats. We have represented the interests of our respective States and we have also been brokers of the diverse interests of all of the members of the committee. That has meant compromise. Compromise has meant some outcomes that were likely not optimal from at least one of our perspectives.

With the bill coming to the floor, we are wearing a third hat, respecting the interests of our respective caucuses. Needless to say, this can be difficult, but it is what we have to do. When we dive into the list of these expiring tax provisions, we can easily see that this package touches upon many facets of our economy from housing to energy and from startups to larger corporations that are important to so many industries and important in each and every State.

I am glad to see the research and development tax credit, which is so important to businesses in my home State of Utah, included in the bill reported out of the Finance Committee. I know there are other provisions included in this package that are important to other States. My hope is that the floor debate on this extenders package will resemble the debate we had in the Finance Committee. That means a fair and transparent process and an opportunity for Senators to offer amendments.

The Senate is supposed to be the greatest deliberative body in the world. Sadly, it is difficult to call it that these days unless one is being sarcastic. I have been pretty sarcastic about it. A number of my colleagues, led of course by our distinguished minority leader, have come to the floor in recent months to talk about the degradation of Senate rules and procedure that has taken place under the current majority. They have done so with good reason.

On bill after bill the process is the same. The majority leader brings a bill to the floor, immediately files cloture, even though there is no desire to filibuster on our side, accuses the Republicans of filibustering, fills the amendment tree, and blocks consideration of any and all amendments.

There is a time to fill the procedural tree, but that is only after full and fair debate and when it has carried on too long and the leader finally decides we have to bring this to a close. But all too often, every time we turn around, the leader has brought the bill to the floor, filed cloture, as though we are filibustering when we are not, and then fills the parliamentary tree so we cannot have amendments.

Of course, those steps are usually preceded by a short-circuited committee process, wherein committee consideration of the bill is either significantly abbreviated or passed entirely. This is not how the Senate is supposed to operate. With this bill we have a chance to do things differently.

As I have mentioned, the EXPIRE Act has already had full and fair consideration in the Finance Committee. The bill was drafted in consultation with all of the members of the committee. I was one who helped make sure that happened. When we held a markup, all Senators were allowed to offer amendments and receive votes on those amendments. Why not continue that process, as we have in the past, on the almighty floor of the Senate.

It is ridiculous the way the minority is being treated, and I think even the majority Senators are being mistreated with the way this outfit is being run right now. While I am satisfied with the way the Finance Committee handled the tax extenders package, the vast majority of Senators do not serve on the Finance Committee. That being the case, most Senators have not had a chance to fully debate these tax provisions or even offer amendments of their own, which they ought to have the right to do.

They deserve that opportunity. I expect a number of my colleagues, particularly on the Republican side, have amendments that would improve this bill by helping to grow our economy and to create jobs. I have a number of amendments I would like to offer myself. Over the next few days I will be on the floor to talk about some of them. Let's have a floor debate that is worthy of the Senate. This is not some itty-bitty bill. This is a very important bill. It can set the trend for tax reform that should come in the future.

Let's allow Members of both parties to offer amendments and have votes on those amendments. Let's show the American people that Senators know how to work together to solve problems for American businesses and for our citizens. Too often the Senate devolves into yet another partisan sideshow where politics are placed above progress.

As I said, it does not have to be this way. Once again, I am pleased I have had this opportunity to work with my colleague Chairman WYDEN to move the EXPIRE Act forward. He has done a very good job. He deserves a lot of credit for it. He does not deserve having that work stymied because people do not have a chance to offer amendments on the floor of the Senate.

My only hope is, now that the bill is on the floor, the Senate Democratic leadership will follow his example and allow for a full and fair debate of this legislation. To be honest with you, I do not know what they are afraid of. Yes, there may be some amendments that are tough to vote on, but that is part of the process. It is part of what makes the Senate, when it functions right, the great body it can be.

I understand the majority leader wanting to preserve his side in the upcoming election. I think our minority leader wants to preserve his side and maybe add to it in the upcoming election. I understand these are important considerations, but the rights of Senators on both sides are to be considered here and ought to be given not just consideration but given the respect the Senate should give to each and every Member of the Senate.

I have to say I am very disappointed in what is going on around here. I am not the only one. Virtually everybody is. I know some are disappointed on the Democratic side as well.

One of the problems is that a high percentage of the Democratic side, they have never been in the minority. They do not know what it is like to have to fight for everything you can possibly get, but they are going to be there someday, whether it is this election or some election in the future. They are going to realize, for the first time, that you do not break the rules to amend the rules. Those rules are important.

Frankly, they are going to realize this should continue to be the greatest deliberative body in the world. Unfortunately, right now it is not. It is not because of the leadership we have in this body. We have to make those

changes. This is a bill to start on because this is a bill that I think everybody is interested in. It is a very important bill. It is a bill that has been labored on in the Finance Committee for quite a long time.

It has taken years to get to this point. Certainly at markup it made a lot of sense. Do I support everything in this bill? No. There are some things I do not think should be in there. On the other hand, there were some sincere colleagues who felt they should be in there. They were able to prevail. I respect that. We ought to respect both sides. Unfortunately, I think our side is being disrespected the way the Senate is being handled today. It is time to stop it. This is a bill to stop it on. This is the type of bill that both sides have to take great interest in. This is a bill where we can set the tone for tax reform in the future.

I think it is time to wake up around here and start letting the Senate operate as the Senate should operate, as the greatest deliberative body in the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask to speak as in morning business.

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

WOMEN'S ECONOMICS

Mrs. MURRAY. Mr. President, first of all, I wish to thank my colleague Senator WARREN, who is joining me on the floor. We are here together to talk about a question that could not be more critical to family budgets and to our economy as a whole; that is, what can we do to break down the barriers that women still face in our workforce and make sure women and their families have the fair shot they deserve. This is a question I know Senator WARREN cares very deeply about. She has brought an enormous amount of leadership and focus to this debate. I am very appreciative that she is here to speak. So I would yield to her first and then I will finish speaking when she gets done.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I am pleased to join Senator MURRAY on the floor to stand up for America's women because it is time for a tough conversation about the economics of being a woman. I applaud her leadership, and I am very pleased she is bringing the women of the Senate to the floor today.

Women are working hard, earning their own way, and supporting their families, but they are not getting the same pay, the same security or the same respect. Take a look at the minimum wage. Two out of every three minimum wage workers are women. Women make up about three-quarters of all tipped minimum wage workers. A woman who works minimum wage can work full time and yet she will not earn enough to keep herself and a baby out of poverty. Minimum wage workers have not received a wage increase in 7 years. This is bad for women and it does not reflect America's value. CEOs got raises, managers got raises, but the women who cook and clean and care for our children are still stuck at the same $7.25 an hour they earned 7 years ago.

We could change this. If Congress would pass a bill to raise the minimum wage to $10.10 an hour, more than 15 million women and their families would have more economic security, but Republicans have blocked this bill. They say they care about women, but they will not help the women who earn minimum wage or consider equal pay for equal work. I cannot believe I am saying this in 2014, but women still earn, on average, only 77 cents to the dollar what their male colleagues earn. Bloomberg analyzed the census data to find that in 99.6 percent of jobs, women get paid less than men. That is not an accident. That is discrimination.

Today, if a woman wonders if she is being paid the same as the guys are getting, she can, in some jobs, get fired just for asking. This is bad for women and it does not reflect America's values. We could change this by passing Senator BARB MIKULSKI's Paycheck Fairness Act, a law that would make sure women do not get fired just for asking what the guy down the hall is getting paid, but Republicans have blocked this bill. They say they care about women but will not help the women who do the same work as a man but get paid less.

Consider health care. Before the Affordable Care Act was passed in 2009, some insurance companies charged women higher premiums simply because they were women. Some insurance policies refused to cover preventive services for women such as mammograms and cervical cancer screenings. Pregnancy costs could be excluded and birth control coverage could be left out. In other words, affordable women's health care took a backseat to the profits of insurance companies.

But now we have the Affordable Care Act; women pay the same insurance rates as men. We have the Affordable Care Act; women get free coverage for mammograms and birth control. We have the Affordable Care Act; women can worry a little less about whether health problems will land them in bankruptcy.

Where are the Republicans? They want to repeal ObamaCare. The House has now voted more than 50 times to repeal ObamaCare. The Senate Republicans have come to the floor day after day to demand that ObamaCare be done away with. The Republicans say they care about women, but they will not help women pay for health care or get the full medical coverage they need at a price they can afford.

Women are working hard earning their own way and supporting their families. They are entitled to the same pay, the same security, and the same respect as men. Policies such as these—minimum wage, equal pay, and the Affordable Care Act—provide a measure of equality, better security, and some basic respect. Republicans want to block or repeal all three. Women are not asking for special deals. They just want a fair shot at building lives for themselves and their families.

The women of the Senate, the Democratic women of the Senate, are ready to fight the Republicans to make sure women across this country have their fair shot.

I thank Senator MURRAY for her leadership in fighting for real economic equality for women.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I thank the Senator from Massachusetts again for all of her extremely hard and important work to expand economic opportunity and security for women and their families.

She has been an extremely important voice in this debate, and I am delighted she is joining us today.

Yesterday I held a hearing on this topic in the Senate Budget Committee. We invited a working mother, whose name was AnnMarie Duchon, to testify about some of the challenges that she had faced. AnnMarie told us that she loves her job at the University of Massachusetts-Amherst, but since the day that she started, she made a lower salary than her male counterpart who was doing the exact same job. They had the exact same responsibilities. Both of them had taken a pay cut to accept that job, and they both graduated from the same university in the same year.

When AnnMarie found out that he was making more than she was—even though they had the exact same resume, qualifications, and years of graduation—she went in and asked for a raise. She was told that she couldn't have one.

She stayed on that job and continued to work hard. It wasn't until her husband's job was at risk that she started thinking about how much those lost wages meant to her and her family.

She ran the numbers, and she found out that over the years she had missed out on more than $12,000 in wages compared to her male counterpart who was doing the exact same work.

AnnMarie and her husband are first generation college graduates. They have a 5-year-old daughter who is in full-time daycare because both AnnMarie and her husband have to work.

AnnMarie told us yesterday that when she realized her lost income amounted to 1 year's worth of child care or 10 months of payments on their mortgage or student loans, she said that was heartbreaking. AnnMarie was ultimately able to go back and convince her employers—by showing them the math—to give her equal pay.

But as we know, unfortunately, most women are not able to do that and many don't even know that they are

earning an unfair wage. That is a real loss, both for our families and for our economy as a whole.

We heard what $12,000 could have meant for AnnMarie's household budget, but women's contributions in the workforce have also made a huge difference to our overall economic strength.

As working families have felt more and more strained by the rising costs for everything from college tuition to childcare and health care, and an economy in which the gap between those at the top and everyone else seems to be getting wider and wider, women's economic contributions have helped ease the burden.

Economist Heather Boushey, who also testified yesterday at our hearing, found in a recent study that between 1979 and 2012 the U.S. economy grew by almost 11 percent as a result of women joining our labor force. As we think today about ways to support growth in the 21st century, it is absolutely clear our country's economic success and that of our middle-class families go hand-in-hand with women's economic success.

So we have a lot more work to do because despite all the progress we have made and all the glass ceilings that have been broken, women still face barriers that are holding them, their families, and our economy back.

Stories such as AnnMarie's—stories of women who received lower wages for the same exact work as men—are still far too common. Because women are more likely to be the primary caregiver in a family, the lack of paid leave at most jobs means women today experience higher turnover, lost earnings, and are more likely to be passed over for promotions that would help them advance.

In addition, our outdated Tax Code works against married women who choose to go back to work as a second earner because their earnings are counted on top of their spouse's. They can actually be taxed at a higher rate, and that deters some mothers from choosing to re-enter the workforce, especially when you consider the high cost and lack of access to high-quality childcare.

Those kinds of challenges are especially pronounced for women and, in particular, mothers, who are struggling today to make ends meet. We know that two-thirds of minimum wage earners are women. Their jobs are disproportionately unlikely to offer any flexibility when, for example, a child gets sick or needs to be picked up early from school. And their earnings are quickly swallowed by costs associated with work, such as childcare or transportation.

It is also important to note that our outdated policies disproportionately affect women when it comes to their retirement security because, on average, women earn less than men, accumulate less in savings, and receive smaller pensions. Today nearly 3 in 10 women over 65 depend on Social Security for their only income in their later years.

All of my colleagues and I should be alarmed that the average Social Security benefit for women over 65 is just $13,100 per year. Imagine living on that. That is not enough to feel financially secure.

The impact of these barriers is increasingly clear. Over the last decade the share of women in the labor force has actually stalled, even as other countries have continued to see more women choosing to go to work. Experts believe that a major reason for that is that, unlike in many other countries, in the United States we have not updated our policies to reflect our 21st century workforce and help today's two-earner families succeed.

At a time when we need to be doing everything we can to grow our economy and strengthen our middle class, that is not acceptable. Women have to have an equal shot at success. First and foremost, that means we need to end unfair practices that set women back financially.

We took a very good step forward with the Affordable Care Act, which prevents insurance companies today from charging women more than men for coverage—which they did before that Act. But we need to do more to make sure women are getting equal pay for equal work.

My good friend and colleague Chairman MIKULSKI has led the way on the Paycheck Fairness Act, which would provide women with more tools to fight paycheck discrimination. Giving the millions of women earning the minimum wage a raise—as Senator WARREN just talked about—would also go a long way toward that effort. Of course, we have to update our Tax Code so that mothers who are returning to the workforce do not face a marriage penalty.

In addition to expanding the earned income tax credit for childless workers, the 21th Century Worker Tax Cut Act that I introduced would provide a 20-percent deduction on the second earner's income for working families with young children to help them keep more of what they earned.

As we get rid of these discriminatory practices, we should also recognize the challenges that working parents face, and we should put in place a set of policies that help them at work and at home. A big part of that is investing in expanded access to affordable, high-quality childcare. When parents go to work, they deserve to know that their child is safe and thriving while they are at work. There are many steps that this Congress could and should take through our Tax Code and by building on successful programs, such as Head Start, to help give working parents the peace of mind they deserve.

Finally, we need to build on and strengthen Social Security with policies that make it easier for women and their families to build a secure retirement. There is, of course, a lot more that we can do in addition, but I believe any one of those changes would have a real impact.

As the Presiding Officer knows from our Budget Committee hearing yesterday, AnnMarie testified and told us that she hopes when her daughter enters the workforce, pay inequity will be just as much of a relic as the days before the iPhone.

I could not agree more.

Acting to expand economic opportunity for women is the right thing to do. It is part of our ongoing work to uphold our country's most fundamental values. But as our country's recent history shows, it is also an economic necessity—both for our families and for our broader economy.

That is why it is so disappointing to see that when it comes to issues affecting women. Some of our Republican colleagues are laser-focused on turning back the clock. We saw this just yesterday when the senior Senator from South Carolina came to the floor and tried to pass an extreme bill that would severely limit women's reproductive rights.

Women today would much rather see Congress focusing on expanding opportunity and helping working families than on getting in between a woman and her doctor.

Over the next few months, we are going to see Democrats continuing to fight for goals such as achieving pay equity, providing access to affordable childcare, and raising the minimum wage—all of which would move women, families, and our economy forward not backward.

I hope that our colleagues on the other side of the aisle will be willing to join us in this very important effort.

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

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

The assistant bill clerk proceeded to call the roll.

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

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

Mr. FLAKE. I ask unanimous consent that Senator ALEXANDER and I be permitted to engage in a colloquy.

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

PRODUCTION TAX CREDIT

Mr. FLAKE. We come to the floor today to call attention to the tax extender bill currently being debated before the Senate. Included in this legislation is a provision extending the wind production tax credit, known as the PTC, for 2 additional years. This would be the ninth extension of a supposedly temporary tax credit.

The PTC was first enacted in 1992 to jump-start the nascent wind industry. It was meant to expire in 1999, 15 years ago. But this one-time stimulus has turned into a never-ending tax subsidy that has been extended eight times,

and the prospect for a ninth extension seems likely.

The PTC spends precious tax dollars subsidizing a very mature industry and distorting our energy markets.

My friend from Tennessee, Senator ALEXANDER, and I have been vocal opponents of this Federal subsidy for years. Unfortunately, this credit has survived under the canard that wind power is an infant industry in need of Federal support.

With the PTC's expiration on January 1 of this year, wind producers are once again igniting the rallying cry to continue their taxpayer-funded handout.

I ask my friend from Tennessee, for those taxpayers who may not be familiar with this use of their hard-earned dollars, what is the PTC and why is it so valuable?

Mr. ALEXANDER. I thank the Senator from Arizona for his leadership over the years and for pointing out the flaws in this proposal. It wastes money, it undercuts reliable electricity—like coal and nuclear electricity—and, in my view, it destroys rather than saving the environment.

But let's say exactly what we are talking about. This was a tax credit that was first passed in 1992, as the Senator from Arizona said, to help an infant industry. It has been renewed eight times. If you are a wind developer, it pays you 2.3 cents for every kilowatt hour of wind that you produce—which in some markets is about the cost of the wholesale value of each kilowatt hour of electricity.

In fact, the subsidy is so great, sometimes in some markets, wind producers can actually give away their electricity and still make a profit. At other times—in the middle of the night in Chicago—they can actually pay utilities to take their wind power and still make a profit. That is what the wind production tax credit is.

As the Senator says, this is a mature industry. I support jump-starting certain types of energy for a limited period of time.

But Steven Chu, President Obama's Nobel Prize-winning U.S. Energy Secretary, in 2011 in response to my question—Is it a mature technology?—said: Yes, it is a mature technology.

I would ask the Senator from Arizona, what is the justification for spending over the next 2 years $13 billion of taxpayer money? It is the most wasteful, conspicuous, taxpayer subsidy that I know of in Washington, DC. It proves Ronald Reagan's statement that the only thing in life that is eternal is a government program.

Mr. FLAKE. I thank the Senator. I don't think there is justification.

The justification that often is given is that we have to give some kind of surety moving ahead, and people won't invest in this industry if they don't know that the subsidy is there.

Again, this has been around since 1992. It was meant to expire in 1999. But it has been extended eight times. If anything is unsure, we are creating that unsurety—or insecurity—when Congress simply goes again and again and renews it.

The Senator from Tennessee had a great column in the Wall Street Journal talking about part of the problem we have when we subsidize this kind of industry and what that does to baseload power—nuclear and coal—in the interim. Does the Senator wish to talk about that?

Mr. ALEXANDER. Yes, and I thank the Senator from Arizona.

The United States uses almost 20 percent of all the electricity in the world, and we need electricity that we can rely on. We don't want to flip the switch and have the lights not come on. We don't want to go to work and have the generators not working. So we use a lot of electricity, and that comes from baseload power. That is typically, in our country, coal, nuclear, and now natural gas.

Wind is intermittent. It usually blows at night. Usually it blows only about a third of the time, and you either use it or lose it. So relying on wind power to run a country that uses 20 percent of all the electricity in the world is the energy equivalent of going to war in sailboats when nuclear ships are available.

Baseload power is undercut by this intermittent wind power because of this subsidy. This subsidy is so large that wind developers can, in some cases, give away their electricity and still make a profit. And in some cases they pay the utilities to take their wind power, making the baseload power that we need to rely on for the long term less economical. This leads to the closing of nuclear plants and coal plants.

Mr. FLAKE. In that same column, the Senator also talked about the environmental impact. It is often thought that these renewables are all the same in terms of their impact on the environment. But the Senator points out where these need to be built generally, and they are not your typical picturesque windmill somewhere in Holland but something quite different.

He also mentioned what it would take to generate the same amount of power that perhaps eight nuclear powerplants generate, what it would take in terms of these wind units. Does the Senator want to talk a bit about that?

Mr. ALEXANDER. Well, the Senator from Arizona is from the West and I, of course, am from the East. In the Eastern United States, the wind turbines really only work well on ridgetops. I live near ridgetops around the Great Smoky Mountains National Park. If we ran wind turbines from Georgia to Maine along the Appalachian Trail, we would only produce about the same amount of electricity that eight nuclear power plants would produce. And we would still need the nuclear power plants or the coal plants or natural gas plants to produce electricity when the wind isn't blowing. We don't want to see those 20-story towers on top of our ridgetops. You can see the blinking lights from 20 miles away. I think they destroy the environment in the name of saving the environment.

There are appropriate places for wind power, and it has an appropriate place in the market. I would ask the Senator from Arizona, isn't it time for wind to stand on its own in our marketplace and compete with other forms of electricity?

Mr. FLAKE. Yes. And I want to point out as well that neither of us is saying there is no place for wind energy.

Mr. ALEXANDER. Correct.

Mr. FLAKE. It is an increasing part of our energy load. In fact, the most new capacity actually went to wind as a percentage of the current output. There is an important place for it. It can and is being done in environmentally sensitive ways around the country. But it is time for the Federal subsidy to end.

The problem is, when we distort the market the way we do—when at times you can actually pay a utility to take your power because that is the only time the wind is blowing, at night, and still make a profit from the Federal subsidy—there is a distortion in the markets we just shouldn't have, and we ought to let capital flow where it is most needed.

So neither of us is saying there is no place for wind energy, but there is no place now or no reason to continue for the ninth time an extension of this Federal subsidy for wind.

Mr. ALEXANDER. I would say to the Senator from Arizona, just to be specific about this—negative pricing, as we call it—the opportunity for a wind developer at, say, 3 o'clock in the morning in Chicago to literally pay the utility to take the wind power, thereby causing the nuclear plant or the coal plant to be less useful, is contributing—it is not the whole reason, but it is contributing to the closing of nuclear plants.

The Center for Strategic and International Studies said that because of the low price of natural gas and this subsidy for wind, we might lose as many as 25 percent of our nuclear plants in the next 10 years. Nuclear power produces 60 percent of the carbon-free, sulfur-free, nitrogen-free electricity—air pollution-free electricity. A number of environmental groups have begun to point out their concern for what would happen to our air, if we lost this important source of clean generation of electricity.

This is just one more reason we should let wind take its natural place in the marketplace. Wind is now 4 percent of all the electricity that we produce. It was, as the Senator said, the fastest growing form of generation, so let it compete. Let it go where it should go. Offshore is another place it could go. But it is time to end the subsidy and let wind stand on its own.

Mr. FLAKE. I thank the Senator.

Senator ALEXANDER and I are introducing an amendment to the tax extenders bill currently on the floor. This

amendment would simply strike that extension, do away with it completely.

We also have another amendment as to when producers of wind energy claim the subsidy right now, they can claim it now but not have the clock start until they start producing. So if they do not start producing for another 10 years, the end point of that subsidy is a full 20 years from now and taxpayers are on the hook much longer than was anticipated. So this would simply say that the point at which the subsidy begins has to be immediately so we won't go too far in the future.

Those amendments will be introduced tomorrow, and we hope to be able to debate those on the floor with this bill.

Mr. ALEXANDER. I thank the Senator for his leadership. And when we talk about a 1-year or 2-year extension, it is important to note that we are talking about the next 10 years. Let's say I qualify for the production tax credit—I am a wind developer this year, which means I get that credit for the next 10 years. That is why the 2-year extension of the wind production tax credit really spends tax dollars over the next 11 years when you count both those years. It totals $13 billion. We throw dollars around so much here, it is hard to get a sense of how much $13 billion is. In 2012 we spent $10 billion government-wide on all of energy research. It would be much better to use these dollars to reduce the debt or to use some of it for clean energy research. We need low-cost, clean, cheap energy. In my view, energy research is a much better use of taxpayer dollars, when they are available, than long-term subsidies. After nearly twenty-two years and eight renewals, the wind PTC has been around for far too long.

Ronald Reagan was right. I hope to prove him wrong on this one—that the wind PTC finally comes to an end.

Mr. FLAKE. I thank the Senator.

I have just one other point. The second amendment, as I mentioned—and the Senator mentioned that this 2-year extension leads to another 10 years in subsidies. Depending on when they actually start production, it could be another 20 years. So it really distorts our budget process, our appropriations and authorizations and everything else, for a longer period of time than it should.

I thank the Senator for his work and look forward to hopefully seeing these amendments debated.

I yield the floor, unless the Senator has any closing remarks.

Mr. ALEXANDER. No, I do not. I guess, in summary, after nearly 22 years, it is time for wind production to step out on its own in the marketplace. Let's save $13 billion, and let's stop distorting the marketplace and undercutting nuclear plants as well as coal plants, and let's stop destroying the environment in the name of saving the environment.

I thank the Senator from Arizona for his leadership.

Madam President, I ask unanimous consent to have printed in the RECORD following our colloquy an op-ed in the Wall Street Journal of May 7, 2014, entitled ''Wind-Power Tax Credits Need To Be Blown Away.''

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

[From The Wall Street Journal, May 7, 2014]

WIND-POWER TAX CREDITS NEED TO BE BLOWN AWAY

(By Lamar Alexander)

The U.S. Senate is poised to resurrect Washington's most conspicuous, wasteful taxpayer subsidy—the wind-production tax credit.

This giveaway expired in December. Yet on April 3 the Senate Finance Committee gave it new life by approving a $13 billion, two-year renewal within a package of 55 ''tax extenders.'' Once again, Washington is proving Ronald Reagan's observation that ''the nearest thing to eternal life that we'll ever see on this Earth is a government program.''

The wind-production tax credit was first enacted in 1992. At the time, wind-power was considered a kind of ''infant industry,'' needing help to bring its technology up to speed and lead to lower costs. The tax credit has since been reborn eight times, even though President Obama's Energy Secretary Stephen Chu in 2011 said that wind power is a ''mature technology.'' A mature technology should stand on its own in the marketplace.

The 2.3-cent tax credit for each kilowatt-hour of wind-power electricity produced is sometimes worth more than the energy it subsidizes. Sometimes in some markets, for example in Texas and Illinois, the subsidy is so large that wind producers have paid utilities to take their electricity and still make a profit.

The wind-production tax credit should not be renewed for three principal reasons:

1. It wastes money. The proposed two-year extension would cost taxpayers nearly $13 billion over the next 10 years, according to the Joint Congressional Committee on Taxation. In 2013, when Congress renewed the subsidy for one year, the cost was nearly $12 billion over 10 years. This is more than the federal government spends on energy research in one year.

A better use of taxpayer dollars would be to reduce the ballooning federal debt or to invest in research to find new forms of cheap, clean, reliable electricity. For example, what about a substantial cash prize from the U.S. Department of Energy for creating a truly commercial use for carbon captured from coal and natural-gas plants? Such a discovery would be the Holy Grail of clean energy—permitting the use of coal world-wide to produce an abundant supply of cheap, clean, reliable electricity to reduce poverty while protecting the environment.

2. The wind subsidy undercuts reliable ''baseload'' electricity such as nuclear and coal. Let's say it's 3 a.m.in Chicago. The wind is blowing, which it usually does at night when consumers are asleep and don't need as much electricity. Because of the subsidy, wind producers can pay utilities to take their power and still make a profit.

But the electricity generated from coal and nuclear plants—which are hard to turn on and off—becomes less economical. As a result, utilities have an incentive to close these ''baseload'' plants. Negative pricing tied to wind power, along with the low price of natural gas, is causing utilities to close nuclear plants. The Center for Strategic and International Studies says that as many as 25% of our country's 100 nuclear plants might close over the next 10 years.

On April 28, environmental groups, including the Center for Climate and Energy Solutions and Nuclear Matters, announced they held an event in Washington at the National Press Club—that they were concerned about losing clean nuclear power, which provides 60% of America's air-pollution-free electricity. And, in a country that consumes 20% of the world's electricity, relying on windmills when nuclear power is available is the energy equivalent of going to war in sailboats when nuclear ships are available.

These are the consequences of government subsidies that pick winners and losers in the marketplace.

3. Wind-power subsidies destroy the environment in the name of saving the environment. The wind turbines that generate power in this country do not resemble the charming, picturesque windmills that dot the Dutch landscape. Instead, they are 20 stories high. Their blinking lights can be seen for miles. Their noise disturbs neighbors. Their transmission lines scar neighborhoods and open spaces.

In the Eastern U.S., onshore wind turbines work best on ridge tops. You would have to stretch these giant windmills the length of the Appalachian Trail, from Georgia to Maine, to equal the power produced by eight nuclear-power plants. And since wind turbines produce power only when the wind blows (about one-third of the time), even if you built that many windmills, you'd still have to build nuclear or other power plants to produce reliable electricity for computers, jobs and homes.

After nearly 22 years, eight resurrections and billions of taxpayer subsidies, it's time to let the marketplace rule and allow wind power to rise or fall on its own. Save our money, save our nuclear plants and save our mountaintops.

Mr. ALEXANDER. Madam President, the so-called tax extenders bill is the subject of discussion—55 provisions in the Tax Code to be extended that have expired or are expiring. The wind production tax credit is one of those. I hope the majority leader will do what the Senate should do, which is to allow those of us who have amendments—like the Senator from Arizona and I, who have offered two amendments related to the wind production tax credit—to have our say on behalf of the people of Tennessee and Arizona and the American people and to not impose the gag rule on the American people, which has become the practice here in the Senate.

The only reason we are really here is to have a say and to have a vote on behalf of the people who have elected us. If an important bill, such as the tax extenders bill, comes forward and we have a $13 billion expenditure that Americans feel strongly about, we ought to have a vote. We ought to have a say.

So I hope very much, as we move forward, the majority leader will bring us back to the time when the Senate offered a chance to have a vote, to have a say on behalf of the people of the United States. We might not win our vote, we might lose our vote, but we will have had our say.

This is the body in the American constitutional framework that has been described in the most recent history of the Senate as the one authentic bit of genius in the American system of government. That is because we have to have consensus before we move ahead,

and you only govern a complex country such as this by consensus. That is what 60 votes is about. That is what debate is about. We have gotten far away from that—far away from that.

So this would be a good time to drop this notion of the gag rule on the American people, this business of cutting off amendments, cutting off debates, and say: We welcome amendments. We welcome debate. We will vote them up, we will vote them down, pass them in a responsible way, and we will go on to the next one.

So it is my hope that Senator FLAKE's amendments, which I am proud to cosponsor—both of them—will be one of several amendments on the tax extenders bill to be allowed a vote when that bill comes up.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

RUSSIA-UKRAINE

Mr. NELSON. Madam President, a number of people have asked me to comment about the situation since President Putin has moved aggressively with regard to Crimea and Eastern Ukraine, which has therefore brought about some retaliation of sanctions by the United States against Russia.

We are now hearing comments—a number of troubling statements—coming out of Russia by the Deputy Prime Minister, who has the responsibility for defense and aerospace, regarding the U.S. development of rockets that can again take Americans, on American rockets, to and from the International Space Station. He has made a sarcastic comment, something to the effect of, well, how do the Americans think they are going to get to the space station—on a trampoline? And then most recently a statement having been issued in his name that the Russian rocket company will not sell the very efficient and very energetic Russian rocket engine, the RD–180, to the United States for military purposes.

This is a very complex issue. It affects not only our military access to space, it affects our civilian access to space. I will see if I can dissect this in about 4 minutes, as a number of people have asked me about this. This will be an issue, for example, next week in the markup in the Senate Armed Services Committee of the Armed Services Defense authorization bill.

First, let's go back and see the history. How do we have this relationship with Russia and what is it?

In the midst of the Cold War, when there were the two super powers, the Soviet Union and the United States decided to cooperate in space in the civilian program. In the midst of the Cold War, a Russian Soyuz and an American Apollo spacecraft—Apollo-Soyuz as it is known—rendezvoused and docked, and the crews lived together in space for 9 days in 1975.

By the way, those two crews led by General Alexsei Leonov of the Soviet Union and Gen. Tom Stafford, U.S. Air Force, NASA astronaut, Apollo 10 that went to the Moon—they are close personal friends and have seen each other over the course of the years many times.

In 1985 I had the privilege as a young Congressman to take a delegation to the Soviet Union on the occasion of the 10th anniversary of Apollo-Soyuz, with our Apollo astronauts joining in Moscow with the Soviet cosmonauts. So there is a long history.

But now fast forward to, I believe, the year 1991 and the complete destruction of the old Soviet Union. All the satellite states went elsewhere. By the way, this was in August and September of 1991, interestingly, after a delegation of American astronauts and Soviet cosmonauts in April of 1991 all joined together out at Star City where they train their cosmonauts, and then we all went in a Soviet military plane out to Kazakhstan to the launch site on the occasion of the 30th anniversary of the launch of the first human into space—a Russian, Yuri Gargarin. A few months later, the Soviet Union disintegrated.

So the United States had a choice to make: All of those very bright, very effective Russian scientists in their defense program and in their space program—and often their civilian space program was directly linked to their Soviet military program—where were all those scientists going to go? We didn't want them to go to Iran, North Korea, and China.

So I believe Senator Sam Nunn, a Democrat, and Senator Dick Lugar, a Republican, led the effort to put together the Nunn-Lugar bill, which started sending American assistance to try to stop the scientists from fleeing into other hands and especially to corral all of the nuclear weapons the Soviet Union had, and that was done very effectively.

Then when Russia opened its former Soviet closed doors, we found out Russian scientists and engineers had manufactured this exceptionally efficient and powerful engine, kerosene and LOx—liquid oxygen—called the RD–180. As a result, we worked out a deal between American aerospace companies and the Russian company Energomash, where instead of these engines going all across the world, we were going to use them together. So the United States through its rocket manufacturers—I believe Pratt & Whitney—got the license to this and the plans to the engine, but they also had an agreement that they would buy these from the Russian rocket manufacturer.

Today that engine is a staple and necessary engine in our stable of horses to get into space, both military and civilian, because it is the main engines on what we use today, the Atlas V rocket. This is a proven rocket. It has had an unblemished record, and that unblemished record has been something close to, if not over, 100 straight flights without a flaw. It is being planned in the future by Boeing to put a Boeing spacecraft on top of that rocket for humans to go to and from the space station. Another company called Sierra Nevada has created a smaller winged spacecraft also for humans—not unlike the space shuttle but much smaller—that will go on top of the Atlas V. They, along with a third competitor, SpaceX, which has built its own rocket called the Falcon 9, with its spacecraft the Dragon capsule—those three will compete to see if one or all three will deliver humans—American and Russian—to the International Space Station in the future instead of us having to rely, after we shut down the space shuttle, on the only manned, human-tested rocket to get us to and from the space station now, which is the Soyuz, the Russian rocket that launches from Baikonur, Kazakhstan.

If this isn't confusing enough, the Deputy Prime Minister—provoked because the United States has responded to President Putin's aggression—says he is going to stop selling the Energomash rocket to the United States for military purposes.

The question is, Is he going to continue to sell that rocket engine for civilian purposes—which I just outlined in this competition that is coming up—and if this is accurate and it holds, what to do for the United States?

We have several options.

First of all, we have a 2-year supply of these engines on the shelf. If in 2 years we think the Russians are not going to continue to sell this—and, by the way, this is a real jobmaker for Russians and a moneymaker for them. The aerospace industry in Russia wants to continue to sell this engine, but if the politics get in the way and they cut it off, then what is the United States to do? We have to figure that out. Right now there is a study going on in the Department of Defense as to how we would handle it. We have a 2-year supply. One of the options they will look at is stretching that out over time, putting some of those payloads on other rockets. Some of those payloads can go on the very successful Falcon 9, but there are heavier payloads that cannot go on the Falcon 9 that could go on the Atlas V. But if the Atlas V is not flying, they will have to go on a more expensive and heavier lift, Delta IV Heavy. So we see how complicated this gets.

Then the question is, If they are not going to sell these engines for military purposes, can we bank on it that they would sell these engines for NASA civilian purposes? That is a big question mark.

So one of the issues in this DOD study is going to be can we manufacture since we have the plans. We don't know the answer at this point. It is an extremely complicated metallurgy process which they have perfected in all of those years in the old Soviet Union. We would have to start flatfooted, even though we have the plans,

and figure out how to do all the design equipment, all the processing equipment, and then try to get the engines ready—and at some point what would a follow-on engine look like?

That is about the best I can summarize the situation, and we are going to have some major decisions to make, depending on what we see in the DOD study.

First of all, we are going to have to know how we have assured access to space for defense purposes for the national security of this country.

Secondly, we are going to have to have assured access to space for the civilian program so this incredible International Space Station that we have built with 15 nations, including the Russians, who have been a major part—how we are going to keep that operating and get Americans to and from it because the Russians cannot operate the space station by themselves.

In the first place, a lot of the Russian commands to their own modules actually are commands that go through the Johnson Space Center in Texas. Secondly, the Russians depend on all the electricity that is generated on the International Space Station from the American electrical systems. So we are going to have to continue to operate it together. The Deputy Prime Minister implied that; that he would continue to do that through year 2020, but the space station is going to have a life—and should have—well into the decade of the 2030s.

These are the questions we are going to have to answer and they are going to have to be answered in the near future. In part, some of them are going to have to be answered next week as we start to mark up the Defense authorization bill.

I wanted to give the Senate, and all of those in the press who have been asking me, the best of what I could conclude at this point and then we will see what develops. There was the new development, as I mentioned yesterday, where the Deputy Prime Minister said they will not sell the RD–180 to America for military purposes. If that holds, then we have to swing into action pretty quickly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

EXPIRE ACT

Mr. CASEY. Thank you, Madam President. I rise to talk about the legislation we are considering, the so-called EXPIRE Act, and we want to make sure that as we are focusing on the policy—and I will get to that in a moment—we highlight for emphasis that this was a measure that came out of the Senate Finance Committee in a bipartisan fashion. In fact, it was unanimous coming out of the committee.

We had a good discussion and debate about various tax provisions that we wanted to extend for 2 more years, and because of that there was a great interest in the subject matter. Rarely have we seen the kind of bipartisan support that we have seen in the committee for these tax provisions, and I think that bipartisanship will continue as we move forward with the legislation on the floor.

The bill came out of our committee recently and it does enjoy bipartisan support. I wish to concentrate on the small business provision. As you know, if you went down the list of these extensions of tax provisions generically known as tax extenders, you could cover a huge array of subjects by virtue of the whole bill. I am going to focus for a couple minutes on the small business provisions.

We often hear from small business owners—and I hear it all the time in Pennsylvania and I am sure others hear it in their home States as well—about the lack of certainty. Frequently, business owners say they don't have certainty about where their business will go next because of what Washington has not been getting done. One of the reasons it is so important to get this bill passed in a bipartisan fashion—that alone is a measure of certainty for folks seeing so much partisanship here, but also giving a timeframe of 2 years helps alleviate uncertainty as well.

It is an especially urgent issue when it comes to small business owners. They don't often have the capacity to go out and hire a lot of experts to help them with compliance, to help them understand or deal with on a regular basis tax provisions or substantial changes in health care and public policy. So having a measure of certainty is a significant issue in the life of a small business owner.

All too often we minimize the impact of tax incentives by failing to renew critical provisions in a timely manner. Business owners need that basic certainty, which is why the work we have done on small business issues is particularly significant. I am proud of the work Senator COLLINS of Maine and I have done to introduce legislation which would allow small businesses to plan for capital investment that is so vital to job creation. This commonsense proposal would introduce certainty to businesses, especially small businesses, increase economic activity and the pace of job creation. A number of the provisions in the bill that I have worked on with Senator COLLINS are in the EXPIRE Act, the legislation we are dealing with on the floor.

I believe we have to create a favorable environment in order for businesses to make investments that create jobs and grow the economy. Small businesses are vital to our economy. That said, I am not sure we often fully understand how significant an impact small business has on the country, when we consider that small firms comprise more than 98 percent of all employers. Nearly half of the Pennsylvania workforce is on their payroll, to get a sense of the dimensions, reach and scope of small businesses in a State such as Pennsylvania, but of course that is true across the Nation.

Small firms nationally employ just over half of the private sector workforce, according to the Small Business Administration. Small businesses also have led the charge to put America back to work. According to the SBA, small businesses have created 64 percent of the net new jobs over the past 15 years. Again, we sometimes don't fully appreciate the impact of small business. The most recent monthly employment report by the payroll processor ADP showed that small- and medium-sized firms accounted for more than 80 percent of the job growth in January of this year. So a short-term recent number of job creation, small business is accounting for 80 percent of that, but even when we look at a longer period of time, over the past 15 years, small business is creating 64 percent of the net new jobs. So we need to do everything we can in the Senate and the House to invest in strategies that will help small businesses so they can grow and invest.

Unfortunately, many tax provisions affecting small businesses have recently been enacted on an unpredictable and temporary basis. That is an understatement. When we talk about certainty or uncertainty, this is part of what we are talking about. This uncertainty directly and substantially hinders economic growth and job creation. When businesses don't know how their investments will be taxed, they cannot make long-term planning decisions with confidence. You don't have to be a small business owner to understand that it is especially difficult for a small business owner to hire a legion of lawyers, accountants or other professionals to help them. Sometimes a small business owner does everything. You know the old expression ''chief cook and bottle washer.'' They do everything. They don't have the luxury of hiring a compliance team for every issue, and it is especially difficult in this uncertain environment. So this uncertainty about tax policy disproportionately harms these small businesses.

We often say these are the firms that are the backbone of the American economy. Yet they don't have the luxury that larger firms do to have a team of experts around them or a team they can retain. The National Federation of Independent Business says that compliance costs are 67 percent higher for small firms than larger ones. The Small Business Administration claims that tax paperwork is the most expensive paperwork burden on small businesses, at $74 an hour. So they are paying $74 an hour in terms of tax compliance paperwork, and their overall compliance costs are 67 percent higher than large firms.

This legislation includes several provisions intended to immediately reduce the uncertainty about the Tax Code and encourage businesses to grow and invest and hire. These measures have bipartisan support and adopt proposals

from both parties. One measure includes a 15-year straight-line depreciation schedule for restaurant leaseholds and retail improvements. In April last year Senator CORNYN from Texas and I introduced a bill that contains this provision which has bipartisan support. If a restaurant wanted to add a new room with 5 or 10 tables in a service space, that is a pretty big investment. They have to build, grow, and spend a lot of money to do that. There is a depreciation benefit provided to that business which historically has been over the course of 39 years. Recently we shrunk that timeframe down to 15 years. Instead of giving little, tiny slices of depreciation, the benefit is more substantial over the course of 15 years, and the bottom line is we want it to stay at 15 years and not go back to the 39 years. I am not sure what the benefit would be if someone added a couple of tables to their restaurant in 2014 and had to wait 39 years to reap that benefit.

So the legislation Senator CORNYN and I have would maintain that 15-year cost recovery provision and make it permanent. The bill addresses this, albeit for a 2-year timeframe instead of the current year. We know this faster so-called cost recovery is directly reflected in the company's bottom line and frees cash that can be used to expand operations and hire more workers. It stands to reason if you have a greater tax benefit, you have more dollars in your hand, so to speak, and as a restaurant owner you can hire more workers in the near term. So maximizing certainty within the Tax Code is an expressed benefit for these small businesses.

A study from the National Restaurant Association found that uncertainty over depreciation and other tax provisions forced restaurants to forgo improvement projects that would have produced approximately 200,000 jobs nationwide. I would submit that if that number were cut in half it would be a significant number, but their estimate is that in essence we are forgoing 200,000 jobs because of tax uncertainty.

Another provision of the bill that we are debating and discussing would make permanent the maximum allowable deduction under section 179, expensing rules. Section 179 allows taxpayers to deduct certain capital asset purchases in the year they make the purchase. This type of expensing provides an important incentive for businesses to make capital investments. Without it taxpayers would have to depreciate those asset purchases over multiple years, getting a much more short-term benefit because of that tax provision. This maximum allowable deduction under 179 has changed three times in the past 6 years. That is one of the best examples of uncertainty, when things keep changing and the numbers keep changing. One year they can take advantage of one-half million dollars of benefit if they bought new equipment, for example.

What we want to do—I think what is the best policy is to set it at a fairly high level, I would argue one-quarter of a million dollars——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CASEY. Madam President, I ask unanimous consent to speak for 2 more minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CASEY. That is section 179, and that is another issue addressed in the bill.

The third provision is the so-called bonus depreciation, which helps businesses in much the same way the expensing rules do. The bonus depreciation allows companies to expense half of the cost of qualifying assets that they buy and put into service in the same year. I won't go through all the numbers, but we have heard from companies across the board about that provision as well.

Whether it is provisions that help restaurants, whether it is to help businesses that want to make capital purchases, or whether it is companies that benefit from another year of a tax benefit, this bill allows us to give a measure of certainty for at least 2 years to these businesses and especially those that are small businesses.

I believe this is one of those times where we can fulfill what a lot of people have asked us to do. They have asked us on a daily basis to work together to create jobs. This legislation, which is bipartisan, is one way to come together in a bipartisan fashion to create jobs and give certainty to help our small businesses and to work together—Democrats and Republicans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

HEALTH CARE

Mrs. FISCHER. Madam President, I rise to give voice to the thousands of Nebraskans who have contacted my office and continue to contact my office with their concerns about health care.

In 2009 the President made all the Americans a promise. He said:

> No matter how we reform health care, we will make this promise to the American people: If you like your doctor, you will be able to keep your doctor, period.

Five years later, it is becoming clear that the President's assurance won't hold true. Many of the millions of Americans who were forced to sign up for ObamaCare-approved health plans are now having trouble finding a doctor or hospital they like that will accept their new insurance.

On May 12 the New York Times reported:

> In the midst of all the turmoil in health care these days, one thing is becoming clear: No matter what kind of health plan consumers choose, they will find fewer doctors and hospitals in their network—or pay much more for the privilege of going to any provider they want.

Despite higher rates, new ObamaCare plans include fewer in-network doctors and hospitals than the older health care plans. This diminished access to health care is a serious problem for Americans who live in rural areas with fewer primary care physicians, forcing some people to drive hours just to see a doctor who will accept their insurance.

I have received letters, emails, and phone calls from over 18,000 Nebraskans who keep saying the same thing: The promises of ObamaCare are not being kept.

For example, Karen and her husband from Kearney essentially lost the doctors they had and liked when they received a notice in the mail indicating that the health care providers they have relied on for years will no longer accept this new insurance.

Here is another example my office received. Douglas, another constituent from Kearney, wrote:

> ObamaCare has done one thing, and one thing only, it has threatened my wife and the life of my son.

He goes on to say:

> Because of age, and the ACA, my son's doctors retired or quit practicing, and also because of my son becoming an adult, we had to find new doctors. We haven't been denied insurance, but we have been denied doctors. We ended up begging and pleading with doctors to care for my son. [We were] turned down by nine or ten.

I offered a commonsense proposal called the FAIR Act. It would delay the tax on the uninsured anytime the employer mandate is delayed. ObamaCare is picking winners and losers. The big and powerful get help while the vast majority of Nebraskans and millions of Americans are left behind. My bill will level the playing field, giving all Americans that ''fair shot.'' I hope we have the opportunity to debate and vote on my commonsense bill here in the Senate.

I thank the Presiding Officer and yield the floor.

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

The PRESIDING OFFICER. The Senate is not in a quorum call.

The Senator is recognized.

Mr. COATS. Madam President, according to a recent National Federation of Independent Business study, ObamaCare and its tax increases will result in the reduction of up to 285,000 private sector jobs. Let's say they are wrong. Let's say they are exaggerating. After all, the NFIB has not exactly been supportive of ObamaCare. Let's say it is 250,000 or 225,000. Let's say it is 200,000. I think that any piece of legislation that causes one job to be lost is something we should take a second look at, let alone 285,000 jobs.

Even though the administration has moved the goalpost more than 20 times in terms of how Obamacare is enacted, it clearly has hurt far more than it has helped. The majority leader famously said that all the stories that have been stated on this floor have been horror stories that are not true, but these are

real stories. These are people who have contacted my office and talked to me personally. They have written letters and sent emails. They are simply saying: Here is my experience.

Once in a while I come to the floor so I can verbalize the experiences of the people I represent.

Kelly from Fort Wayne, IN, received a letter from her insurance company that said her provider would change her policy due to the Affordable Care Act. Her new policy failed to cover her lifesaving medication, increasing her monthly costs by over 400 percent compared to what she had paid with her previous plan. She said: What am I supposed to do? This medication I have is lifesaving. It is no longer covered by my insurance plan. And the insurance company has indicated that this is the result of the implementation of ObamaCare.

Bruce from Jasper, IN, had to drop his insurance policy and enroll in a new plan that increased his monthly premium by 70 percent. Bruce said: I can't afford this. I am paying a lot of money already. Seventy percent. I thought the President said this won't cost me a penny more, period. I am sure the President regrets using ''period'' because period means final, no discussion, no debate—trust me, you won't have to pay one penny more.

I talked to Bruce in Jasper, and he is paying 70 percent more.

Traveling across Indiana, I hear these stories from Hoosiers over and over, men and women business owners who are reducing hours, laying off hard-working employees, or closing the doors because of this law's costly requirements. Most importantly, they are very seriously considering dropping any employer-offered coverage whatsoever. They are reducing their workforce, if it is possible, to below 29 hours a workweek so they don't have to provide insurance.

At one national chain, they have stated publicly that they have put all of their thousands of employees on 29-hour workweek schedules so they don't have to subject them to the restrictions imposed upon them under the ObamaCare act.

I don't know how many of these stories we have to share before we try to make some reforms, replacements, or find positive solutions to the problems we face. Republicans have met in caucus. We have some alternatives. We would like to have them considered.

This leads me to my second point. It is clear now that we are not going to be allowed to offer any solutions, any reforms, any changes to any legislation as long as we are here in this session of Congress. We have been allowed nine amendments in the last 10 months. The minority in the House of Representatives has been allowed to offer over 125 amendments in the last 10 months.

People are saying: Wait a minute, I thought in the House the majority rules.

They have a Rules Committee. They decide that maybe they will get one amendment or two amendments. Don't expect to be able to offer amendments if you are in the minority in the House of Representatives.

They say: We won the election. We are the majority.

That is how the House works. I served in the House. I served in the minority for 8 years. I am trying to remember if I was ever allowed amendments. Sometimes our caucus was allowed an amendment.

I came to the Senate and people asked: What is the difference?

I said: The difference is night and day. Any Senator can offer any amendment to any bill at any time.

Then Democratic majority leader, George Mitchell, was following a precedent that had lasted for more than 200 years. The greatest deliberative body in the world deliberated. And, yes, we were here late hours in the evenings sometimes when a Member said: Wait a minute, I have one more amendment. That person was allowed to offer that amendment. We spent many nights into the dark hours working through a bill, but the process worked. That was honored by Republican leaders and Democratic leaders. Only now, at this second iteration of mine—it seems like a bad dream, actually—do we have a leader who has basically said: I am not allowing you any amendments. I don't want to force any votes.

That is not what the Senate was designed to be. That is not what it has been traditionally. Yet here we are facing yet another piece of legislation that looks the same as every other piece of legislation we have been faced with this year. The majority leader will use a procedure called filling the tree. The majority leader is using procedures to shut down the minority, to gag us. It is a gag order by the majority leader. He is basically saying: You don't have the privilege under my leadership of representing the people in your State who voted for you to come here to offer their wishes and their desires and amendments to reform a piece of legislation. I am not giving you that opportunity.

That is what the majority leader is saying over and over.

Now, if a Member is in the majority, I suppose he or she can get their changes modified and moved into the bill that the majority leader brings to the floor. But then he turns to the other side and says: You don't count, none of you. All 45 of you, all 45 Republican Senators here, don't count.

This is a Senate run by 55 people under the dictatorship of the current majority leader, who simply has thrown a gag order on any Republican because they are afraid to debate and vote on measures they think might negatively impact them, even though they are many times bipartisan-led amendments—amendments supported by Members on the other side of the aisle.

We said: OK, he is turning down anything we offer, but what if we offered it with the support of a Member from the other side?

He turns that down too, so he shuts down his own Members.

It is beyond my comprehension, having served here before and seen the Senate under the leadership of Democratic leaders who caused this body to function in a way where everybody had a voice. We didn't always win our amendments. We were in the minority. We mostly lost our amendments, but we had a chance to offer them. We had a chance to debate them and to try to persuade Members to join us. Sometimes we were fortunate to persuade those Members. Other times they were bills and amendments fashioned together with Democrats and Republicans, brought to the floor in tandem, voted on, and passed, and they were constructive changes. Today, it is, shut up, sit down, don't offer amendments, I am not giving you anything. It defies the history of this place, the tradition of this place, and it has turned us into the world's least deliberative body, not the most deliberative body. There is no deliberation here.

It appears the only way to change this is for the voters to go to the polls and say: Let's get the Senate back to what it is supposed to be.

Let's get to a place where we are not afraid to stand up and take a stand. Let's not be afraid to consider amendments and to say if it passes, it passes, and if it loses, it loses, but at least Members had the opportunity to state their positions and the opportunity to represent the wishes of the people who sent us here.

We are sitting around here being able to do nothing—nothing—because the majority leader said: You are in the minority. I am running this place. It is a one-man show. I am throwing a gag order over all of you, and we are shutting it down.

Now we are coming to the tax extenders. There are good provisions in the bill, there are mediocre provisions, and there are some that probably shouldn't be in there. But shouldn't this be debated? This impacts our economy and impacts our future. There are many things in the tax extenders bill that is coming before us—including research credits and other things that stimulate the economy—some that I think are good and some things that I think are bad. Shouldn't we have the opportunity to try to support the good or eliminate the bad or at least make an effort at that? Yet once again it hasn't happened yet. The pattern has been laid. The majority leader will say: No, you are not going to have any amendments. We are going to shut this down, and you are going to do it our way.

Apparently, that is the way the majority leader has decided he is going to run the Senate. He makes all kinds of false excuses as to why he has to do what he does, but none of them hold water. I regret that. I think it has turned this place into a dysfunctional

body, and I think the burden of responsibility for that falls directly on the shoulders of the majority leader.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I come to the floor today, as my colleague from Indiana has, because the same things he is hearing about at home in Indiana—stories from real people and how their lives have been impacted by the health care law—are stories I am hearing at home every weekend in Wyoming.

I think it is astonishing that the majority leader would come to the floor of the Senate and say these stories we are coming to the floor with are made up, he said, out of whole cloth. These are real people in our communities who have been impacted by the health care law in ways that have been very detrimental to their lives, their livelihood. People have had their hours cut. Their take-home pay is less. They are finding they are having to pay a lot more for insurance. A lot of times it is insurance they don't really want or need or will ever use but the President says they have to buy. They have lost policies that have worked well for them.

I got a recent email from a gentleman, a family in Powell, WY, a community in Park County. He writes: Now that ObamaCare has been deemed to be the most successful government program of all time, let me tell you what it has done for retired middle-class Wyoming citizens like myself.

Of course, he said he was not serious when he said ''the most successful government program of all time.'' He probably heard the President talking about it. He probably heard the President of the United States tell Democrats who voted for this health care law to forcefully defend the law and be proud of it. I haven't heard Members who voted for this actually come to the floor to any degree to forcefully defend and be proud of the law because they know the side effects of the law have been devastating—devastating to families, devastating to people and their paychecks, and devastating to health care in this country.

So back to what my constituent from Powell, WY, said: Health care premiums of nearly $2,000 a month.

The President said: Oh, no, premiums will drop by $2,500 a year.

This gentleman said: Health care premiums of nearly $2,000 per month, scheduled to go to at least $2,000 or more per month in July—in parentheses, ''unbelievable.''

He then says: Middle-class citizens like my wife and myself, not qualifying for ObamaCare subsidies, having to consider becoming lawbreakers by forgoing health insurance for ourselves or at least one of us—in parentheses, ''probably myself because I am the healthier of the two''—and paying the fine.

He then said: If we do No. 2 above—about disobeying the law and paying the fine—we will have to look into seeking cheaper care outside the United States, probably Mexico, for serious problems.

Is that what the President of the United States intended, to have people seek care in Mexico because they can't afford the Obama health care law and the mandates and all of the insurance that they don't need, don't want, won't use, and can't afford? It is not what the President promised the American people. He said if they like what they have they can keep it. But, of course, that was deemed the lie of the year.

So I guess that is how the American people view the President of the United States now and can't really consider his comments to be credible. So when he says forcefully defend and be proud of the health care law, I think the American people realize that the President has sold the law to them under false promises and the Democrats are clearly not standing up and defending what they know is hurting their constituents. The President is in his bubble, and he hears only what he wants to hear. But I think Members on the Democratic side of the aisle, who go home and listen to people, know these stories are true, unlike what the majority leader says—that they are just made up.

The gentleman goes on to say: I could look into residence in another State to see if health care insurance is available cheaper. I don't know if it is or not, but I understand that Wyoming has the highest or near highest health insurance premiums.

Then he ends by saying: Is this what Obama and the Federal Government consider fair?

The President goes on TV and says that everybody ought to have a fair shot. Is this what the President of the United States considers fair? Is this what he means by a fair shot? People all across the country are going to be asking themselves that question as they take a look at the impact of this health care law on their own lives, their own families, the ability to keep their doctors. We know many people have lost the doctor they like in the sense that they can't go to that doctor. They know they can't go to the same hospital. We know many were not able to keep the insurance they had. We know many have had hours cut.

In an effort to try to help people who didn't have insurance, I think the President of the United States and Democrats should not have hurt so many individuals across the country, so many people who already had insurance. There may be people who are newly insured, but there are also people who are newly uninsured, and it is because of the President's health care law. Are there side effects? You better believe it. They are harmful. They are costly. Many families have been devastated by the health care law.

I have another letter from a family in Lingle, WY. This is somebody who knows I am a doctor, knows my record of treating patients around Wyoming and working with families all across the State. She said: I know you're interested in the number of people who are uninsured after the rollout of the ACA. She said: My husband and I started investigating the ACA in October. The Presiding Officer will remember they opened the exchanges in October. The President, right before that, said it was going to be easier to use than Amazon and cheaper than your cell phone bill. She said: So we started investigating in October, and we were finally able to establish an account in March.

That is what the American people think about the capability of this government and this administration. You start working on something in October, and you finally establish an account in March because of the incompetence of a bureaucracy and an administration that says one thing, does another, promises something, and delivers something very different.

She said: We found that our premiums would be one-third of our annual income—one-third of our annual income—with a $6,000 copay and a $12,000 deductible.

Those are the numbers—one-third of their annual income, a $6,000 copay, a $12,000 deductible—and the majority leader comes to the floor and says we are making this stuff up. These are letters from our constituents, people who live in our States, people whom we see on weekends when we go home.

She goes on to say: We have been uninsured for 7 years due to the costs, which we are told is due to our age, even though we are in good health. So as of today we are still uninsured.

So they started in October, finally established an account in March, and as of the date this was written in April, they were still uninsured.

She said: We don't have any idea what will happen if one of us gets sick or has an accident. How will we pay the bills?

Then she finishes by saying: Keep fighting for the people of Wyoming. As a doctor, you know what a precarious position we are in.

I wish the President of the United States and the majority leader would realize what a precarious position they have placed the American public in—an American public who knew what they wanted with health care reform. They wanted the care they need, from a doctor they choose, at lower cost. That is not what they got. They got more mandates, more expensive care, higher deductibles, higher copays. Many people had their policies canceled.

We know with the 30-hour work rule communities are cutting the hours of workers so their take-home pay goes down. We are not talking about businesses here, although it is happening in the business world as well. It is also happening in communities—school districts that are saying: Well, we are going to have to cut the hours of substitute teachers, we are going to have

to cut the hours of the school bus drivers, of the coaches, of a number of part-time workers. Why? Because of the health care law.

These are side effects of the law. They are harmful. They are expensive. They have an impact on people's lives to a point that I think the President wants to ignore because the President is hoping people on his side of the aisle will forcefully defend and be proud of a law that there is little to be proud of that really is not able to be defended because the implications of the side effects have been devastating to many, and especially to Americans who have gotten their insurance canceled and find their only choice is more expensive insurance, higher copays, and higher deductibles. But for families all across the country, when a mother finds she cannot take her child to that pediatrician—the one who has known that child since the baby was born—now, because of the health care law, she cannot take her child to that pediatrician, they cannot go to the hospital in their community; they have to drive distances, instead, because of the health care law, which was intended to help people but has ended up hurting, in my opinion, more people than it has helped.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I rise to speak with regard to ObamaCare. The good Senator from Wyoming made compelling points, as did the Senator from Indiana before him.

What I would like to do is to start for a minute by reading from some letters I have received from constituents in my State with regard to ObamaCare or the Affordable Care Act. These are from hard-working people who are trying to figure out what to do about their health insurance with ObamaCare in place. I think really those are the voices that speak louder than any others—the voices of people from across this great country who live in all of our States—and they are writing to Members of this body and say: Hey, here is what I am experiencing. So this is not just coming down and expressing an opinion on the Affordable Care Act. This is what people are saying. This is what they are telling us. I think it is very important we take the time to listen and to understand the very real difficulties they are having with something that is so vitally important to all of us, and that is health insurance.

I would like to start by reading some of these letters. The first one is from somebody who lives in the Fargo area. They start out:

> I live in West Fargo and my Employer is based out of South Dakota.
>
> In 2011 I obtained my own Family Health Care Insurance due to a job change and my new employer's Health Care coverage seemed excessive. In doing this I found coverage as follows:

So they signed up for a policy that is an 80/20 copay, with a $1,000 deductible, with a $4,000 out-of-pocket maximum, with monthly premiums of just over $800—$809. That was provided through Blue Cross Blue Shield.

The individual goes on to write:

> At the time this was more than $300 less costly than my new employer's monthly premium for similar coverage.
>
> I recently received a notice from [Blue Cross Blue Shield] that my coverage will be discontinued on May 1st, 2014 due to the Affordable Care Act.

So they received a notice that their insurance is being discontinued due to the Affordable Care Act.

> Listed below are the options which are most similar to my current coverage:

Now, instead of an 80/20 copay, it is a 70/30 copay, so the copay is higher. There is a $2,000 deductible. So instead of a $1,000 deductible, that doubled. Now it is a $2,000 deductible. There is a $9,000 out-of-pocket maximum, compared to what this individual had before, which was a $4,000 out-of-pocket maximum. So it more than doubled the out-of-pocket maximum. There is a monthly premium of $1,625. That is compared to an $809 premium. So the premium doubled. So for a higher copay, for a higher deductible, for a higher out-of-pocket maximum, they are paying double the premium. If they wanted to go to another policy, it was an even higher deductible.

The individual goes on to say:

> We are NOT eligible for Tax Credits because my employer offers affordable health coverage.

So because the employer offers a policy, this individual is not eligible for any tax credits.

> At this point my best option is to obtain my employer's health coverage. However Open enrollment is not until August 2014.

So the individual has to wait until August.

> My HR department along with my current Insurance Specialist has contacted [Blue Cross Blue Shield] and asked that this be considered a ''Life Changing Event'' so I can join the employer plan by the May 1st deadline. They will not classify it as such. I asked if I could pay some type of early sign on fee. They indicated that is not an option.
>
> So if I cannot join my employer's plan, my BEST options for coverage are those options listed above—

The ones I just read—

> which are at best a 37% increase—

''[A]t best a 37% increase''—

> in monthly premium with a 110% or more increase in deductible and out of pocket max.

So let me say that one more time. This individual's best options now with the Affordable Care Act are a 37-percent increase in the monthly premium, with a 110-percent or more increase in the deductible and the out-of-pocket maximum.

Then the individual finishes:

> Do you see my frustration?

This is just one of the letters we have received, but it is representative of so many others.

How can that be an affordable care act? How is that affordable care?

Here is another one.

> My insurance premium tripled for less coverage. I thought our insurance was supposed to stay the same if we had it. . . . Please put a stop to it! It isn't right to make people pay for something they may not be able to afford. I already had health insurance! I also send money to my sister to help with her baby. Now I won't be able to do that.

That is another letter—a real person, a real situation.

Here is one:

> To Our Elected Representatives; We petition you not as Democrats, Republicans, Independents or members of any special interest group, but as concerned taxpayers. We urge of all of our elected representatives to vote against this administration's health care plan. The nonpartisan Congressional Budget Office has estimated that the cost will be more than $1 trillion over 10 years and we know from experience that it will cost far more than any government estimate.

Well, these stories go on, and I know I have colleagues who are waiting to speak, as well, during this time slot. So rather than continue to go through these letters—and I have many more; I brought more than I anticipated reading today—I will come back again and read some more of these.

But I want to conclude with what I believe is the right approach, and I think it is something Republicans are talking about and have been talking about and will continue to talk about. So when we come down and say the Affordable Care Act is not working, do not just take our word for it. Listen to the people from across this country who are writing to us and telling us their very real stories. Sometimes you hear: Well, but you don't have a solution. That is wrong. We do. We absolutely have a solution, and we have talked about it over and over on this floor and in every other venue where someone is willing to listen.

We need to implement a comprehensive approach, and we need to do it on a step-by-step basis so people understand it and know exactly what we are putting in place. It needs to be an approach that empowers people to make their own choices—their own choices—about their health care insurance and their health care providers. Again, I want to repeat that: They choose their own policy and their health care providers.

It includes market-based reforms that promote competition, that will help increase choice, not reduce choice, and competition that will help bring prices down, not see them continue to spike higher. It includes aspects such as tort reform, to reduce the cost of health care. It includes allowing insurance companies to sell policies across State lines. It includes expanding health savings accounts, so individuals can combine high-deductible health care policies with a tax-deductible savings account. It includes reform of Medicare and Medicaid, to give States more control and to encourage the kind of reforms that will improve service, improve outcomes, and reduce costs.

That is the kind of approach that truly serves the American public. That

is the kind of approach we will continue to work, on behalf of the citizens of our respective States in this great Nation, to put in place.

With that, I see my esteemed colleague from the great State of Mississippi is in the Chamber. I yield for the good Senator.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, my impressions of the so-called Patient Protection and Affordable Care Act are that it is too costly, too complex, and too intrusive.

Small business owners in my State have been particularly vocal about having to choose between making payroll or paying the increasing costs of insurance.

Many small business owners would like to provide health insurance for their workers but are finding the premium costs are just too expensive. A small business owner in Hattiesburg, for example, who in the past paid 100 percent of the premiums for his employees was recently informed of a 21-percent increase in these costs. He is having to choose between reducing staff or shifting the health insurance costs to his employees.

Another constituent from Southhaven reported to me that his son's work hours were cut to fewer than 30 per week so that his employer would not be forced to purchase insurance coverage. With his hours reduced, he cannot afford the private insurance that he had hoped to be able to purchase.

The administration has struggled to implement several of the health care law's mandates. Billions of dollars have been spent on a flawed enrollment system that has not made significant progress in reducing the number of uninsured Americans. The stories I have heard from my State confirm for me that the Affordable Care Act is an unfixable and expensive mess, and it should be repealed.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. RISCH. 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. RISCH. Madam President, I come to the floor today to talk about a case involving ObamaCare and an Idaho resident. She has asked me to state her case. It is one of many such cases that I have. I did not pick this one because it is the most egregious or anything else. I picked it because this is an effect that ObamaCare is having on ordinary American people, people who deserve better, people who deserve a government that will help them and will leave them alone when leaving alone is the right thing to do.

She writes to me and says that her husband's company will no longer be offering health insurance next year. Of course, that is the result of ObamaCare. We have all heard the reasons why many companies are abandoning offering health care to their employees. Be that as it may—and there is a lot of reasons for that, none of which are good—these people are caught in this spot.

Right now, through her husband's business, they are paying $700 a month. They get 80-percent coverage for that $700 a month. Their deductible is $2,500 each. They are told, through the exchange, through which they have shopped in Idaho, that the new coverage they are going to get is going to cost them $1,400 a month. So that is exactly double what they are paying now.

One would think you would get double benefits, right? Wrong. Because of the government involvement in this, instead of 80-percent coverage, they are going to get 70-percent coverage. Instead of a $2,500 deductible, they are going to have a $5,000 deductible.

Well, who are these people? They are ordinary, regular American people. They are 60 years old. They do not qualify for a tax subsidy. They tell me that now the cost of their health insurance is going to be three times what they are paying for the cost of their house. They told me: Senator, we are not extravagant people. We live in a 1,400-square foot house. We do not take vacations, never bought a new car, raised our kids, and saved for their educations. Both of us went to college.

They talk about how they taught their children to pay their taxes and to work hard and be contributing members of society.

The PRESIDING OFFICER. The time controlled by the Republicans has expired.

The PRESIDING OFFICER (Mr. BROWN.) The Democratic whip.

Mr. DURBIN. How much time do we have on the Democratic side?

The PRESIDING OFFICER. The Democrats control the next 45 minutes.

COLLEGE AFFORDABILITY

Mr. DURBIN. Madam President, this week Democrats are going to continue the conversation about college affordability. I was joining Senator ELIZABETH WARREN of Massachusetts, JACK REED of Rhode Island, AL FRANKEN of Minnesota and many others—in fact, 24 others, to introduce the Bank on Students Emergency Loan Refinancing Act.

Why are we talking about student loans? Ask working families; ask their kids why we are talking about it. Because there is more student loan debt in America today than there is credit card debt. It is huge. It is growing. If you finished college a few years back like me and had a student loan that worried you, you would not believe what students are facing today.

The average student coming out of college: $25,000 in debt. Imagine sitting down at the desk in the college admissions office at age 19 as they push the papers across the desk to you and ask you to sign up for $10,000, $15,000 or $20,000 in loans so that you can start your class on Monday. There you sit with $20,000 in loans to start your class on Monday. You are 19 years old.

Wait a minute. Mom and dad have to cosign them with you. That is not unusual. So now it is a family debt. I had a press conference in Chicago on Monday. This wonderful woman came in and told the story about how she and her husband with two sons were determined to get them both through college. But she has not been able to do it. Do you know why? Because the first son took 5 years. She and her husband had to borrow the money to get him through school—good schools. But it is so much debt for their family that they cannot even consider allowing their other son to start college yet. He is waiting for his turn.

That is where we are in America today when it comes to college education. If you did not happen to be wealthy or so smart that you get everything paid for, and you are stuck in the middle with working and middle-income families, you are facing debt challenges families have never seen in the history of the United States.

There are 1.7 million Illinoisans—that is more than 10 percent of our population or almost 15 percent of the population of the State of Illinois—who have outstanding student loan debt—15 percent. That is 1 out of 6, 1 out of 7 people in my State with student loan debt.

Nationally, there are 40 million borrowers with more than $1 trillion in student loan debt. On the average, graduates of the class of 2012 left with $28,000 in debt. But the individual debts are often much higher. I have had students whom I have invited to come to my Web site and tell me their story. It is heartbreaking.

These students have debt of over $100,000 with a bachelor's degree. God forbid they went to one of those for-profit colleges or universities. You know the ones I am talking about. They are the ones that absolutely inundate you with advertising.

You cannot get on a CTA train or bus in Chicago without getting hit between the eyes with all of these for-profit colleges, for-profit schools. The biggest ones: The University of Phoenix, Kaplan, DeVry, just to mention a few. It is a different category. These are not the public colleges and universities. They are not even private colleges and universities. They are for-profit schools.

Believe me, they make a profit. What is the difference between for-profit schools and community colleges, the University of Illinois, DePaul University, Georgetown University? The difference is this. As a category, for-profit colleges and university have 10 percent of the high school graduates going to school, like the ones I mentioned. But they receive 20 percent of the Federal aid to education. Why? They are so darned expensive. That is why. The

students who sign up for these schools—these glamorous schools with all of the marketing—end up signing up for more debt than you can imagine—twice the debt of students that go to most other schools.

But here is the kicker. Here is the one the for-profit colleges and universities do not want to talk about: 46 percent of all the student loan defaults or student loan failure to pay off their loans—46 percent of them—students from for-profit colleges and universities.

Set that aside for a minute. As awful and scandalous as that is in this country—the exploitation of these students and their families by schools which many times offer worthless diplomas, worthless degrees, and absolutely no ticket to a job—as bad as that is, let's talk about the bigger picture, 90 percent of the other college students and what they are facing.

They are borrowing money right and left. They are sinking themselves, and many times their families, more deeply in debt than they ever imagined, and they have no idea what they are getting into. You see, student loan debts are not like other debts. It is not like you borrowed money for a house, a car, a boat or a temporary loan to get by. Student loan debt is one of the few debts in America not dischargeable in bankruptcy.

What does that mean? No matter how bad things get for you or your family, no matter what economic tragedy comes your way, if you end up in bankruptcy court and try to clear the table and start over, you will never, ever be able to discharge your student loan debt.

Oh, there is an extreme circumstance when you can. It is so extreme it almost never happens. So a student loan debt is a debt for a lifetime. You will either pay it off or you will carry it to the grave. They actually execute—these debt collectors—on grandmothers on Social Security. I am not making it up. Grandma wanted to help her granddaughter. She cosigned a student loan. The granddaughter dropped out of school, never paid back the loan, defaulted. They went after granny's Social Security check on the student loan. That is what we are talking about.

That is why we have to change it. That is why the Democrats have come forward on this side of the aisle. We are waiting for our first Republican to join us, to do something about refinancing college debt in America, to at least bring down the interest rates, to allow students to consolidate their loans at lower interest rates, so that they will pay less in interest.

That poor family I told you about from Chicago where the mother came and testified, they could not let the second son start college because they had never paid off the debt on the first son and could not see how they would. Year after year they were churning thousands and thousands of dollars into payments all retiring interest and not retiring the principal. The interest just keeps piling up. God forbid you miss a payment. It is awful.

The bank on students refinancing bill, which Senator ELIZABETH WARREN, JACK REED, and myself are bringing to this floor, will help current borrowers take advantage of what we have in low interest rates right now. Those with Federal loans can refinance at the lower rate, the same rate as students who are taking out their first loans this year: 3.86 percent for undergraduate Direct Loans; 5.41 percent for graduate loans; 6.41 percent for PLUS loans taken out by the student's parents.

Now, you are going to say: Those are not rock-bottom interest rates. Believe me, they are a bargain in every category here against what these students are facing today in paying off old debt. Many students will find their interest rate on their loan cut in half. What does it mean? Those of us who borrowed some money in life to buy a home or buy a car, a change in the interest rate of 3 or 4 percent gives you a chance to finally start reducing the principal. That is what we want to do, so that this debt can be put behind these people.

Those who have private loans, many of which have sky-high interest rates, few protections for borrowers, at least in the version of the bill we have introduced, can refinance into Federal loans with lower rates and stronger consumer protections. You ought to hear what these collection agencies do to students and their families when they do not pay on these loans. You think you have had some problems on the telephone with people calling and harassing you. They never quit. They need their money. They want their money. They will not let you go no matter what your circumstances.

This bill will allow young people to lower their payment by hundreds of thousands of dollars a year. They have a chance to actually get ahead on their debt. What is more, the bill we are offering is fully paid for. Here is how we pay it. You know the name Warren Buffett, third or fourth wealthiest man in America. I happen to know him. He comes by and has lunch with us from time to time and talks about business and investments.

But the one thing he wanted to talk about the most was something that he thinks is fundamentally unfair. Do you know what it is? Warren Buffett came in here and said: Why is it that Warren Buffett, the billionaire, has a lower income tax rate than his secretary?

Why? It is not fair. And it isn't fair. Because when profits in life—his income in life—come from capital gains, it is treated at a lower tax rate than ordinary income, which his secretary receives.

So Warren Buffett has said: For goodness' sake, I shouldn't pay a lower tax rate than my secretary.

So we put in what is called the Buffett rule, so there will be at least a minimum income tax charge for millionaires so they pay at least as much of an income tax rate as their secretaries. Does it sound radical? I don't think so. I think it sounds reasonable and so does Mr. Buffett.

We take the revenue that comes in from charging the millionaires—that we just talked about under the Buffett rule—and we apply it to the refinancing of college debt. That is how we achieved this. That is how we get it done.

This bill would help people such as Grace Steging. She is from Champaign and just recently wrote me a letter. She took out a $33,000 Federal student loan to get a degree in special education, and she is just completing her first year as a teacher in a low-income school district in Central Illinois. In her letter she said: ''I am shocked and distressed at the way my student loan debt continues to multiply even through I graduated a year ago.''

She tells me she made her payments faithfully each time every month, but even so her payments continue to rise as the interest rate accrues. It is a shame that even with a degree from a respected school and a good, secure job, Grace can't save money and she can't keep up with her student loans. She wrote and said:

> Senator, I am not a banker or a businessperson, I was born to teach. . . . Shall I teach my students to follow their dreams or to follow the money?

It is a good question. Reasonable borrowing has always been part of getting a higher education for many Americans. I know this story personally because I was a beneficiary.

The National Defense Education Act was passed in this Chamber in 1958, when Congress was scared to death. Scared by what? Scared by a basketball-size satellite that the Russians had launched called Sputnik, and it was beeping as it went around the world. We thought it was the end of life as we knew it because we knew the Russians had the bomb. Now they were in outer space and we weren't—1957.

So this Chamber met with the House and said we have to do something. One of the first things we are going to do, we are going to get more Americans in college. We need better trained, better educated Americans to fight the Soviets and to make sure we don't lose the space battle.

Along came the National Defense Education Act, and it opened the door for me to borrow the money to go to college and law school and pay it back over 10 years with 3 percent interest.

I paid it back. I didn't think I could because it seemed like a huge amount of money at the time. I will not tell you the amount because it will date me, but I will tell you today students don't face the same circumstances. The debt they face is so dramatic.

Jon and his wife from Chicago recently contacted my office. They both went to great, not-for-profit public

schools for their undergraduate studies. Jon went on to law school. His wife went on to medical school.

Jon is a first-year lawyer in a firm. His wife is in her second year of medical residency. They received good educations from respectable schools and now they have jobs in their fields.

Let me tell you what else they have. They have a combined student debt, Jon and his wife, of $300,000 on student loans. They pay $1,300 a month in student loan payments. Thankfully, they will participate in the Federal income-based repayment program, which moderates their payments, but here they are, just starting out, maybe with a family and a $300,000 debt.

How can they buy a house? They have explored it. No bank will come near them to even loan them the money for a house. That, to me, is what is disgraceful—not only that these students end up coming out of school in debt, they are postponing their lives. They are postponing marriage, children, homes, and cars.

Many of them are moving right back in with mom and dad in that basement apartment, because dad just came out of retirement to help them pay off the loan. I am not making this up. These are real stories that I run into.

One of the other ones I mentioned earlier, Hannah Moore—or at least I want to make a reference to Hannah Moore. I spoke about her on the floor. She is from Chicago and what a sweet young lady. She made a fatal mistake. She went to one of these for-profit colleges in Chicago called the Harrington College of Design—great advertising if you have seen it. Do you know what her reward for pursuing the American dream by seeking a college education at this for-profit school was? It was $124,570 in student debt, much of it in private loans for what is basically a worthless—worthless—diploma from a for-profit college.

Her story isn't unique. I just saw her last Monday and her debt has gone up. It is now over $150,000. This poor, attractive, smart, and determined young woman doesn't know where to turn. Her life looks like a brick wall when she looks ahead. I think she is 30, maybe 32.

Can you imagine. This is what she has in store, having thought she did the right thing, went to that college and got this degree which she thought was worth something. It turned out it wasn't.

The Federal Reserve Bank in New York warns us student debt isn't just a student problem, it is a national problem. It threatens Americans in terms of investing in our future, investing in homes, investing in businesses, and it even threatens their future retirement security. Hannah's father had to come out of retirement to help pay off the bills.

In addition to last week's refinancing proposal, Senators WARREN, JACK REED, and I have several proposals to address student debt and college affordability, a bill that would give colleges financial incentives not to overload students with debt.

We have also introduced the Student Loan Borrowers' Bill of Rights Act. I think there ought to be an open, complete disclosure to students about the debt they are getting into. If there is a better alternative, taking government loans that you can consolidate at a lower interest rate as opposed to a private loan which rips you off with a high interest rate—some of this is very basic.

Senator HARKIN and I introduced a bill to bring better coordination and focus to Federal oversight for for-profit colleges and universities. It is called the Proprietary Education Oversight Coordination Improvement Act. It is a long title for a bill that basically is trying to come to grips with the scandalous behavior of for-profit colleges and universities.

For too many young Americans, the promise of a fair shot at affordable college education has become a long shot. That is not the American way. We want to have an educated generation prepared to lead this country. They cannot do that saddled with debt and going to worthless schools.

It is time for this generation to step up, allow these students to refinance their debt to get their lives back in order and to start looking ahead with some promise and hope and get their parents out from under the debt burden they assume with their kids. Stop the rip-offs that are coming from these for-profit colleges and universities and put an end to some of the rip-offs, even by semigovernment agencies.

All of these things have to come to an end, and it will only happen if we do it—and it will only happen if we do it on a bipartisan basis.

I hope my colleagues, particularly on the other side of the aisle, will join our efforts.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

TAX EXTENDERS

Mr. COONS. I come to the floor to speak about a real opportunity that we have this week in this Congress and in this Senate to come together in a bipartisan way to adopt measures that will actually create jobs and help grow our economy.

This week we are considering tax extenders, a package of bills that can do a lot of good for the middle class, our economy, and our Nation. Together, various proposals in the tax extenders would spur investment in manufacturing, clean energy, and innovation, make it easier for families to afford a home or to send their children to college, open career pathways for veterans, and bring investments in jobs to communities in need. They recently passed by a voice vote out of the Finance Committee in the Senate, sending an important signal that we can come together, Democrats and Republicans, to move our economy forward.

I mentioned innovation and manufacturing in particular as two of the policies this broader package helps promote. I would like to discuss two important bipartisan policies in this package, bills that have been rolled into the extenders package that can do a lot of good for startups and for innovative small manufacturers and for firms that invest heavily in the research and development that is needed to yield groundbreaking discoveries and steadily grow manufacturing employment in the United States.

R&D, research and development, is the cornerstone of any competitive company, and I would suggest country. In the 21st century for us to have and sustain an innovative economy, it is certainly the cornerstone of our Nation's future. That is why, for a number of years, bipartisan majorities in Congress have supported the R&D tax credit so innovative companies are incentivized to keep investing in critically needed R&D, in new ideas, and in new products, but there has long been a problem with the structure of the R&D credit. It doesn't reach early stage startup companies, those that are most innovative and those that have the greatest promise to grow.

As the GAO has reported, over half of the current R&D credit goes to firms making over $1 billion. Although they are important as well, it has become clear we are missing an opportunity to incentivize the most innovative, smallest startup companies, especially in manufacturing, an industry that I know invests a huge amount in R&D but has had a challenging environment competitively and globally in the past decade because the R&D credit is a credit and not a tax—and is a credit only if you have a tax liability, only if your company is profitable. A preprofitable company can't access it.

If you are a small business that pays AMT, while there are many credits you could claim, the R&D isn't one of them, even though it is so important to our commitment. This leaves out firms at the early stage, where they are facing the highest risk of failure but who are also the kind of technology-focused, early stage, high-growth, high-potential businesses that have generated more net jobs than any other area of our economy in this century.

These firms, that are sometimes called gazelle firms, are young innovative businesses with the potential to explode in size and create hundreds or thousands of jobs. Think of Steve Jobs and Steve Wozniak in a California garage starting what would become Apple or think of Rick Birkmeyer or Ray Yin in Delaware, my home State.

Rick Birkmeyer is an entrepreneur who has started a number of successful biotech companies in the Delaware region. He is someone with a reputation as a leader in his field. Even so, raising capital for a new startup venture is always a challenge. Rick today is the founder of CD Diagnostics, a leader in biomarker research and biochemical

test development that makes tests to tell if a joint is infected or merely irritated. These tests would help orthopedic surgeons determine if surgery is needed and avoid a great deal of expensive and sometimes unnecessary exploratory procedures. The company is only a few years old and began with one employee. Today they have 82 and believe they will have well over 170 in just 2 more years.

Exponential hockey stick-like growth such as this is great, but if he and his company were able to use the R&D credit before they reach profitability, they would be able to hire more people, grow more quickly by investing in equipment, and get products to market faster.

Another young Delaware company that would benefit from the tax credit is ANP of Newark, DE. I sat next to its CEO Ray Yin at the Wesley College graduation this weekend, where he gave the keynote address. Ray's company, ANP, began with just one employee—him. Today it is a leader in making nanotherapeutics and in biodefense technology that is affordable, wearable, and easy to use, whether testing against biochemical agents in the war setting or food-borne illnesses or water contamination at home.

Both of these two companies make terrific, compelling, technology-based products, have managed their cash well, and are great examples of how to run a startup. But for each of them they went through a very demanding period from their first capital investment to when they had reliable revenue coming in. That is often called the valley of death or the gap between launch and sustainability. They would be farther along, more mature, and more robust if they had been able to access the R&D credit with their early expenditures.

Over the past few years I have been working diligently with a group of fellow Senators, Republicans and Democrats, to find ways that we could work together to reshape and target a portion of the R&D credit to make it accessible to these sorts of early stage companies.

I want to give particular credit to Republican Senator MIKE ENZI of Wyoming, who has been tireless and thoughtful. We have not always agreed—we come from quite different political perspectives—but his investment of time and thoughtfulness in crafting the final outcome of the Startup Innovation Credit Act is worthy of thanks and a compliment.

Senator SCHUMER on the Finance Committee has helped move the R&D credit revision forward into the tax extenders package.

Manufacturing Jobs for America is a broader initiative that more than 26 Senators have participated in that includes more than 33 bills. This bill, the Startup Innovation Credit Act, is one of them, one of many bipartisan bills that can help manufacturers to grow, can help them to invest, and can help them get through a critical, early stage period.

Mr. PAT ROBERTS, Republican Senator of Kansas, has also worked with me, as well as with Senators ENZI and SCHUMER, on a revision to the R&D credit that isn't available to firms, mostly small businesses, that pay the AMT, so we changed that as well. Both of these provisions have been adopted into the tax extender package.

I also wanted to mention the first one I referenced, the Startup Innovation Credit Act, was also supported and has been moved forward with contributions by Senators RUBIO, BLUNT, STABENOW, MORAN, and KAINE.

This is a terrific way for us to find a path forward for companies that are still too early in their development to pay employment taxes but to use a fix that allows them to claim the R&D credit against employment taxes when they aren't yet paying income taxes.

This kind of credit has been used before in States such as Iowa, Arizona, New York, Connecticut, and Pennsylvania. And they have been game changers—helping new firms to open their doors, to hire more workers, and to keep their doors open. By allowing companies to claim the R&D credit against either the AMT or their payroll tax obligations, we don't pick winners and losers and we don't focus on a specific area of the economy or technology. What we are doing instead is supporting any private sector firm that invests in research and development. It means cash in the pockets of small startup companies, which can make a critical difference, especially when financing and credit are tight.

Together, these bipartisan proposals can do a lot to put more Americans to work today unleashing the innovations that will create the jobs of tomorrow. I believe the Federal role in research and innovation is fundamental. It is also bipartisan.

I thank my colleagues on both sides of the aisle for their partnership and collaboration. I specifically thank the chair of the Finance Committee Senator RON WYDEN for his leadership in ensuring that the tax extenders package is available for us to consider now on the floor, that these provisions were included, and for his support for moving forward on these vital job-creating proposals.

Now let's work together in this Chamber to move across the finish line and get the job done so America can get more of our best people to work.

I thank the Chair.

SUPPORTING LAW ENFORCEMENT

Mr. President, I come to the floor today to recognize the men and women of law enforcement across this Nation in the annual police week ceremonies. From last night's candlelight vigil to tomorrow's wreath-laying ceremony, we here in the Capitol offer our gratitude, our thanks, and our support to the men and women of law enforcement and their families.

I wish to comment for a few moments today on how difficult it was earlier today to be a Member of this body as two different Senators, who are strong supporters of law enforcement, came to this floor in an attempt to move forward important pieces of legislation only to have that effort blocked.

Earlier today Senator PATRICK LEAHY, the President pro tempore and the chair of the Judiciary Committee, came to the floor to seek unanimous consent to move forward the Federal bulletproof vest partnership reauthorization bill that came out of the Judiciary Committee, and Senator BEN CARDIN of Maryland came to the floor to seek unanimous consent to move forward with the bipartisan Blue Alert bill. I am a cosponsor of both bills. Both have very broad support within the law enforcement community, and both are bipartisan bills. Yet, in each case, one Senator—one Senator—objected to our proceeding to consideration of these bills.

I want to share with those of us here in the Chamber that earlier today, at a hearing in the Judiciary Committee considering again the value and the impact of the Federal bulletproof vest partnership, we had a chance to hear from Officer Ann Carrizales from Texas, who gave riveting, moving testimony about how a bulletproof vest, provided to her by her smalltown department in Texas, saved her life when she was shot at point-blank range in a routine traffic stop very early in the morning. Today her husband would be a widower and her daughter an orphan were it not for this vital Federal-State-local partnership that has provided more than 1 million bulletproof vests over the many years it has enjoyed broad bipartisan support.

With us this morning were two Delaware Capitol police officers, Sergeant Mike Manley and Corporal Steve Rinehart. With them as well was Chief Horsman of the capitol police department. Both of these brave officers were on duty in the lobby of the New Castle County courthouse last year when a gunman entered the chamber and started firing at random. They were both shot, and they both survived because of bulletproof vests provided to them in part through this Federal-State partnership.

We cannot let down the men and women of law enforcement. We should not let partisan politics and ideology in this Chamber prevent us from moving forward in a bipartisan way to deliver the officer-safety investments and improvements that have already cleared the Judiciary Committee, that already have bipartisan support from both sides of the aisle, and allow one individual to continue to hold up these important bills.

It is my call to my colleagues that we work tirelessly together to make sure we overcome this needless obstruction and move forward this week to honor the service and sacrifice of those 268 law enforcement officers whose names have been added to the memorial this year and the hundreds of

thousands of others who even today, even tonight will be on patrol keeping America safe.

I thank the Chair.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MURPHY. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

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

CRISIS IN UKRAINE

Mr. MURPHY. Mr. President, one of the protagonists of Leo Tolstoy's epic ''War and Peace'' is the iconic Russian general Mikhail Kutuzov. Kutuzov was brought out of retirement to be the commander in chief of Russian forces during Napoleon's invasion, and his unorthodox strategy confounded and frustrated his superiors and his underlings alike. He becomes convinced, as Tolstoy depicts, that Napoleon will lose the war by overextending his army. He believes by playing the long game he will exhaust and defeat the seemingly invincible, unstoppable French army.

Tolstoy creates a fictionalized version of Kutuzov, of course, but one of the most famous passages from ''War and Peace'' is worth repeating here today. Speaking of those who doubt his strategy, Kutuzov says:

> Patience and time are my warriors, my champions.

Again, quoting from the book:

> He [Kutuzov] knew that an apple should not be plucked while it is green. It will fall of itself when ripe, but if picked unripe the apple is spoiled, the tree is harmed, and your teeth are set on edge. Like an experienced sportsman, Kutuzov knew that the beast was wounded, and wounded as only the whole strength of Russia could have wounded it.

Whether or not this famous Russian general ever shared this exact sentiment, it is representative of a time when the Russians better than anyone on Earth knew how to play the long game. How times have changed.

Over the past few weeks, I have listened in agony to my Republican friends criticizing the Obama administration for having no coherent policy regarding the current crisis in Ukraine. I come to the floor today to rebut that argument and also to add a few suggestions on how the administration's policy can be enhanced.

I certainly understand the Republicans' frustrations. News of the ongoing daily drama in Ukraine dominates the national news. Russia seems omnipresent, manipulating events on the ground by the hour, and there clearly has not been a proportional pound-for-pound response from the United States or the collective West. This frustration is fed by memories of the Cold War—obsolete, even ancient memories given how fast the world has changed since 1991. But the President's critics, fueled by these largely irrelevant memories, insist that when Russia acts, we must meet fire with fire—crippling unilateral sanctions immediately, lethal arms for Ukrainian military, new missile capacity in Eastern Europe.

The problem is that this is a strategy for 1964, not 2014. Russia simply doesn't matter to us in the same way it used to. They are a secondary world power whose power is diminishing. Their demographics are catastrophic, their economy can't survive the inevitable global energy revolution, and their endemic corruption is going to rot their society from inside out. The invasions of Crimea and Eastern Ukraine are signs of Russian weakness, Russian insecurity, not Russian strength.

Last fall, two former Russian Republics, Georgia and Moldova, refused Russian overtures to join their nascent economic union and inked preliminary agreements to join the European Union. Ukraine, at the last minute, bowed to Russian bullying and refused to ink the same deal, but it set off a series of events that pushed Russia's man in Kiev out of office.

In a panicked reaction, Russia invaded, and the consequences have been devastating. Russia's economy is in free fall, with nearly $70 billion of capital leaving the country in just the last few months alone. No major institutional investors will touch Russia today with a 10-foot pole. To make matters worse, Russia has been kicked out of the G8 and generally has become an international pariah, not allowed at the table with major powers. Russia is increasingly isolated at the United Nations. And things are going to get even worse as the Europeans use this crisis as a wake-up call to make themselves truly energy independent of Russian energy and also to reinvigorate NATO.

In ''War and Peace,'' Kutuzov goes on to say this of his critics:

> They want to run to see how they have wounded it. Wait and we shall see! Continual maneuvers, continual advances! What for? Only to distinguish themselves! As if fighting were fun. They are like children from whom one can't get any sensible account of what has happened because they all want to show us how well they can fight. But that's not what is needed now.

The story of ''War and Peace'' and the Russian-French war is not entirely a useful parallel to the current crisis in Ukraine or to the proper response of the United States. What is needed now is much more than just patience and time. But our response needs to be proportional to our Nation's national security interests, not proportional to Russia's actions in their backyard. That is why the administration is right to strongly support this new Ukrainian Government without overreacting in a way that could compromise our relationship with other nations or make the situation worse, not better, on the ground in Ukraine.

I would like to take a few minutes this evening to lay out what a coherent, thoughtful approach to the crisis might look like and how, in fact, the actions of the Obama administration largely follow this pretty simple outline.

First, as Ukrainian Prime Minister Arseniy Yatsenuk has been quick to tell visiting dignitaries, the most important help the United States can provide is economic assistance, conditioned on necessary reforms to show the Ukrainian people that a Western-oriented government can deliver prosperity to their country.

Russia has effectively invented a new form of warfare that is based on gradual provocation, where Putin uses psychological methods, intimidation, bribery, and propaganda to undermine resistance so that firepower is rarely needed to get his way. But of course these tactics only work on vulnerable countries with weak economies and a susceptibility to Russian overtures of economic overlordship and corruption. So the best way to repel Russian provocations is to strengthen the Ukrainian economy and government institutions both for the short and long run. The $1 billion in loan guarantees authorized by Congress and the $17 billion loan approved by the IMF and brokered by the United States are an important part of that process, and the conditions imposed—which include a floating exchange rate, steep increases in gas tariffs, and budget reductions over the next several years—represent some of the tough medicine necessary to get Ukraine back on its feet.

The United States hasn't sat on the sidelines when it comes to economic aid to Ukraine. We have led from day one, and the results are impossible to deny.

Second, let's recognize what military assistance makes sense and what military assistance does not make sense. It makes sense to shore up our treaty obligations in Eastern and Central Europe by positioning more troops in places such as the Baltics and Poland and Romania. Just in case the Russians were thinking of trying to use these types of destabilizing tactics in NATO countries, make them think twice. But remember that Ukraine is not a NATO ally; we have no obligation to defend their sovereignty, and it is totally unrealistic and indeed irresponsible to think that we can make up for decades of military neglect and mismanagement inside Ukraine with a few million dollars of aid today.

Ukraine doesn't need more small arms. Their problem isn't that they don't have them; their problem is that they don't know how to shoot them. There is no way the Ukrainians can effectively utilize more sophisticated weaponry like anti-tank and anti-aircraft artillery. The only way they could do that is with military advisers standing side by side with Ukrainians, and there is really no appetite here in the United States to commit personnel to a ground war in Ukraine.

To be clear, I don't offer these cautions because of a danger of provoking Russia with an influx of U.S. arms. Russia is going to do what Russia is going to do in Eastern Ukraine regardless of what small investment the United States makes today in Ukraine.

But I do worry that since any lethal assistance from the United States would have little to no effect on the ability of Ukraine to repel a Russian invasion, a Russian victory over the Ukrainian army, backed by U.S. weapons, would then be sold by Putin to his public as a Russian military triumph over the United States. That is a truly bad outcome, but that shouldn't stop us from more quickly delivering nonlethal support to help bolster the Ukrainian military in the short term—reasonable support such as body armor and communications equipment—that balances our limited direct interest in Ukraine with our humanitarian interest in saving lives. There is a middle ground between just sending a handful more MREs and sending tanks or automatic weapons, and we have had ample time to explore those options.

Over the medium and longer term we need to work with Ukraine to rebuild its military institutions that were neglected for so many years by its leaders who were pilfering from the state rather than providing for the country's defense forces.

Third, focus, focus, focus on the May 25 elections. The Russians occupy dozens—not thousands—of buildings in Eastern Ukraine. They have no hold or influence on other sections of the country near and to the west of Kiev.

As part of the international effort, the United States has committed millions of dollars and thousands of hours of manpower into making sure the May 25 election is held in a free and fair manner. The Russians will likely do everything possible to stop this election from coming off. As of today they effectively have no straw man in the race, and so more likely than not the result will be a victory for a free, whole, sovereign Ukraine and a damaging blow to Russia's claims that Ukraine can't govern itself. Our State Department representatives in Ukraine are working feverishly to help Ukraine conduct this election, and we have helped deploy unprecedented resources from the OSCE to make sure Russia cannot dislodge this election from occurring. That is American leadership happening right now on the ground in Ukraine.

Fourth, let's be crystal clear on what will lead to the next logical level of U.S. sanctions, which would be industrywide, sectoral sanctions against the Russian economy. We have moved deliberately so far because, wisely, President Obama has desired to move in relative concert with our European allies. But it is increasingly clear to me and to many others that Europe is simply not prepared to move at the pace necessary to send a strong message to Russia about the consequences of their continued aggression.

So having primarily mounted a defense of the administration's policy in Ukraine so far today, I would make one additional, significant suggestion for amendment of this policy. I believe the highest levels of American foreign policy leadership, from the President, to the Vice President, to the Secretary of State, should make it clear today to Russia, right now, that if the May 25 elections do not occur in a free and fair manner, we will hold Russia—and only Russia—responsible because if not for their interference, there can be no explanation for why these elections could not come off properly.

Further, we should make it clear that if the May 25 election is not allowed by Russia to be conducted according to OSCE electoral standards, the United States will immediately impose sectoral sanctions on the most important Russian industries, including but not limited to the Russian banking, energy, and raw materials sectors.

Hopefully, significant Russian interference in the elections would prompt Europe to act with us in order to protect our most important democratic values, but we can't wait for them any longer. Let's make it totally, completely, unequivocally clear today that if the May 25 election doesn't occur, the United States will move toward industry-level sanctions against Russia.

This is and can be a coherent, thoughtful U.S. strategy toward the crisis in Ukraine: Support Ukraine economically. Strengthen NATO. Don't overreact with reckless military aid to the Ukrainians. Do everything possible to make the May 25 election a success. Be clearer than current policy on what will trigger sectoral sanctions by the United States. And then act if Russia doesn't listen.

I get it that this isn't all my Republican colleagues desire when it comes to U.S. policy toward Ukraine, but overreacting to this crisis is just as bad, if not worse, than doing nothing. I was in Kiev at the very beginning, standing on stage at the Maidan with Senator MCCAIN, urging the Ukrainian people to demand more from their government. I was here, advocating for a robust U.S. response to support these protesters. I believed, as I still believe, the United States should be playing an active role in this crisis, and I was making this argument before anyone else in this Chamber. But this isn't the Cold War. This is a fight in Russia's backyard, and the cold hard reality is that the stakes are just simply greater for Moscow than they are for us. And the world is no longer organized around who is with the United States and who is with Russia. The foundational paradigms of global security now are about who has nuclear weapons and who doesn't. Who is allied with the Shia and who is allied with the Sunni. Where are the Islamist terrorists organizing and who is helping them.

I don't mean to say that unchecked Russian action doesn't have global consequences. It does. China, for instance, is certainly watching to see if nations pay a price when they reset their borders through aggression rather than through diplomacy. But we ultimately won the Cold War by playing the long game. We knew that if we held true to democratic and free market values, the world would notice that an alliance with us was far more beneficial than an alliance with the Soviet Union. That, in fact, is the very reason for the current crisis. The Ukrainian people revolted because they saw the value of a Western economic and political orientation. We didn't need to use intimidation or bribery or little green men; we just showed them that our stuff is better.

Of course, the irony is that the Russians used to be the kings of the long game. Kutuzov let Napoleon march into Moscow after clearing out the city and leaving only about 10,000 people behind. He strung out the French army and left it ultimately helpless.

We don't have to resort to the drastic tactics of this old savvy Russian general. There are actions we can take and have taken to support Ukraine and send a message to Russia. But we shouldn't overinflate our national security interests in this crisis. We simply do not need to win every battle to win the war. And this body, the U.S. Senate, built by our Founding Fathers to see and play the long game for America, should understand this fact. We aren't the Russians in 1812. We must engage in a robust policy toward Ukraine that is much more than simply time and patience, but that doesn't mean there aren't some important lessons to be learned.

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

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

EXPIRE ACT

Mr. BROWN. Mr. President, I rise today to urge my colleagues to pass the tax extenders package that the Senate Finance Committee put forward which would reinstate a number of tax provisions to help with job creation and to especially help homeowners and workers get back on their feet.

Yesterday I spoke to United Egg Producers which consists of a group of many family farmers and some larger farmers. My State is No. 2 in the country in egg production, second only to the State of Iowa. I talked to Tom Hertzfeld, Jr., and his son Jordan, who are third and fourth generation egg farmers in Grand Rapids, OH, a community not too far from Toledo in northwest Ohio.

The farm has been in the family since 1959. They produce about 100,000 dozen eggs every day. It is a technical business. The eggs go from the chicken to

the carton and then into the customers' hands. The production equipment requires major investment. So when farmers like Tom need to buy new equipment, build new barns, and acquire more property, they should be able to accelerate their writeoffs. Bonus depreciation and section 179 gives our small businesses the capital to invest in tools that are important for them to expand, hire people, and make their communities more prosperous.

As we help existing businesses expand, we need to focus on reviving industries, especially manufacturing. We know wealth is created when we make it, mine it or grow it. We do all three of those in a significant way in my State. Ohio is the Nation's third largest manufacturing State, only behind California, which is three times our population, and Texas, which is twice our population.

The new markets tax credit will help revitalize communities hit hard by shuttered factories by leveraging tens of billions of dollars in private investments. We know what the new markets tax credit has done for development in areas that are generally a little poorer than most. We want to be able to target manufacturing too, and that is what our Manufacturing Communities Investment Act does. Last year, for instance, in Portage County, the community of Streetsboro lost 300 jobs after Commercial Turf Products shut its doors. Under the Manufacturing Communities Investment Act, the city could access financing to bring new manufacturing businesses back to Streetsboro.

For those workers who have lost their jobs and benefits, the health coverage tax credit, or the HCTC, needs to be extended. The HCTC preserves a program that Ohioans—such as the Delphi salaried retirees who worked hard and played by the rules—know, understand, and trust.

Extending the tax credit for 2 years is fiscally responsible. We should improve the HCTC and make it permanent, as I have proposed in the legislation that I have introduced with Senators ROCKEFELLER, STABENOW, HIRONO, and DONNELLY. At the very least we should renew this critical tax credit.

Earlier this year I traveled across Ohio and met with homeowners such as Hattie Wilkins from Youngstown, OH. She was laid off, fell behind on her mortgage, and began the foreclosure process. Her bank—because it was in their interest too—forgave the $35,000 she still owed, but Hattie and thousands of homeowners across the country face higher taxes if we don't move to extend the Mortgage Forgiveness Tax Relief Act.

In many ways it is a phantom income. If it is a short sale or they get a principal reduction—as I was discussing with Ohio realtors today—the homeowners never really get the money for it, but they are hit with the tax bill as if they had gotten that income. We have extended this tax forgiveness, if you will, in the past because Members of both parties recognize there is still a critical need for it.

All of these items—as part of the tax extenders package—help create jobs, put money in homeowners' pockets, pay for health insurance, and allow people to stay in their homes. As I said, it also creates jobs and is good for our communities. It is important that we pass the tax extenders package as soon as possible in this Chamber.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF STEVEN PAUL LOGAN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA—Continued

Mrs. BOXER. Mr. President, I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question occurs on the Logan nomination.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Steven Paul Logan, of Arizona, to be United States District Judge for the District of Arizona?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) and the Senator from Rhode Island (Mr. REED) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT) and the Senator from Arkansas (Mr. BOOZMAN).

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

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 147 Ex.]

YEAS—96

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

NOT VOTING—4

Bennet	Boozman
Blunt	Reed

The nomination was confirmed.

NOMINATION OF JOHN JOSEPH TUCHI TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA—Continued

The PRESIDING OFFICER. Under the previous order, the question now occurs on the Tuchi nomination.

Mr. LEAHY. Mr. President, I ask unanimous consent that all time be yielded back on the next two nominations.

The PRESIDING OFFICER. Without objection, the time is yielded back.

The question is, Will the Senate advise and consent to the nomination of John Joseph Tuchi, of Arizona, to be United States District Judge for the District of Arizona?

Mr. SCOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) and the Senator from Rhode Island (Mr. REED) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT) and the Senator from Arkansas (Mr. BOOZMAN).

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

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 148 Ex.]

YEAS—96

Alexander	Coons	Heitkamp
Ayotte	Corker	Heller
Baldwin	Cornyn	Hirono
Barrasso	Crapo	Hoeven
Begich	Cruz	Inhofe
Blumenthal	Donnelly	Isakson
Booker	Durbin	Johanns
Boxer	Enzi	Johnson (SD)
Brown	Feinstein	Johnson (WI)
Burr	Fischer	Kaine
Cantwell	Flake	King
Cardin	Franken	Kirk
Carper	Gillibrand	Klobuchar
Casey	Graham	Landrieu
Chambliss	Grassley	Leahy
Coats	Hagan	Lee
Coburn	Harkin	Levin
Cochran	Hatch	Manchin
Collins	Heinrich	Markey