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Senate

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

PRAYER

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

Let us pray.

King of glory and peace, Your love sustains us. Each day You give us Your peace and joy, providing rest to the weary and renewing the strength of those exhausted by life's trials.

In Your compassion lead our lawmakers to Your desired destination. When they cry to You for help, be their strength and shield. Lord, You are peace, joy, gladness, gentleness, beauty, and truth. Be our protector, guardian, and defender from this time forth even forever more.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

BANK ON STUDENTS EMERGENCY LOAN REFINANCING ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 409, the Warren college affordability legislation.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2432) to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, if any, the Senate will be in a period of morning business until 5:30 p.m. this evening. At 5:30 there will be three cloture votes on nominations of U.S. district judges: Lauck of Virginia, Sorokin of Massachusetts, and Boulware of Nevada.

(Ms. HIRONO assumed the Chair.)

LAS VEGAS TRAGEDY

Mr. REID. Madam President, it is with a lot of sadness that I come to the floor today following the tragic event that took place in Las Vegas yesterday.

I spoke with Sheriff Gillespie this morning.

Two police officers were having lunch in a pizza restaurant on Nellis Boulevard in Las Vegas, and two people walked in, shot them both and killed them, took their guns and their badges, put some kind of a flag over them representing whomever they were representing, and walked across the street to Wal-Mart and killed an innocent woman. Then they killed themselves. All the details are not available, but there is no question they were murdered in cold blood—for no reason other than the weirdness or craziness of this couple.

So all of Nevada mourns the loss of our neighbors, our friends and, in the case of Officers Alyn Beck and Igor Soldo, our protectors. My sympathy goes to their family members and loved ones. This hits very close to home.

Many years ago when I practiced law, I brought a fine young man into my law firm named Claude Zobell. Claude has been with me for all these years. He ran my Washington office. He went on to become dean of a law school, and he is now an attorney for a hotel chain in Tennessee. But he has helped me all these years fill out my financial disclosures. His nephew, his wife's mom's son, was one of the police officers killed. Anne, Claude Zobell's daughter, works for me here in Washington. I talked to him this morning. The cousin was killed. The pain that people go through in these unnecessary tragedies and senseless shootings is awful.

No words can undo the unspeakable act which claimed the lives of these two men. They have families—wives, children. So that their families know, not only is Nevada grieving but all of America is grieving.

My thanks go to the law enforcement officers who were called in after the killings to work at that scene and the scene across the street, putting their lives in peril every step of the way. It seems that our law enforcement officers respond to these scenes every day—in Santa Barbara, in Seattle, and on and on with the names of cities where people are shot. I so appreciate these law officers every day putting their lives on the line.

We take for granted here in the Senate the people looking after us. There are people out there who are so evil, who try every day to do harm to not only the Presiding Officer, not only me, but to people who work in these buildings, the tourists that come to these buildings. So if there are any complaints about having too much security, come to me and I will try to explain why we need it.

So without elaborating, my deepest sympathies are with the families of those who died.

We in Congress have a duty to put in place legislation that helps prevent these deranged, weird, and evil people who carry out such savage acts of violence. A step in the right direction would be background checks so that people who are criminals, who are deranged, can't buy a gun. The American people are depending on us to pass legislation to prevent gun violence to safeguard our communities, schools, and families.

There is not a single Senator I know of who says: Let's get rid of all the guns; let's make sure that people don't

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

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have guns. We are not saying that. Listen to what we are saying.

CLIMATE CHANGE

Madam President, we have a lot to do this week. We need to confirm some people as we are still way behind.

Senator SHELDON WHITEHOUSE—the junior Senator from Rhode Island has been a real trooper—has been so enthused and so invigorated; he has traveled the country alerting the American people to the dangers of what is happening to our world regarding climate. It has been a one-man show. Tonight he is going to work with a number of Senate Democrats in highlighting the need for congressional action to fight climate change. I applaud him for his work on this issue. He has focused like no other on our changing world.

VETERANS HEALTH CARE

The care of our Nations' veterans is another issue we need to talk about, and we will talk about that today, also.

Last Thursday Senator BERNIE SANDERS, Chairman of the Senate Veterans' Affairs Committee, and Senator JOHN MCCAIN announced a bipartisan agreement on legislation to address patient wait times at VA hospitals. The details of the agreement are not in writing yet. At least they weren't a few minutes ago. They are being drafted. The legislation is a comprehensive approach to ensure that veterans are getting the care they deserve. This agreement is very important to all Nevadans, to all Americans, and of course it is extremely important to countless veterans and their families.

Recently, along with America and this body, I was shocked to learn that VA hospitals all over the country—and in Nevada in particular—were affected by dangerous wait times for patients. That is unacceptable. This legislation worked on by SANDERS and MCCAIN is not going to solve all the problems that exist, but it is certainly putting the VA on the right track.

This bipartisan agreement aims to improve accountability throughout the entire Veterans Affairs Administration, holding VA officials responsible for poor job performance. One of the things we learned is that they covered up wait times. Why? Because by doing that they would get bonuses at the end of the year. So that will stop.

This legislation will also take big steps in addressing accessibility to health care at VA institutions nationwide. The agreement will allow veterans facing long delays to seek health care outside of the VA—in private doctors' offices, community health centers, military hospitals, and other places that SANDERS and MCCAIN are now working on.

Their legislation will expedite the hiring for VA doctors and nurses and authorize 26 new medical facilities nationwide.

In addition to improving access and accountability throughout the Veterans Administration, this bipartisan agreement addresses other important issues such as GI eligibility for surviving spouses and in-state tuition to veterans enrolling in colleges and universities.

Much will depend on the details of the final bill, but Senators SANDERS and MCCAIN have put together an agreement which is good for American veterans and our country. I commend them. I commend especially Senator SANDERS for his leadership in this issue since he has been working on veterans care. It is a clear indication how much he values this Nation's servicemembers. In JOHN MCCAIN we could not have a more exemplary person dealing with VA health care as a result of his having spent long periods of time in VA facilities around the country as he was recovering from his ordeal in Vietnam. So I appreciate him in many different ways, but today for his labors in bringing both sides to the table to get something done on behalf of our veterans.

I look forward to this legislation coming before us, and I will be happy to schedule a vote on it as quickly as possible. America's veterans are depending on us to complete this legislation to ensure that our veterans get the care and resources they were promised by a grateful Nation.

RESERVATION OF LEADER TIME

It appears there is no one rushing to the floor to speak, so I would ask unanimous consent that the Presiding Officer announce the business of the day.

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. 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. ALEXANDER. Thank you, Madam President.

HIGHER EDUCATION ACT

Last year something happened in Washington, DC, that most of us in the Senate and most Americans would like to see more of. The President and the Republican House of Representatives and a bipartisan group here in the Senate worked together to reform the student loan program. It is a lot of money, and it affects a lot of students.

Every year the Federal Government loans about $100 billion to students who attend colleges and universities around this country. We have 6,000 of those higher education institutions. In addition to those loans—which, of course, students pay back—the Federal Government grants about $33 or $34 billion each year in Pell grants—up to $5,645—which students don't pay back.

Last year we were in this usual pattern that has developed around the Congress where student loans become a semi-annual political stunt. Every 2 years, before an election, one party or the other would show up with a student loan proposal to try to appeal to students, hoping that students and others in America would reward them with their votes.

Last year we changed that for new student loans. The President and the Republican House of Representatives and the Democratic Senate in a bipartisan way worked together to reform the student loan program by applying a market-priced system to the $100 billion or so we loan every year, and saying to the students: We will give you the benefit of that. You don't have to wait for Congress to engage in its semi-annual political stunt to know what your loan is.

The result was that for loans for undergraduate students, which are 85 percent of all the loans, we were able to cut in half the interest rate on student loans for undergraduate students in America without raising taxes and without raising the debt. That resulted from overwhelming bipartisan support in the Senate. It had strong support of the chairman of the Senate education committee, the HELP Committee, Senator HARKIN and I supported it, as did many others. It worked the way the Senate is supposed to work.

This body is for the purpose of taking an important issue, which student loans are, having an extended debate on it until we come to a consensus, which we did, and then coming to a result the American people could approve. We did that as well.

Now this week we are seeing something entirely different. Senate Democrats would interrupt a serious discussion that is going on in the Senate education committee about reauthorizing the Higher Education Act, which was first enacted in 1965. Senator HARKIN, the Senator from Iowa, is our chairman. I am the ranking Republican on that committee. We have had 10 hearings. We have been hard at work. We have had terrific testimony, some very good ideas about the student loan program and about a lot of issues affecting higher education. We are doing what we are supposed to do in the Senate: We are trying to come to a conclusion so that we can recommend in a bipartisan way to this full body what to do about higher education for the next several years, including student loans.

Yet, all of a sudden, we hear that Senate Democrats want to show up on the floor with a partisan, political stunt that interrupts the work of the Senate education committee, and here is what they would do: They would

raise individual income taxes, they would raise the debt, and, based upon data from the Congressional Research Service, they would give some former students with old student loans a $1-a-day Federal subsidy to pay off their loans.

Let me go back over the terms of this proposal just so everybody has it in mind. The main issue is $1 a day subsidy. That is the benefit. It doesn't do anything for current or new students. For some former students—according to the Congressional Budget Office, maybe half the loans—the taxpayers will give them $1 a day to help pay off their student loans.

Along with that, we increase the Federal debt by up to $420 billion. That debt is out of control to begin with. The Congressional Budget Office has estimated that over the next 10 years we are going to go from $200 billion to $800 billion just to pay interest on the debt. In 10 years we will be spending more on interest on our national debt than we will on national defense. Yet for this political stunt we are going to run that up another $420 billion maybe or close to $½ trillion.

That is not all. To pay for all of this, we are going to raise individual income taxes by $72 billion. This is a familiar proposal. This is the class warfare tax increase the Senate has rejected eight times. There is nobody in this Senate who thinks this will pass the Senate the ninth time it is brought up. It is only being brought up and interrupting what we are doing in our committee for a partisan political stunt.

We are going to raise the debt and increase taxes for what? Well, to help students pay off their loans. So they get $1 a day to pay off what loan? Well, 85 percent of the student loans—and there are a lot of them. There is over $1 trillion worth of outstanding student loans because we have a lot of students and we are a big country. We have 6,000 colleges and universities. But 85 percent of loans are for undergraduate students and they have $21,600 on average. That is right. We are talking about 1 or 2 years for students who go to community colleges. Some get a 4-year degree. But for 85 percent of the student loans that are undergraduate loans, $21,600 is the average debt. It is not $300,000. It is not $200,000. It is not $100,000. It is $21,600. Of those undergraduate loans, this is the average debt for a Federal student loan.

If you attend a 4-year college or university, such as the University of Tennessee or the University of California or Michigan or wherever you are, and you borrowed money to go to school—the average debt is $27,300 for students who graduate with a 4-year college degree.

It is about the same for a new car loan. Sometimes students take out a car loan before they take out a student loan. To get a sense of how big a burden this loan is for the average graduate with a 4-year degree, it is the same as a car loan. I suspect that if we are going to have a $1-a-day taxpayer subsidy to pay off a $27,000 student loan, the next thing you know the Democrats are going to show up during the election year and say: Let's have $1 a day to help people pay off their $27,000 car loans. At least we know that the day you drive your car off the lot, it starts depreciating.

What do we know about a college education? If you have a 4-year degree, according to the College Board, it is worth $1 million in increased earnings during your lifetime. That is according to the College Board. No one really contradicts that. I saw a very good article by a New York Times economist a couple of weeks ago that had a little different number. They were using a net negative of $½ million after you deduct the cost of going to college. A person with a college education will have $½ million to $1 million in increased earnings. Can you think of a better investment than $27,000 to earn $1 million over your lifetime? Well, that is what a college degree does.

Our friends on the other side of the aisle are saying we need to raise the debt and taxes so we can help college graduates—who will be earning $1 million more over their lifetime—pay off a $27,000 loan. College students don't need a $1-a-day Federal taxpayer subsidy to pay off a $27,000 student loan, which is the average loan for a 4-year college degree. They need a job, and Republicans are prepared—if this comes to the floor—to offer amendments to help create more new good jobs. We tried several times to do that, but the majority leader doesn't like us to bring up these issues.

For example, we would like to offer a bill to increase the hours of the workweek from 30 to 40 hours under the health care law, which has bipartisan support, but it would change the health care law, so we can't offer that amendment.

We would like to offer an amendment to build the Keystone Pipeline. Well, that has 60 or so Senators on both sides of the aisle—maybe more than that—who voted for it and say they support it, but the majority leader doesn't want us to bring up that one.

We would like to have an amendment to give the President the trade promotion authority that President Obama has asked for. President Obama sees the world. He sees Asia. He is negotiating a treaty with Asia and a trade treaty with Europe. He would like to see more American exports go to Europe and Asia, which would increase jobs at home. He stood right here at the State of the Union and asked Congress to approve that, but the majority leader said: No, we are not going to bring that up.

We have a Workforce Investment Act that we hope will come up this week.

We would like to repeal the ObamaCare individual mandate.

There are a number of provisions we would like to bring up as far as jobs go, but this $1-a-day subsidy is supposed to be the keystone of the Democrats' jobs program. We are ready to talk about jobs, and we will have amendments when this comes to the floor.

If the subject is education, we are ready to talk about education. It would certainly be a lot better if we considered bills on the floor that have actually gone through the education committee.

I complimented the Senator from Iowa earlier. I have enjoyed working with him. I am the ranking member on the Republican side, and he is the ranking member on the Democrat side. The Health, Education, Labor and Pensions Committee has been the most productive committee in this Senate. It has a large jurisdiction. We passed 19 bills out in a bipartisan way, and 10 of them have become law. I don't think any other committee can say that. We take our work very seriously, just as we are doing today on the Higher Education Act and just as we did when we tried to fix No Child Left Behind.

The HELP Committee spent a good deal of time on No Child Left Behind. We reported a bill to the Senate floor. Republicans and Democrats offered competing proposals. Democrats effectively wanted to double down on what I call a national school board and Republicans wanted to reverse the trend towards a national school board by sending most decisions back to State and local communities.

We want to fix No Child Left Behind. We have competing visions of how to do this, but I committed to bring the Democratic bill to the floor so we could have a debate. The House is ready to fix No Child Left Behind, and the Senate education committee is ready to fix No Child Left Behind. We want to have a debate about education this week. Let's bring up a bill that has been considered by the committee—where there are competing proposals—and fix No Child Left Behind. Better schools means higher college graduation rates, and that means better jobs.

We are ready to offer our amendments for better jobs. We are ready to offer our amendments for better schools.

In addition to our proposal for reversing the trend toward a national school board, I have introduced a proposal to create scholarships for kids. Did you know that if you took 80 Federal education programs that spend about $24 billion a year and gave States authority to do this, they could create $2,100 scholarships that follow 11 million low-income children in America to the public or accredited private school of the parents' choice? We would not impose a school choice plan on any State. We don't believe in mandates. But if a State wanted to use the money to follow the low-income student to their school so they can have an after-school program or an extra teacher, a Governor could do that under this proposal.

Senator SCOTT of South Carolina has offered a similar proposal for the six

million children with disabilities. His proposal says: If you have a child with Down syndrome and find a school that better fits that child's needs, why not allow that Federal disability money to follow the child to the school they attend? Let the parent make that choice. We are ready to offer that amendment.

We have a quality charter schools proposal. Six percent of the public schools in America are charter schools. Charter schools are public schools that give parents more choices and teachers more freedom to serve the children who are in that school. They began more than 20 years ago, and they have bipartisan support. President Clinton was in Nashville not along ago announcing his support and raising money for a charter school.

I have an amendment to stop the Education Secretary from becoming chairman of a national school board. States are struggling with the unworkable requirements of No Child Left Behind. There is a provision in the law that allows the Secretary of Education to grant waivers to states from certain provisions of No Child Left Behind, but this Secretary, who is a fine man and a great friend, has said: If Oregon or Hawaii or Washington or Tennessee wants a waiver, they must agree to do four or five things that aren't otherwise required in the law. States have to adopt certain standards, implement certain teacher evaluation systems, and set performance targets as conditions for receiving a waiver. I don't think the Secretary of Education has the authority to place these conditions on states. The American people don't want a national school board.

If they want to talk about education, we are ready with amendments on education. If they want to introduce a class warfare tax, we are ready to talk about taxes as well. We would like to repeal the medical device tax, and we are looking for an opportunity to offer that. If they are going to put a tax provision on the floor, let's have a tax debate. Let's have a debate about permanent State and local tax deductions. Let's prohibit the individual tax mandate in ObamaCare. Let's make the expensing of Section 179 permanent. Senator THUNE has that proposal, and the House is acting on it this week. Let's make the research and development tax credit permanent, which has bipartisan support as well. If the subject is just higher education, we have amendments about that as well.

The place for these amendments and this discussion is in our Senate education committee where we are discussing those ideas today. The way to do it this year is the way we did it last year. When the President, to his great credit, saw an opportunity to work with the Republicans in the House, he came over here to a bipartisan group, and we hammered out an agreement on a very big subject that, as I said, nearly cut the interest rate in half on undergraduate student loans.

Why in the world do Senate Democrats want to waste a week on a political stunt? We thought we ended that with the student loan bill last year. We have veterans standing in lines at clinics, we have appropriations bills waiting to be considered that deal with cancer research and national defense, and Democrats say: No, let's put that aside. Let's have a political stunt on higher education even though we know it is not going anywhere. We know it is not going anywhere.

I am very disappointed by this.

The $1-a-day taxpayer subsidy to help some former students with loans pay off a $27,000 debt is an example of how Democrats hope to get some votes. I thought we put that behind us. This is one reason the American people lose confidence in the Senate.

This body is described in a book called ''The American Senate,'' written by the late Neil MacNeil and the former Historian of the Senate. It is described as the one piece of authentic genius in the American constitutional system. Why is that? Because there are 100 of us. We operate by unanimous consent. It is a place for extended debate on important issues until we reach consensus.

Our Founders were so wise because they thought they had a complicated country, but it was not nearly as complex as it is today. The only way to govern a complex country is through consensus, just as we did last year on new student loans.

I would like to see the Senate move back to the place it was a few years ago. It was not that long ago. Many of the Members of the Senate don't know about it because so many Members are new. Did you know that half of the Members of the Senate have been here one term or less? They have not really seen the Senate operate the way it is supposed to operate.

The Republican leader said that if Republicans were in charge of the Senate, he would like to operate it the way a former Democratic leader did, Senator Mike Mansfield, which is, No. 1, let bills go through committee the way we do in our education committee, and No. 2, bring them to the floor for a robust debate. Let people put up their ideas. The idea is that the majority has the right to set the agenda and the minority has the right to offer amendments. In the Senate, the idea is to have an extended discussion until a consensus is reached, if you can.

I remember Senator Byrd and Senator Baker—I was here as an aide then, not as a Senator—would say to a chairman or a ranking member: Bring me a bill. Today, they would say to Chairman HARKIN: Bring me the fix No Child Left Behind bill, if you have the Ranking Members' support. I would say in this case: The bill doesn't have my support, but I support taking it to the floor. I will stand there, he will stand there and we will open it to debate and Republicans will try to amend it. We may win, we may lose, but then we will send it to the House. Then we have a conference and the bill comes back and we come to a consensus. How could we get all that done? The majority leader could stand up on Monday and say: We are going to fix No Child Left Behind this week, and we are going to finish by Saturday, or we are going to finish by 1 week from Saturday. Members may offer all the amendments they want, but they are going to be here Saturday and Sunday. So pretty soon, by about Thursday, many Senators would say: I have a grandchild's soccer game and I might want to go home and it regulates that way.

It is never perfect. This is a place where we debate big issues, but the idea that Senators can't offer amendments on important issues is making this Senate into a trivial place instead of a place where it is an authentic piece of genius.

The Senator from Wyoming, Mr. BARRASSO, did some interesting research. He pointed out that since July, there have only been nine amendments offered by Republicans that received a rollcall vote—nine amendments offered by Republicans since last July that received a rollcall vote. In Tennessee they would say that is akin to being in the Grand Ole Opry and not being allowed to sing. We are supposed to have a say about student loans, about Iran, about Ukraine, and about all of these issues. We might win or lose, but on behalf of our constituents, we are supposed to have a say.

That is not nearly as bad as what the Senator from Wyoming discovered when he did a little more research, and this is what he found: While Senate Republicans have had nine amendments since last July, guess how many amendments Senate Democrats have had—seven. According to the Senator from Wyoming, 676 amendments, and the majority leader has allowed 7 rollcall votes since last July. How do we explain that when we go home?

How do we explain a political stunt on student loans that everybody knows is a political stunt that will not pass? How do we explain to veterans standing in lines at clinics and to Appropriations Committee members waiting to deal with bills to fund cancer research and national defense that a political stunt is more important? This is not the way the Senate is supposed to operate.

Let's go back to this $1-a-day stunt. It is unfair to students, it is unfair to taxpayers, and it is unfair to future generations.

It is unfair to students because it treats former students better than it treats current students and new students. This proposal—the Senate Democrats' proposal that is being brought to the floor this week—doesn't do a single thing for a student if he or she is a current student or if they are going to be a student next year or the following year. It just helps some former students with old loans, and it treats them better than it would treat a new student because it will freeze in place an interest rate that 3 years from

now will treat former students with old loans better than new students whose rate will be determined by the market and that rate might be a little higher.

The Senate Democratic proposal is unfair to taxpayers for two reasons. First, it increases individual income taxes by $72 billion. That is a big number. It has been rejected by the Senate eight times. It is a class warfare tax focused on a few people.

Second, my colleagues may have heard that the government profits off of students under the student loan program. In fact, the reverse is true. When we use the accounting system the Congressional Budget Office says we ought to use, the student loan program actually costs taxpayers $88 billion over the next 10 years. Let me repeat that. We will hear it said by the advocates of the $1-a-day subsidy to help students pay off student loans that the government is profiting from the students but not if we use the accounting system the Congressional Budget Office has said we should use. What is the difference? The Congressional Budget Office says the system we are using doesn't take into account the risk that students might not pay back their loans. Today the Congressional Budget Office estimates that less than 10 percent of student loan volume is in default.

This proper accounting system is not foreign to the Senate. It was used with the Troubled Asset Relief Program—the so-called bailout—because the idea of assessing the true cost of the program needed to fully account for risk.

The Congressional Budget Office recommends that we use fair value accounting. They consider that a better methodology. They say the student loan program, as it exists under that accounting system, will cost taxpayers $88 billion over the next 10 years. As I said, the main reason is that the fair value system takes into account risk—the risk that students might not pay off some of their loans.

For those who might not know about the Congressional Budget Office, we pay this group to tell us the truth. They are nonpartisan. They don't always tell us what we want to hear, and we usually try to ignore it when they don't and say, well, we heard a different point of view. But here is what they said " . . . under the fair-value approach, estimates are based on market values—market prices when those prices are available or approximations of market prices when directly comparable figures are unavailable—which more fully account for the cost of the risk the government takes on. In particular, the fair-value approach accounts for the cost of the market risk," which the other accounting method we currently use does not.

The Congressional Budget Office continues in a May 2014 report:

> The government is exposed to market risk when the economy is weak because borrowers default on their debt obligations more frequently and recoveries from borrowers are lower.

That makes sense.

> When the government extends credit, the associated market risk of those obligations is effectively passed along to taxpayers, who, as investors, would view that risk as having a cost. Therefore, the fair-value approach offers a much more comprehensive estimate of Federal costs.

Last year, when the President worked in a bipartisan way with Senators and with the Republican House, we came to a conclusion that didn't raise taxes, that didn't raise the debt, and that still cut rates nearly in half for undergraduates.

Finally, the Senate Democratic proposal is unfair to future generations because it could add as much as $420 billion to an already out-of-control national debt. It does this by allowing private loans to be turned into public loans—private debt becomes the government's debt. Recently, as I said, the Congressional Budget Office warned that interest on the debt in the next 10 years will rise from $227 billion to $876 billion, an amount greater than the entire cost of our Nation's national defense.

So this $1-a-day subsidy does not justify this unfairness to other students, to taxpayers, and to future generations.

Let me conclude by talking about the real problem and the real solutions with student loans. Today the President held a press conference in which he proposed issuing a regulation by Executive order that would extend an income based repayment plan to millions more students. We have some questions about this. We don't know what it will cost and apparently neither does he. We know it doesn't take effect for another year or so because it will take some time to figure it out. I have had a hard time figuring out, reading the law, where the President has the authority to do this. It is based upon the health care law in 2010 which included provisions about student loans and included an income based repayment plan that affects loans issued after July 1, 2014. But the President, both with the Executive order today and his 2011 Executive order on the same subject, includes loans issued before July 1, 2014. So we don't know the cost and it has questionable authority.

So here we have a press conference at the White House and a political stunt on the Senate floor dealing with loans. We know better than that. The President knows he could sit down with those of us in the Senate who are working on student loans—and in the House—and say: Here, I have some ideas about income based repayment. We would say: Mr. President, No. 1, we respect what you did last year and would like to work with you again; and, No. 2, you are on the right subject.

There are two big problems—real problems—with student loans. One is the complexity of the income based repayment plans. The truth is the Obama administration itself is guilty of causing most of the complexity because the first income based repayment plan was created by law in 2007 and then it was amended in 2010 and then the President issued a regulation expanding the program in 2011 and now there is another regulation to do the same. Basically, it started out that if a student has a student loan to pay back but they are not making much money, then they don't have to pay more than 15 percent of their discretionary income. That is not even total income; it is just part of a person's income. If they can't pay it off over 25 years, the government will forgive it. What the bill did in 2010 was lower the amount to 10 percent of income for borrowers, and if the loan isn't paid off in 20 years, the government will forgive it. Income based repayment plans are available today for students.

Let's talk about what is already on the books, even if the President's Order today doesn't go into effect for students. For students who want lower monthly payments on their student loans, there are already provisions in Federal law that allow the typical undergraduate borrower to lower his or her payment by $60 more per month than the $1-a-day plan from Senate Democrats. For the typical graduate student, the existing repayment plans could lower monthly payments by $300 a month more than the Senate Democratic plan. Under current law, as I said, if the loan isn't paid off in 20 or 25 years, the government forgives it.

So here is what we have in America today. There are $100 billion in student loans every year, $33 billion in Federal grants, all going out to students at a very low rate. Most of the students don't have any credit history, and they don't need it to get the money.

We hear a lot of talk about the expense of a college education, and at some colleges it is very expensive. When I went to school, I had two or three jobs and a couple of scholarships. That is how I was able to go to Vanderbilt University. But for students today who want a less expensive college education, it is important for them to know that the average cost of tuition and fees at a 2-year public college—and there are some excellent ones all over our country—is $3,200. The average cost of tuition and fees at a public 4-year institution—and some of the best 4-year institutions in America are public 4-year institutions, including California, Tennessee, Hawaii, and Washington State; these are very good universities—is $8,900. Three out of four college students go to 2-year public colleges where the tuition and fees is $3,200 or to a 4-year public college where tuition and fees is just under $9,000.

In addition, 40 percent of those same students—the three out of four who go to public colleges and universities—40 percent of them have a grant which they don't have to pay back. It is called a Pell grant, and it may be as much as $5,645. So the truth is that for millions of college students going to

college today, it is free. Do the math. If a community college is $3,200 and a student gets a $5,645 Pell grant, that student has some extra money, and he or she can still get a loan if they want to and then they have even more extra money.

That leads to the other real problem with student loans that we would like to work with the President on; that is, over borrowing. The first real problem is the complexity of the income based repayment plans, and we can change that. Just as we did last year with many of the new loans, we could make the income based repayment plans, working together, much simpler and make it easier for students to take advantage of.

But what about overborrowing? We read in the paper about huge student loan debt. It seems as though everybody we read about has a $300,000 loan or a $150,000 loan they will never be able to pay back. I guess a few people do. But according to Mark Kantrowitz, who is a financial aid expert and has studied student debt, more than 90 percent of students who graduate with loans of more than $100,000 are graduate students. Let me say that again. If you read about a student loan that is more than $100,000, more than 90 percent of those are for graduate students.

I said a moment ago that undergraduate students can earn more than $1 million more in their lifetime with their 4-year degree. Doctors, lawyers, and other graduate students can earn a lot more than that with their advanced degrees in many cases.

But those graduate students with more-than-$100,000 loans are only 6 percent of all graduate students, and that is only 2 percent of all student loans. So 2 percent of all federal student loans in the country are more than $100,000. The average undergraduate loan for a 4-year degree is $27,000, and the average for all undergraduate loans, which are 85 percent of loans, is $21,000.

There is some overborrowing even among undergraduates. Young people are—and maybe they are not all young—borrowing more than they can afford to pay back. In our committee, we are considering a number of proposals to deal with this for both graduate and undergraduate loans.

For example, we would like to simplify the student loan program so more students can take advantage of it and take advantage of the repayment options that exist in the law today. But we need to know how much that costs the taxpayers.

No. 2, we have been talking about eliminating the graduate PLUS Program that provides virtually unlimited loans to graduate students regardless of their credit history. That may be how they took out these loans we occasionally read about of $150,000, $200,000. We want to prohibit part-time students from taking out the same amount of loans that full-time students can. Let's say you are taking a half-time load at a 4-year institution and you take out a full-time loan to pay for that. That means you have some extra money for living expenses or for a car. I am not sure as a matter of national policy that money for expenses other than for education and costs associated with education should be allowed.

We would like to give colleges and universities the ability to require additional counseling for students. Did you know that under current law a college is prohibited from requiring additional counseling to an entering student at Vanderbilt or the University of Tennessee who says: Give me my loan. I am entitled to it? I am 18 or 19 years old. I have no credit history, maybe not much experience with money, and the college that hands me the money is prohibited—by federal law—from requiring additional counseling.

We may want to limit the amount a student can borrow. We may want to allow colleges to have a role in doing that. We may even—and this has been suggested—require higher education institutions in some instances to have skin in the game to ensure that graduate students and undergraduate students repay their loans. In other words, the higher education institution would share the risk. These are some of the ideas that are being considered today in the Senate education committee.

Every Senator has a right to bring on this floor whatever she or he wants. It is up to the majority leader to decide what we focus our precious time on. I am here today to suggest that a $1-a-day subsidy for college graduates to help them pay off a $27,000 loan—which is the average loan for a 4-year college graduate, which is almost exactly the same as the average car loan—is not a worthy subject for our discussion this week when we have veterans standing in lines at clinics and appropriations bills dealing with cancer, and national military defense waiting to come to the floor.

That is especially true when we have a President of the United States who has proved he can work with Congress on student debt. He did that last year. He did a good job. He was very helpful with the final result. The Republicans in the House said that, the Senate said that in a bipartisan way, and I think most students who are enjoying the benefit of that would agree with that.

So we thought last year we had stopped the political stunts on student loans. We put a market price system on all new loans, at no new cost to the taxpayers, no new debt, so this would not become an election-year football; but apparently it has, at least for a week. So we are going to have to endure going on to the floor and talking about a proposal that every single Senator knows has no chance not only of getting to the House, which will not touch it, but even passing the Senate—no chance whatsoever. Why? Because over in the Senate education committee we are discussing this subject in a bipartisan way and the way we are supposed to do it.

So if it comes to the floor we are ready to amend it. We have our proposals for more good jobs. College graduates do not need a $1-a-day subsidy to help pay off a $27,000 loan. They need a good, decent job, and we are ready to help them get one. With the Keystone Pipeline, with the trade authority the President wants, with lower taxes, with changes in ObamaCare, with going from a 30- to a 40-hour workweek, we have a lot of ideas about jobs. If we want to bring up taxes, which this proposal does, we have some taxes we would like to bring up as well; and that includes repealing the medical device tax, which ought to have a good, bipartisan vote here in the Senate. It has before.

On education, we have our ideas too, and so do the Democrats, by the way. Some have been through the HELP committee. They have been hashed out. They are ready for the floor. There is a competing vision. Democrats want a national school board. Republicans want to reverse the trend towards a national school board. So on this bill, if we want to talk about education, I would like to have a chance to offer my amendment that says no national school board. Let's send those decisions back to State and local communities. I think there are lots of Senators on both sides of the aisle who would like to vote for that.

But what I would really like to see is the President accept our invitation to work with him. That is what we would like to do. We did that last year. We produced a good result. He has put his focus in the right place. I might say respectfully, maybe he is in the right church but the wrong pew. He is talking about income based repayment plans. We think that is one of the big problems left to solve, and we will work with him to simplify and reform the various plans. But we want to make sure the government has clear legislative authority to do it, and we want to know what it costs. Then we would like to work with him on excessive overborrowing. I would suspect he would like to do that too.

So why don't we do that? Why don't we send this $1-a-day proposal back to the Senate education committee—actually it never was there—but let's send it to the Senate education committee and put it in with all the other ideas we are discussing. Let's continue our bipartisan work in the committee to see if we can this year present to the Senate a proposal for reauthorizing the Higher Education Act, and let's use this time for the veterans standing in line or the appropriations bills, which deal with so many issues and which we have not had a chance to consider for the last few years.

I am disappointed with today's press conference at the White House and the political stunt that is headed toward the Senate floor. But I am hoping the President will take a look at what he did last year and feel a good deal of satisfaction about it and say: Let me

sit down with those same men and women whom I worked with last year and see if we cannot do something about simplifying income based repayment so more students can take advantage of it, and dealing with excessive borrowing and some of the other issues we are working on in higher education.

I think we can do that 2 years in a row, and I think the American people would appreciate it if we tried.

I thank the Presiding Officer and yield the floor.

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

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

REMEMBERING CHESTER NEZ

Mr. HEINRICH. Madam President, it is an honor to join my colleague from New Mexico, Senator TOM UDALL, in celebrating the life and service of Chester Nez, the last of the original 29 Navajo code talkers, who passed away this last Wednesday, and to honor the historic role the Native American code talkers played in the allied victory in World War II.

Our Nation's liberties and patriotic spirit were personified by the commitment and service and the legacy of Chester Nez. He was a true American hero. Chester Nez helped to create an unbreakable code during World War II. He served in the U.S. Marine Corps to protect the Nation and also his people, language, and culture. He understood the significance and the importance of his language, and he used it as a shield to defend this Nation.

Chester Nez chose to enlist in the marines at a young age, not knowing he would become part of an elite group of indigenous code talkers. Despite growing up in an era where speaking the Navajo language was not only prohibited but often punished, his fluency in both Navajo and English made him invaluable to the war effort. He was a member of the all-Navajo 382nd Marine Platoon entrusted to create a code that would prove impenetrable to the Japanese. The 382nd Marine Platoon literally changed the course of history.

After Chester Nez's service, he continued to remain silent about his instrumental role as a Navajo code talker, maintaining a quiet, modest, and humble lifestyle until the mission was declassified in 1968.

Later in life Mr. Nez shared his contributions and his experiences in World War II with younger generations. He advocated for keeping the Navajo language, its traditions, and culture alive so that future generations would know how influential the Navajo people and language were during World War II.

Thanks to Mr. Nez and his fellow code talkers, our Nation's remarkable spirit continues to thrive and we are forever grateful for their service. I join all New Mexicans in keeping Chester Nez's family and friends in our thoughts and prayers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

KADZIK NOMINATION

Mr. GRASSLEY. Madam President, I come to the floor to speak about the nomination of Peter Kadzik to be an Assistant Attorney General for Legislative Affairs in the Justice Department. I happen to know that the majority leader hasn't yet filed cloture on this nomination, but I expect that he will in the near future. So now I take the opportunity to speak about that nomination.

It is no secret that I have concerns about Mr. Kadzik's nomination. I opposed his nomination in committee, and I will oppose it when it comes to a vote on the floor.

The reasons are pretty simple. Mr. Kadzik has been acting in that position since April 2013—in other words, in the very same position for which he has been nominated. His job is to respond to questions from Members of Congress. We have a clear track record to judge his performance, and that record has been dismal. Letters go unanswered for months. Then, when answers come, they ignore or dodge the questions.

Even before coming to the Justice Department, Mr. Kadzik had shown a lack of respect for congressional oversight. While he was in private practice, he represented the billionaire tax fugitive Marc Rich. Rich was infamously pardoned at the end of the Clinton administration following a large donation by Mrs. Rich to the Clinton Presidential Library. No fugitive has ever been pardoned before—let alone a billionaire fugitive who owed millions of unpaid taxes.

In the course of the congressional investigation into that controversy, Mr. Kadzik was subpoenaed to testify at the House hearing in 2001. He refused the committee's invitation to testify voluntarily. Then, he decided to fly to California the day before the hearing. The House committee had to send the U.S. marshals to serve him with a subpoena in California ordering him to return for the hearing. He later denied that his attorneys knew a subpoena was on the way when he got on the plane. But his denial is contradicted by handwritten notes from 2001 telephone conversations with his attorneys about the subpoena. Those notes are in the record of his confirmation hearings, and I invite any Senator to review them.

Some people might say: Well, that was a long time ago, and maybe it was just a misunderstanding.

But one thing is not in dispute even by Mr. Kadzik: He refused the House committee's request to testify voluntarily. He was unwilling to cooperate unless forced to do so by compulsory legal process. Everything in his record since then has reinforced the impression that Mr. Kadzik is simply not interested in answering questions from Congress unless he has no other choice.

He was not forthcoming during his nomination hearing on several issues, not just the Marc Rich controversy. Getting him to answer simple inquiries has required two or even three sets of questions. He wouldn't even promise to answer each individual question from members of our Judiciary Committee. Instead, he had a bad habit of grouping together a set of specific detailed questions, and then repeating one vague nonanswer over and over. In one set of responses he repeated word for word the same answer to previous questions nine times. That simply is not a good-faith effort to be responsive to each question.

When his answer was one he thought I didn't want to hear, he glossed over it. Example: At his nomination hearing, I asked Mr. Kadzik whether he intended to provide certain documents Chairman ISSA and I had requested relating to a briefing by the Bureau of Alcohol, Tobacco, Firearms and Explosives. After he failed to mention the documents in his response, I prompted him about the documents once again and he evaded the question. Only after two subsequent sets of questions for the record did Mr. Kadzik finally come clean and admit that the Department would refuse to provide those documents requested. Mr. Kadzik should have been that candid initially, instead of avoiding the issue.

His seeming inability to give straightforward and accurate answers to simple questions causes real concern for me about his ability to perform his job, of which a very important part is answering inquiries from Members of Congress. I think an Assistant Attorney General for Legislative Affairs needs to ensure that Congress receives accurate information from the Department. That is what checks and balances of our constitutional setup is all about.

This also became a problem for Mr. Kadzik's predecessor, whose false denials about Operation Fast and Furious eventually had to be retracted. This office needs leadership that will restore its credibility. Mr. Kadzik's track record in the acting position makes it clear he does not have what it takes to restore sorely needed credibility. At Mr. Kadzik's confirmation hearing last October, Senator FEINSTEIN told Mr. Kadzik that the Senate's Select Committee on Intelligence had recently received answers to questions for the record from the FBI that were over 1 year late. As she pointed out to Mr. Kadzik, ''A year is really outside the pale of propriety.''

Mr. Kadzik said in response: ''One of my missions at the Department is to improve that record and to expedite the providing of information to this Committee and all Members of Congress.'' But from what I have seen so far, Mr. Kadzik's record has been even worse than his predecessor's.

The Judiciary Committee still has not received answers to questions for the record from Attorney General Holder from an oversight hearing dating back to March 6, 2013, 14 months ago. Recently, the Judiciary Committee received answers to FBI questions for the record dated ''current as of August 26, 2013.'' According to the FBI Congressional Affairs staff, that is when the answers were forwarded to Mr. Kadzik's office. Although the FBI responses to Congress were then only 2 months old, apparently they sat in Mr. Kadzik's Office of Legislative Affairs for another 9 months.

Mr. Kadzik is just as unresponsive to letters. His staff recently acknowledged they were aware of 13 pending letters from this Senator that have gone completely unanswered. I don't mean he replied with an answer I didn't think was good enough; I mean there was simply no reply whatsoever. Some of those questions from this Senator dated back to October 2012, well over a year and a half ago. His office is completely ignoring those letters.

He did send me a couple of very weak responses in just the last few days. Each of those was essentially one paragraph long. One was a reply to a letter I sent almost 1 year ago. The other replied to a letter from January in which I asked four simple questions. They addressed Attorney General Holder's failure to issue a report on the need for reform of the FBI's whistleblower procedures.

The Attorney General was required to report to President Obama within 180 days of the Presidential directive on whistleblowers, which was issued October 2012. A little history: The FBI was exempted from whistleblower provisions in the Civil Service Act of 1978 and the Whistleblower Protection Act of 1989. That has resulted in the FBI being one of the worst retaliators against whistleblowers over the years. Therefore, the FBI report President Obama requested was an important part of the Presidential directive. I had written to the Justice Department 3 weeks after the Presidential directive in 2012 to emphasize how important it was that the directive be followed and that the FBI people have proper whistleblower protection. Then there was a 180-day deadline. That deadline came and went.

I wrote the Justice Department earlier this year asking about the report because at that time it was more than 10 months overdue. I asked the current status of the report, why they had failed to issue it so far, when it would be complete, and whether they would provide a copy to the Judiciary Committee.

So those are the simple questions I asked Mr. Kadzik. Once again, the nominee failed to send a prompt, good-faith response to my letter. Mr. Kadzik could have written immediately to say the Justice Department knows this review is important and explain why it was taking longer than they thought. Mr. Kadzik could have told me the review was expected to take several more months. Instead he waited 4 long months until the report was complete, then simply sent me a one-paragraph response, stating the report was sent to the President of the United States. He didn't try to explain why it took so long. He completely ignored my question about providing a copy of the report to our Judiciary Committee. This is not the kind of good-faith, candid response the Justice Department owes Congress, especially in our oversight capacity to see that the laws are faithfully executed by the President of the United States.

As a nominee who already works in that office, Mr. Kadzik had the opportunity to demonstrate a real commitment to the role of congressional oversight in our constitutional system of checks and balances. He could have answered the mail on time. He could have insisted on candid, good-faith, substantive replies to Congress. Rather than trying to raise the bar, he lowered it.

The attitude this nominee brings to dealing with congressional oversight and the requests we make is a symptom of much larger problems. The Justice Department has a lot of work to do to rebuild trust and confidence after the false letter it sent me on Operation Fast and Furious. It still is fighting in court to avoid turning over documents that explain its decision to ultimately withdraw the letter and admit that letter was false.

The Obama administration is arguing for a vastly expanded view of executive privilege. They want the ability to expand it far beyond direct advice a counselor would give to the President. They want it to include internal emails between lower level bureaucrats and agencies and departments. These, the administration claims, are so-called deliberative documents. They are created by people who may never even have been to the White House, let alone advise the President on anything where lawyer-client relationship can be established. That kind of broad privilege would be a massive blow to government transparency and to our system of checks and balances.

The position the Obama administration is taking in the Operation Fast and Furious lawsuit is a direct breach of the promise the President made in his first day in office. He pledged at that time to have the most transparent administration in the history of this country, but now the President's Justice Department is arguing for a massive expansion of executive privilege to include all of that so-called deliberative material. This nominee, Mr. Kadzik, is aggressively implementing that new policy even today, refusing to answer questions and withholding documents. His actions today are consistent with his history. Voluntary cooperation takes a backseat to legalism and forcing a legal confrontation.

I wish I could say Mr. Kadzik had demonstrated the kind of serious commitment to open, honest, and forthright cooperation with congressional oversight that the office needs. Unfortunately, he has not, but the failure to cooperate extends far beyond Mr. Kadzik's investigations.

We don't need to look any further than today's headlines to see the latest instance of this administration's failure to abide by its obligations under the law to submit to congressional oversight. Of course I am referring to the recent release of five of the most dangerous detainees from Guantanamo. The President's decision to release what some have called the Taliban dream team without notifying Congress in advance exemplifies this administration's contempt for congressional oversight. It is troubling for a host of reasons, especially when the stakes are so high.

In December 2013, Congress passed and the President signed the 2014 National Defense Authorization Act. Section 1035 of that law addresses the procedure the executive branch is required to follow if the President decides to release a detainee being held at Guantanamo Bay. This process isn't optional. It is not something that is a matter of Presidential discretion. It is actually required as a matter of federal law. It is required by a law this President signed.

The White House's failure to follow the law in this instance is just the latest example of this administration's blatant disregard for congressional authority. The law requires the President to notify certain House and Senate committees, including the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence, at least 30 days before Guantanamo Bay detainees are transferred or released. Obviously that did not happen.

Not only that but the law requires the President to explain ''why the transfer or release is in the national security interest of the United States.'' That didn't happen either. The President also had a legal obligation to describe any actions his administration took ''to mitigate the risks of reengagement by the individuals to be transferred or released.'' Such mitigating actions are required by the law, but that didn't happen either.

The reasons for these legal requirements are fairly obvious. The Members of this body understand and respect the President's responsibility to protect national security. That is in fact his paramount responsibility as Commander in Chief, but we too have a responsibility in this Congress and all Congresses to ensure that the national security is protected. Congress is a coequal branch of government. Yet our ability to ensure that the actions this President takes are designed to promote the national security have been thwarted because this White House kept us in the dark about the release of the five Taliban kingpins every step of the way.

The administration is fully aware it violated Federal law in failing to timely notify Congress of its intentions. We know this because the White House has contacted some of my colleagues on the Select Committee on Intelligence and apologized—actually apologized—for failing to notify them in advance; in other words, apologized for not following the law.

According to press reports the White House said the failure to make notification required by law was ''an oversight.'' An oversight? What happened is not an oversight. An oversight is what happens when you forget to send a thank-you note for a birthday gift. This was not an oversight. In other words, it is extremely difficult to view this as anything but a deliberate attempt to leave Senators in the dark. You don't simply forget to meet your legal obligations to notify Congress, and it is not as if this was some obscure provision of the law nobody knew anything about. This has always been a very big deal. Not only did the White House have an obligation to notify Congress, but the White House had previously promised that it would in fact comply with the law.

On June 21, 2013, at the White House press briefing, Press Secretary Jay Carney promised that the administration ''would not make any decision about the transfers of any detainees without consulting with Congress and without doing so in accordance with U.S. law.''

It is perfectly clear the administration was aware of its duties under the law and made a calculated and deliberate decision to ignore them. The President more or less admitted this when he recently explained at a press conference in Poland that he saw an opportunity he had to take immediately because ''we were concerned about Sgt. Bergdahl's health.''

I am sick and tired of the approach this administration takes toward its legal obligations under the law, and that is why I wrote to the Attorney General in January of this year concerning some statements the President made in the State of the Union Address, hinting that he intended to take unilateral action using executive orders.

In the letter I wrote to the Attorney General, I asked him to direct the Justice Department's Office of Legal Counsel to publicly disclose its opinions and conclusions concerning the lawfulness of executive orders issued by the President.

Here is where Mr. Kadzik comes in. In May he declined my request, citing again his overbroad and legally unsupportable claims of executive privilege.

It is not without good reason that the former executive editor of the New York Times—by the way, an outlet that is not exactly an aggressive critic of the President—called this White House the most secretive she ever covered.

So let me renew my request to the Attorney General regarding the publication of opinions from the Office of Legal Counsel. Frankly, I think my request is all the more important now that we have seen the administration's flagrant disregard for Federal law in the matter of the Taliban prisoner deal. I am, therefore, asking the Attorney General to direct the Office of Legal Counsel to make public any opinions or legal analysis concerning the lawfulness of the transfer of the Taliban commanders without compliance with section 1035 of the National Defense Authorization. But given this Department's track record, I am not going to hold my breath that that request will be honored.

I will sum up by saying this: Mr. Kadzik's nomination is a perfect example of the contempt that this—the self-professed most transparent administration in history—has for congressional oversight authority.

Let me be clear to my colleagues on the other side of the aisle. One day you folks might be in the minority or the administration might be controlled by the Republican Party. If a Republican administration ignores your oversight request, how can you complain, if you don't stand up today, when the shoe was on the other foot? If you support this kind of stonewalling now by supporting this nominee, it will come back to bite you, and, of course, you will deserve it. I plan to be around here to remind you of that.

I will vote against this nominee and urge my colleagues to do the same.

I suggest the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

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

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

HEALTH CARE

Mr. COATS. Mr. President, last week, the Senate confirmed Sylvia Burwell as our new Secretary of Health and Human Services. She is now the administration's main implementer and representative of ObamaCare. She is its new face and will be its primary salesperson to the American people. I think the President made a competent choice, and I supported her confirmation. But I would be remiss if I did not mention or bring to light the difficult job she has ahead of her.

From its botched website to ever increasing premiums, to canceled health insurance plans, ObamaCare has been and remains a complicated mess of broken promises and confusing implementation. I was back home in Indiana last weekend and the weekend before that, and ObamaCare, along with complaints about overregulation, remain the top two issues on people's minds. On Friday, I was in DeKalb County and Noble County up in northeast Indiana meeting with representatives of those two counties and communities and across the spectrum of people engaged in various business enterprises—housewives, small businesses, big businesses, elected officials, et cetera. In each of those discussions, as I went across those two counties, as I said, overregulation and ObamaCare were No. 1 and No. 2, or vice versa, on everyone's mind. It continues to remain on their minds because they see this as a very complicated and messy intrusion into their individual lives in terms of their ability to run their businesses. For many, it is not a question of ObamaCare not hurting them, but how it has hurt them and their concerns about how it is going to hurt them in the future.

The President promised us that this plan—quote ''will lower the cost of health care for our families, our businesses, and our government.'' Let me repeat that. The President said that ObamaCare would lower the cost of health care—which it hasn't—for our families, our businesses, and our government.

That is not what I have heard as I talk to people across the State of Indiana. What I hear from Hoosiers is their premiums have increased, they have higher health care costs, their deductibles have risen dramatically, their copays have risen, and they have fewer provider options. Remember what the President said: If like your doctor or your health plan, you can keep it, period. That is not the case, and I hear that from hundreds of Hoosiers as I travel around the State.

Let me speak about a specific story from a constituent, Jeremy, from Randolph County, who said this:

> My plan for my wife and two kids, ages 2 and 5, just increased $150 to $615 per month. We cannot afford this massive hike!

He went on to say: Something must be done to lower these plans because we are seriously going to think about not being able to have insurance for the first time since college because I simply can't afford it. It is unaffordable.

The ACA, the so-called Affordable Care Act, has been called unaffordable by so many Hoosiers—and I suspect that is true all around the country—that it ought to be the unaffordable care act and not the Affordable Care Act.

I don't know how many stories we have to bring to the floor of the Senate before my colleagues understand and realize this plan is faulty to the point that it needs to be replaced. It is deeply and fatally flawed at its very core.

I know the majority leader came to the floor and said none of these stories we have related are true. That is like telling Jeremy he doesn't exist.

I don't think he made this up: My plan for my wife and kids has just increased $150 a month to $615 a month. It is unaffordable. Americans across the country are repeating these stories. They are not made up. It is not something Republicans sits around and

write in the back room and sends out that says: Here, say this, so we can repeat it on the floor of the House of Representatives or the Senate floor. These are concerned citizens sending by the thousands emails, phone calls, tweets, and any other means of communication. They are speaking to us directly when we go back home, whether I am in the grocery store buying a quart of milk, picking up a newspaper at the gas station, just speaking to people on the street, or when I sit down with business people. We have invited them to various small towns in Indiana. As I said, these stories that are coming from real people I represent—and they sent me here to represent them—is the impact of the health care plan that has been proposed by the President and now is being implemented. So all of the promises that were made early on—but it wasn't in force—have now been proven to be untrue.

Don't just take my word for it. Look at the headlines. Reuters, which I don't think is an arm of the Republican Senatorial Committee or the Republican National Committee, and is an independent newspaper says: ''U.S. says 2.2 million ObamaCare enrollees have data problems.''

CNBC—the last time I heard they weren't making contributions to the Republican Party either: ''Seven in 10 people say ObamaCare had bad or zero impact on U.S.'' Either nothing—no impact or bad impact—that is 70 percent.

Indianapolis Business Journal, to which I pay attention, and an independent organization: ''Indiana's ObamaCare rates for 2015 all over the map.''

People can't figure out how much they are going to have to pay next year, but they have figured out one thing. It is going to be more than they paid last year.

Remember the statement ''premiums won't go up?'' It won't go up a penny?

I think many of us think it is time to start over and replace ObamaCare with real health care solutions. Republicans have offered a multitude of possibilities of suggestions and proposals, every one of which has been turned down by the President or not allowed to be brought to the floor by the Senate majority leader.

There are those who say: What would you do? Why don't you suggest something? We have tried our very best to bring forward packages of reforms, to reach across the aisle and say, if you will work with us, we will try to fix some of these problems. We think we should repeal it and start over because we don't think it is the right model for health care, to address the solution of providing people in this country with adequate health care at a reasonable cost.

So changing the face of ObamaCare by just putting in a new Secretary of Health and Human Services will not change this law's negative impact on Hoosiers such as Jeremy. I wish it would, but, obviously, it won't. It will not change this disaster of a law into what it should be: Better health care for all Americans. We are all committed to that goal, but we are simply saddled with a piece of legislation that was very poorly drafted, that was rushed through without any support or comments from those of us on the other side of the aisle.

I wasn't here at the time. One of the reasons I ran and came back was to try to address what I thought was legislation taking us down a road to a dysfunctional health care system, with less quality, less access, less choice, less competition.

Is there a need to reform this current health care system? Yes. Are there solutions that are better than what has been put before us? Yes. I wish we could summon the support and the will of those in this body to begin addressing that very problem.

Mr. President, I see other colleagues on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

GUANTANAMO BAY DETAINEES

Mr. CRUZ. Mr. President, I rise today to raise an issue that has been of growing concern to the American people: the exchange of the so-called Taliban five—five terrorist detainees from Guantanamo—in exchange for Sergeant Bowe Bergdahl.

Let me say from the outset, this is not about Sergeant Bergdahl. The circumstances under which he became a prisoner of the Taliban is an issue for the Army. There was an investigation into this matter in 2010, and hopefully the Army will be able to bring clarity to that situation soon. What I wish to speak about today is keeping the American people safe from the terrorists who attacked us on September 11, 2001, resulting in the deaths of 2,977 innocent people.

The Taliban five are among the worst of the worst. They were all high-level officials in the Taliban regime who gave aid and support to Al Qaeda in Afghanistan in the period leading up to the 9/11 attacks. These five were designated ''high'' risk by the Guantanamo Review Task Force convened in 2009 on the orders of President Obama, whose report was published on January 22, 2010. Two of the five are wanted by the United Nations for war crimes against Afghan civilians.

Khairullah Khairkhwa, for example, was described in his GTMO case file as ''a hard-liner in Taliban philosophy'' with ''close ties to Osama bin Laden.'' Mohammad Fazl was second in command of the Taliban army in 2001. These were not junior-level players.

Capturing these five men was a priority when our troops participated in the liberation of Afghanistan from the Taliban in 2001, where our sons and daughters bled and died to free Afghanistan and to exact punishment on those who carried out a horrific terrorist attack on the United States of America. We cannot know for sure how many American soldiers paid the ultimate price to capture these five senior terrorists.

Even as many other detainees at GTMO have been released, up until now, these five have been considered too dangerous to let go. Given the level of threat they represent, any proposal to release them should be of the utmost seriousness. Unfortunately, by all indications the administration's release treated their threat as anything but serious.

Americans need to know how the Obama administration thinks it has made our Nation safer by negotiating with terrorists to release these five dangerous terrorist leaders. Until President Obama can make his case and convince the American public that this swap was in our national interests, prudence dictates that all further transfers and releases from Guantanamo Bay should be off the table.

Unfortunately, there have been no answers from this administration on how this deal furthers the national security interests of the American people or why the deal was so urgent that the administration refused to comply with its legal obligation to inform Congress 30 days before the transfer. Instead, the administration has vilified those who would raise questions about it as somehow not being concerned about securing the return of our troops. That attack—that slur—shouldn't even be dignified by a response, particularly given what has been publicly admitted.

President Obama has publicly admitted that there is ''absolutely'' a chance of the Taliban five returning to the battlefield and attacking Americans.

Indeed, the current Taliban leadership has announced that from their perspective this deal is so good for them that they should now prioritize kidnapping other Americans. For example, last Thursday one top Taliban commander told Time magazine—and this is a quote—''It's better to kidnap one person like Bergdahl than kidnapping hundreds of useless people. It has encouraged our people. Now everybody will work hard to capture such an important bird.''

This deal puts every soldier, sailor, airman, and marine—every man and woman standing up to defend this Nation—in jeopardy.

The chair of the Senate Intelligence Committee, Senator DIANNE FEINSTEIN, has publicly said that she has seen ''no evidence'' that Sergeant Bergdahl was under urgent threat in recent weeks or months.

All of these admissions together raise serious and legitimate concerns about the circumstances of the release of the Taliban Five, and they also make clear that the administration should stop

vilifying any who raise these national concerns. Instead, the President should stand up and honor his commitment to the American people, defend this decision in terms of the national security interests of the United States—what should be the highest priority for the Commander in Chief.

Instead, we have recently learned from news reports that there are at least four other Gitmo detainees who are being considered for release. So not only has there not been accountability as to why this happened, but it appears the administration wants to go down the same road and I can only assume is willing again to violate the law and not notify Congress the next time, just the way it violated the law by not notifying Congress this time.

Before any further such action is considered, we need to take a pause and assess what happened with the Taliban five. We need to answer:

Who did the vetting that resulted in the assessment that the Taliban five no longer posed a high level of threat to the United States?

Who participated in the decision to release them?

Was this the same deal the administration says they offered to brief Congress on previously or is it something different?

Was the President fully briefed on the background of the Taliban Five and the likelihood of recidivism?

How did the administration reach its apparently high level of confidence that the Taliban five will be secure in Qatar?

How did they arrive upon the notion that that security should last only 1 year, after which the American people will be safe if these terrorists are released altogether? On what basis did the administration judge that only 1 year was sufficient?

How was the decision made to ignore the law and bypass Congress, including bypassing the chairs of the Senate and House Intelligence Committees, Foreign Relations Committees, and Armed Services Committees?

In what circumstances does the administration intend once again to openly defy the law and refuse to provide notification to Congress?

These are questions, I might note, that should be bipartisan concerns. This should not be a partisan affair—asking questions that affect the national security of every single American citizen and every single man and woman serving in the military.

In order to give the Obama administration the opportunity to satisfy the many outstanding questions the American people have about their safety—and I would note, having just returned from Texas, I found over and over again Texans, men and women, asking these very questions—I will propose this week that before we consider any additional releases from Guantanamo, we answer these questions first.

The legislation I will be filing, No. 1, will immediately call for a 6-month freeze on any Federal Government funding to transfer detainees from Guantanamo. No. 2, to enforce this requirement, the legislation will provide that, should the President choose to disregard this law—as, sadly, has been his pattern so many other times—all funds expended in the transfer would be deducted directly from the budget of the Executive Office of the President. No. 3, because we understand that conditions might possibly arise that would necessitate the release of an individual prisoner and out of respect for the President's special role in international matters, this legislation explicitly provides a means for the President to ask Congress for a waiver of the 6-month bar in an individual case. But, finally, because we believe the release of detainees from Guantanamo—which holds some of the most dangerous people on the planet—is a matter of the gravest import, this legislation would require that for every order for release of a Guantanamo detainee, it must be personally approved by the President. This would ensure that the fullest consideration and deliberation goes into the process.

This latest deal—which was announced to the American people as a fait accompli, with no opportunity for Congress to scrutinize it, no opportunity for the American people to assess it—this latest deal constituted negotiating with terrorists to release five senior terrorist leaders, and it raises obvious questions.

First of all, how many Americans did these five terrorist leaders directly or indirectly murder? How many lives—American lives—are they responsible for taking?

Second, how many American soldiers gave their lives to capture these five senior terrorist leaders? How many graves do we have of sons and daughters of Americans because they were sent in to capture these five who have just been released?

Third, given their release—and the President's admission that there is ''absolutely'' a chance that they will return to actively waging war against the United States—how many Americans are at risk of being killed directly or indirectly by these terrorist leaders we have just let go?

Finally, if the Taliban five do return to actively trying to kill Americans, how many American soldiers will once again have to risk their lives or, indeed, will give their lives trying to kill or capture these terrorists once again?

These are questions of the utmost seriousness, and to date the administration has not even attempted to answer them. Instead, it has suggested that anyone raising these questions is simply failing to stand by the men and women of our military. I can tell you, the men and women of our military understand the value of protecting the national security of the United States of America, and the men and women of our military are not comforted by negotiations with terrorists to release senior terrorist leaders who can once again begin actively waging war on the United States.

Every American is naturally eager to end the long war in Afghanistan, but that does not mean we disregard the threat that violent terrorist groups such as the Taliban pose to our Nation. We know from the hard experience of the last decade that at least one in three Guantanamo detainees has returned to the battlefield. That has been what history has taught us.

Until we have full confidence that this threat to American lives is being fully and properly assessed, that we are taking steps to protect the lives of American civilians and American soldiers and sailors and airmen and marines, it is only prudent to take the steps in the legislation I am introducing this week, and I hope the Senate will do so.

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

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

BANK ON STUDENTS EMERGENCY LOAN REFINANCING ACT—MOTION TO PROCEED—Continued

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion that is at the desk. I ask that it be reported.

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

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 409, S. 2432, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans.

Harry Reid, Ron Wyden, Elizabeth Warren, Richard Blumenthal, Benjamin L. Cardin, Jack Reed, Tom Harkin, Barbara Boxer, Jeanne Shaheen, Patty Murray, Richard J. Durbin, Tom Udall, Sheldon Whitehouse, Christopher Murphy, Bill Nelson, Robert Menendez, Tammy Baldwin.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

Mr. REID. Mr. President, we have filed, I am sorry to say, another cloture motion to get on a bill. We have more student loan debt in America today than we have credit card debt. I just had a conference call with some students from the State of Nevada.

What is going on is really very unfortunate. Some of these students lamented the fact: You know, I am not sure I should be in school. I am borrowing money. Maybe I should do something else.

I do not know how many times we have had to file cloture for the opportunity to get on a bill, but that is where we are. So we will have a cloture vote to see if they will let us on the bill on Wednesday.

Mr. DURBIN. Will the Senator yield for a question?

Mr. REID. Yes.

Mr. DURBIN. I would like to ask the Senator, through the Chair, it is my understanding that he just filed a procedural motion which will allow us to take up a bill and debate a bill which would give an opportunity to some of the 44 million Americans currently paying college student loans. This bill, authored by Senator ELIZABETH WARREN of Massachusetts, would allow students to refinance their college debt down to today's interest levels—3.8 percent, if I am not mistaken, for undergraduate loans—which would make paying back their loans easier and sooner, and we have to go through a procedure of waiting 2 days in the Senate to even start talking and debating on the bill. Is that what the Senator is telling us?

Mr. REID. Through the Chair to my dear friend, that is what I am saying.

What has happened around the country is not only in Nevada, it is all across the country, with rare exception. State legislatures don't support higher education.

If you take an organization such as the Board of Regents of the State of Nevada, and they have a lump sum of money the legislature gives them, they have to figure out a way to keep kids in school. So in Nevada last Thursday they raised the tuition of our universities by 17 percent. What will happen? They will borrow more money.

I told those young people when I started the conversation today, I worked hard but with a little scholarship here or there, I could work hard and put myself through school. I put myself through college and law school, and they can't do it now. There aren't enough hours in the day to pay for this tuition.

Mr. DURBIN. Will the Senator yield for another question through the Chair?

Mr. REID. I yield.

Mr. DURBIN. Procedurally, what the Senator had to do was file a motion so the Senate could actually start debate on this issue. There was a time in the Senate when you didn't have to have 60 votes to even start debating an issue. But is it my understanding, now that we are building up to a vote on Wednesday to see if five Republicans will cross the aisle and join us so we can have a debate the floor of the Senate on whether we can refinance college student loans, we have to wait 2 days?

Mr. REID. We, the Senate, and the American people have waited for months, because we have done this time and time again. We have had to file cloture on just getting on a bill.

The sad part about it, on many occasions on nominations—they also do the same on nominations; we have approximately 140 nominations held up—they vote for them. Bills they have supported, nominations they have supported, they still make us file cloture and waste the time of the American people. And I say months.

Mr. DURBIN. If I could ask one last question through the Chair.

So we need five Republican Senators to join Democratic Senators if we are even going to debate the bill about refinancing college student loans; is that my understanding?

Mr. REID. The Senator is right.

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

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

LAUCK NOMINATION

Mr. KAINE. I rise in support of one of the judicial nominees whom we will consider first by cloture vote in a few minutes and then a vote scheduled on confirmation tomorrow. It is the nomination of U.S. Magistrate Judge M. Hannah Lauck to the Federal bench in the Eastern District of Virginia. Judge Lauck is somebody whom I know quite well, because she serves as a magistrate in the Richmond division of the Eastern District where I live, and that is a court where I spent probably the majority of my 17-year legal practice.

She has come full circle. She is a native Virginian, went to college outside of Virginia but came back to the Commonwealth after graduating from Yale Law School. She began her legal career as a law clerk for Judge James Spencer, whose retirement has opened this position on the Federal bench. It is fitting as she was one of his first law clerks, and now she has the opportunity with this nomination to fill his shoes on the court.

Judge Lauck is very well prepared. She began, as I explained, as a judicial law clerk, which is a prestigious position, for a wonderful Federal judge, Judge James Spencer. She has included in her public career over the past 20-plus years both public service and private practice.

Before she joined the bench as a magistrate, Judge Lauck served as a corporate counsel for Genworth Financial, a Fortune 500 company, in Richmond. For 10 years before that she was assistant U.S. attorney in the Eastern District of Virginia, where she started in civil litigation, handling the entire spectrum of civil cases involving the United States as a party, and finished as a criminal prosecutor. Coupled with her service as a magistrate, this extensive experience in both private practice and work in the U.S. Attorney's Office makes her very familiar with the docket of this court.

She became a U.S. magistrate judge in 2005. I know the Presiding Officer practiced law and understands the important work Federal magistrates do. Her work has involved all Federal misdemeanors.

Magistrates in the Richmond division try Federal misdemeanors, and they also try complex civil matters fully with the consent of the parties. It is the practice in eastern Virginia for parties to often consent to magistrate judges trying their cases. She has since 2005, 9 years, acted as a judge in virtually the entire range of matters that this court handles, this Federal court.

Along the way, Hannah has distinguished herself as an excellent attorney and earned awards for her work, including various commendations from the U.S. Attorney's Office, U.S. Marshals Service, the Virginia State Police, the Drug Enforcement Agency, and Genworth, her previous private sector employer. She was also named as a Virginia Leader in the Law for her work and service to the bench.

I am excited to be here on behalf of Judge Lauck. This is a vacancy on which both Senator WARNER and I have worked very hard. We first asked our local bar association, especially the Virginia State Bar, to conduct interviews and then make recommendations to us. We did that first, and then all the candidates were interviewed by us. We are proud to recommend her to the President and thankful that the President nominated her for the position.

In closing, I will say this is a court that I am very close to. My wife clerked for a Federal judge on this court when she started her legal career, just as Judge Lauck started her legal career in the same way. I served as a civil litigator for 17 years with a Richmond firm directly across the street from the courthouse and spent a lot of time there.

I know—the Presiding Officer reminded me; thank you for doing it—that the Presiding Officer's father was the first Federal magistrate in Virginia in this same court, the Eastern District of Virginia, Alexandria division.

So the Presiding Officer knows well the work magistrates do. I have stayed very close to this court since I tried my last case in 2001. I know the judges, I know the court personnel, I know the lawyers, and I know many of the parties, and they speak with uniform plaudits in regard to the work Judge Lauck has done as a magistrate.

There is no better person for this seat being vacated than Judge Lauck to have the full article III power that will come if she is confirmed. I am very happy to recommend her to all my colleagues. She will be an excellent judge to serve on that court.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF M. HANNAH LAUCK TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA

NOMINATION OF LEO T. SOROKIN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

NOMINATION OF RICHARD FRANKLIN BOULWARE II TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The bill clerk read the nominations of M. Hannah Lauck, of Virginia, to be United States District Judge for the Eastern District of Virginia, Leo T. Sorokin, of Massachusetts, to be United States District Judge for the District of Massachusetts, and Richard Franklin Boulware II, of Nevada, to be United States District Judge for the District of Nevada.

CLOTURE MOTION

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

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 M. Hannah Lauck, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Christopher Murphy, Al Franken, Jon Tester, Richard Blumenthal, Jeff Merkley, Richard J. Durbin, Kirsten E. Gillibrand, Benjamin L. Cardin, Bill Nelson, Dianne Feinstein, Elizabeth Warren, Tom Harkin, Mazie K. Hirono.

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 M. Hannah Lauck, of Virginia, to be United States District Court Judge for the Eastern District of Virginia, 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 Alaska (Mr. BEGICH), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Connecticut (Mr. MURPHY), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Idaho (Mr. RISCH), the Senator from Kansas (Mr. ROBERTS), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted ''nay.''

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

The yeas and nays resulted—yeas 52, nays 32, as follows:

[Rollcall Vote No. 176 Ex.]

YEAS—52

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

NAYS—32

Alexander	Cruz	McConnell
Ayotte	Enzi	Paul
Barrasso	Fischer	Portman
Blunt	Flake	Rubio
Boozman	Grassley	Scott
Burr	Hatch	Sessions
Coats	Heller	Shelby
Coburn	Hoeven	Thune
Corker	Inhofe	Toomey
Cornyn	Johanns	Wicker
Crapo	Lee	

NOT VOTING—16

Begich	Landrieu	Risch
Cochran	McCain	Roberts
Graham	McCaskill	Schatz
Isakson	Moran	Vitter
Johnson (WI)	Murkowski	
Kirk	Murphy	

The PRESIDING OFFICER. On this vote the yeas are 52, the nays are 32. The motion is agreed to.

The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the next two votes be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

CLOTURE MOTION

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

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Leo T. Sorokin, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Christopher Murphy, Al Franken, Jon Tester, Richard Blumenthal, Jeff Merkley, Richard J. Durbin, Kirsten E. Gillibrand, Benjamin L. Cardin, Bill Nelson, Dianne Feinstein, Elizabeth Warren, Tom Harkin, Mazie K. Hirono.

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 Leo T. Sorokin, of Massachusetts, to be United States District Judge for the District of Massachusetts shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Connecticut (Mr. MURPHY), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Idaho (Mr. RISCH), the Senator from Kansas (Mr. ROBERTS), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted ''nay.''

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

The yeas and nays resulted—yeas 52, nays 33, as follows:

[Rollcall Vote No. 177 Ex.]

YEAS—52

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

NAYS—33

Alexander	Chambliss	Crapo
Barrasso	Coats	Cruz
Blunt	Coburn	Enzi
Boozman	Corker	Fischer
Burr	Cornyn	Flake

Grassley	Lee	Scott
Hatch	McCain	Sessions
Heller	McConnell	Shelby
Hoeven	Paul	Thune
Inhofe	Portman	Toomey
Johanns	Rubio	Wicker

NOT VOTING—15

Begich	Kirk	Murphy
Cochran	Landrieu	Risch
Graham	McCaskill	Roberts
Isakson	Moran	Schatz
Johnson (WI)	Murkowski	Vitter

The PRESIDING OFFICER. On this vote the yeas are 52, the nays are 33. The motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 Richard Franklin Boulware II, of Nevada, to be United States District Judge for the District of Nevada.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Christopher Murphy, Al Franken, Jon Tester, Richard Blumenthal, Jeff Merkley, Richard J. Durbin, Kirsten E. Gillibrand, Benjamin L. Cardin, Bill Nelson, Dianne Feinstein, Elizabeth Warren, Tom Harkin, Mazie K. Hirono.

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 Richard Franklin Boulware II, of Nevada, to be a United States District Judge for the District of Nevada, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

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

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Idaho (Mr. RISCH), the Senator from Kansas (Mr. ROBERTS), and the Senator from Louisiana (Mr. VITTER).

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

The yeas and nays resulted—yeas 53, nays 34, as follows:

[Rollcall Vote No. 178 Ex.]

YEAS—53

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

NAYS—34

Alexander	Enzi	McConnell
Barrasso	Fischer	Paul
Blunt	Flake	Portman
Boozman	Grassley	Rubio
Burr	Hatch	Scott
Chambliss	Hoeven	Sessions
Coats	Inhofe	Shelby
Coburn	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Wicker
Crapo	Lee	
Cruz	McCain	

NOT VOTING—13

Begich	Landrieu	Roberts
Boxer	McCaskill	Schatz
Cochran	Moran	Vitter
Graham	Murkowski	
Isakson	Risch	

The PRESIDING OFFICER. On this vote the yeas are 53, the nays are 34. The motion is agreed to.

The Senator from Nevada.

VIOLENCE IN LAS VEGAS

Mr. HELLER. Mr. President, before I begin, I would like to take a moment to address the unsettling events that occurred yesterday when two members of the Las Vegas Metropolitan Police Department and an innocent civilian were victims of a terrible act of violence. While words offer little comfort at this difficult time, I would like to express my sincere condolences to the victims' families. The Las Vegas community is grateful to these police officers for their service and joins their families in mourning their loss. I would also like to thank the men and women of the Las Vegas Metropolitan Police Department who sprung into action following the tragic events, even after losing members of the law enforcement community.

BOULWARE NOMINATION

With that said, Mr. President, I wish to speak in favor of a fellow Nevadan's nomination that is currently pending before this body; that is, the nomination of Richard Boulware to be a U.S. district judge for the District of Nevada.

One of the most important and unique responsibilities we hold as Members of the Senate is to provide for the advice and consent of the President's judicial nominations and subsequent confirmations.

I believe each judicial nominee who comes before this body must not only be qualified but also must demonstrate fairness and commitment to upholding the Constitution and the laws of the United States.

In Nevada, it is critical for us to work together to find qualified candidates who will uphold America's principles of impartiality under the law.

Richard Boulware is an excellent example of an accomplished nominee who should be confirmed on a bipartisan basis. I believe Mr. Boulware embodies the characteristics of a nominee who is prepared to serve and that he will make an excellent district court judge for the State of Nevada. After sitting down with him and discussing his nomination at length, I found him to be an extremely impressive nominee. A graduate of Harvard University, Mr. Boulware went on to earn his law degree from Columbia University. He currently serves as assistant Federal public defender for the District of Nevada in Las Vegas. He also has extensive experience arguing before the Ninth Circuit Court of Appeals. This trial experience, coupled with his impressive academic accomplishments while clerking for the U.S. district courts, will serve him well on the bench. Outside of his professional duties, he currently serves his local school system as a member of the Superintendent's Educational Opportunities Advisory Committee.

I am glad to see the Senate moving forward with this nomination, and I look forward to voting tomorrow to confirm Mr. Boulware's nomination to the Federal bench in Nevada.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

CLIMATE CHANGE

Mr. MARKEY. Thank you, Mr. President.

Mr. INHOFE. Will the Senator yield for a unanimous consent request?

Mr. MARKEY. I will yield to the Senator.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Massachusetts, Senator WHITEHOUSE, and two or three others at his choosing, that I be recognized as in morning business for such time as I shall consume.

The PRESIDING OFFICER. Is there objection?

Mr. WHITEHOUSE. It is not an objection at this point, but I think it is our understanding that the Senator from Oklahoma will speak for 20 to 30 minutes but that the time would revert to me at the conclusion of his remarks after 20 to 30 minutes. If that is an acceptable amendment to the unanimous consent request, then I will agree to it.

Mr. INHOFE. Let's just amend the Senator's amendment that it be 20 to 35 minutes.

Mr. WHITEHOUSE. Perfect.

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

The Senator from Massachusetts.

Mr. MARKEY. Thank you, Mr. President.

We are at a very important historical juncture, where the science is now conclusive that in fact the planet is dangerously warming.

Since we last met on this floor a lot has happened. The global temperature

for April 2014 tied with 2010 for the warmest April ever recorded in the history of the planet. This goes back to 1880.

In May, the third National Climate Assessment presented the scientific evidence that climate change is already impacting the United States.

The good news. The good news is that the President last week promulgated new rules to control greenhouse gases coming out of powerplants in the United States of America.

Here is the very good news—the Senator from Rhode Island, the Senator from Vermont, the States across the Northeast—nine States have already had a regional greenhouse gas initiative over the last 9 years. In Massachusetts, we are already 40 percent lower now in 2014 than we were in 2005—40 percent lower. We know a flexible system such as this can and will work across the country.

It is absolutely necessary for the United States to be the leader. We cannot preach temperance from a bar stool. The United States cannot tell the rest of the world they should reduce their greenhouse gases when we are still continuing on our historic path.

The good news is we are going to create a green energy revolution. We can save creation while engaging in massive job creation in the United States.

We can unleash this green energy revolution. We can reduce greenhouse gases. We can give the leadership to the rest of the world. We need to have a big debate here on the Senate floor. This is the place where the United States of America expects us to have this debate and where the rest of the world is watching.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, the issue we are discussing tonight, frankly, is perhaps the most important issue facing our entire planet. The issue has everything to do with whether we are going to leave a habitable planet for our kids and our grandchildren. I want to thank the Senate Climate Action Task Force, led by Senator BOXER, Senator WHITEHOUSE, Senator HEINRICH, and others for helping to bring us down here tonight to discuss this issue.

While it goes without saying that Senator INHOFE and many of us hold very different points of view regarding global warming, I want to congratulate him for having the courage to come down here and defend his point of view. That is what democracy is about. I think he is wrong, but I am glad he is here.

Virtually the entire scientific community agrees that climate change is real, that it is already causing devastating problems in the United States and around the world in terms of floods, droughts, wildfires, forest fires, and extreme weather disturbances. The scientific community is also almost virtually unanimous in agreeing that climate change is caused significantly by human activity.

According to a study published in the journal Environmental Research Letters in May of last year, more than 97 percent of peer-reviewed scientific literature on climate supports the view that human activity is a primary cause of global warming.

What disturbs me very much about this debate is the rejection of basic science. We can have differences of opinion on health care, on the funding of education, on whether we should have a jobs program, on many other issues. But what the U.S. Senate should not be about is rejecting basic science. It saddens me very much that most of my colleagues in the Republican Party are doing just that.

We do not hear great debates on the floor of the Senate regarding research in terms of cancer, in terms of heart disease, in terms of other scientific issues. But for whatever reason—and I happen to believe those reasons have a lot to do with the power of the coal industry, of the oil industry, of the fossil fuel industry—we are suddenly seeing a great debate on an issue the overwhelming majority of scientists agree on; that is, climate change is real; it is caused by human activity.

2012 was the second worst year on record in the United States for extreme weather. Across the globe, the 10 warmest years on record have all occurred since 1998. The global annual average temperature has increased by more than 1.5 degrees Fahrenheit between 1880 and 2012. Last month the White House released the National Climate Assessment, emphasizing that global warming is already happening, and warning—and people should hear this—that global warming could exceed 10 degrees Fahrenheit in the United States by the end of this century—10 degrees Fahrenheit.

That is extraordinary. If that in fact happens, if we do not summon up the courage to transform our energy system, the damage done by that severity of increase in temperature will be huge.

Also last month scientists reported a large section of the West Antarctica ice sheet is falling apart, and that its continued melting is now unstoppable.

Bloomberg reported on the 1st of June that Australia hit new heat records in May. The 24-month period ending in April 2014 was the hottest on record for any 2-year period, and the 24-month period ending with May of 2014 is expected to exceed that.

But it is not just Australia; it is my home State of Vermont. The Associated Press reported last week that the average temperature in both Vermont and Maine rose by 2.5 degrees over the past 30 years. This is the second highest of any State in the lower 48, after Maine. Maine and Vermont are at the top.

Lake Champlain provides one telling illustration of these changes. It freezes over less often and later in the winter than it used to. Between 1800 and 1900, Lake Champlain froze over 97 out of 100 winters, 97 percent of the time. That number began dropping after 1900. In the past 40 years, Lake Champlain has only frozen over 17 times. These changes impact the ski industry. They weaken our maple industry. They allow pests to survive the winter unharmed and to become more damaging to trees and crops as a result.

These impacts are expected to worsen. According to the 2014 National Climate Assessment, temperatures in the northeast could increase an additional 10 degrees Fahrenheit by 2080 if emissions continue at their current rate. By the end of the century, summers in Vermont—our beautiful summers—could feel like summers in Georgia right now. I love the State of Georgia. It is a great State. But the State of Vermont would prefer to have our summers the way they have been, not Georgia's.

The thing is these new proposed carbon pollution standards are actually quite modest. It is clear to me that if we listen to the scientific community, what they are telling us is there is a small window of opportunity, and it would be rather extraordinary—extraordinary—for us to look our kids and our grandchildren in the eye and to say: You know what. We rejected the science and we let this planet become less and less habitable for you and your kids.

We have a moral responsibility not to do that. It seems clear to me what we should be doing—and I think the scientific community is in agreement—first, we need to aggressively expand energy efficiency all over this country in terms of older homes and buildings. We can save an enormous amount of fuel, cut carbon emissions, lower fuel bills, and create jobs if we do that.

Furthermore, we must move aggressively to such sustainable energies as wind, solar, biomass, geothermal, and other technologies. We must invest in research and development to make those technologies even more efficient. In my view, it is a no-brainer to say we must reject the proposed Keystone XL Pipeline once and for all. We need to end tax breaks and subsidies for oil and coal companies, which amount to well over $10 billion a year. We should not be subsidizing those companies that are helping to destroy our planet.

Finally, we need to price carbon through a carbon tax or some other approach so the real cost of burning carbon is reflected in the price. I am very proud Senator BARBARA BOXER, the chairperson of the environmental committee, and I introduced such legislation last year.

The bottom line is we are in a pivotal moment in history. This Congress has got to act. It has to act boldly. When we do that, when we cut greenhouse gas emissions, when we transform our energy system, we can save many people money on their fuel bills, we can cut pollution in general, we can cut

greenhouse gas emissions significantly, and we can create good-paying jobs all over this country.

The bottom line here is we cannot afford to reject basic science. We have to listen to what the scientific community is saying. We have got to act aggressively, and let's do it.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, as an engineer one of the things I learned early in my education was that science does not care if you believe in it or not; you can deny science as much as you want, but the data suggests that the scientific method works pretty darn well.

The corollary to that fact is whether you believe in climate change has no bearing on whether it is actually occurring. Unfortunately, the data shows a warmer and warmer planet, characterized by weather fluctuations that are more extreme and oftentimes more destructive. In my home State of New Mexico, too often we find ourselves dealing with the impacts of climate change today, not at some theoretical future date.

For example, we are already seeing the effects of climate change and how it manifests itself in more extreme drought conditions, larger and more intense wildfires, shrinking forests, and increased flooding when it finally does rain. The longer we wait to act, the more difficult and expensive the solutions will be, and the more unpredictable our weather will become.

2012, as the Senator from Vermont mentioned, was our Nation's second most extreme year for weather on record. In my home State of New Mexico, we experienced the hottest year in our entire historical record. With humidity levels lower and temperatures higher, we are dealing with fire behavior in our forests that is markedly more intense than in the past.

We also see climate change take a toll directly on our economy, especially in my State. That is an important point, because inaction has its costs too. The costs already being borne in New Mexico are substantial. With less snowpack, communities that rely on winter sports tourism take an economic hit. Fewer people lodge in hotels, shop in stores, eat in restaurants.

Climate change is also having a devastating impact on New Mexico's agricultural industry, where farmers and ranchers are often the very first to see the direct impact of extreme weather. The agricultural sector is highly vulnerable due in large part to the sustained threat to the water supply, the soil and vegetation from continuous drought.

Things are only going to get worse if we do nothing. If we take our moral responsibility as stewards of this Earth seriously, it is imperative that we face the challenge of reversing the effects of climate change head on and have a sober discussion about what actions we will need to take now and in the future. America clearly has the capacity to become energy independent. But we also need to transition from our current energy portfolio to one that produces as much or more power with substantially less carbon pollution per kilowatt hour.

That will require innovation, something that historically our country has done better than any country in the world. But additionally, we will need political will, something we have grown short of as climate denial and pseudoscience have made their way into the halls of Congress.

If history is our guide, we should know that investing in cleaner energy will not be without cost, but little of value is ever free. The question is, are we willing to make the modest investments now necessary to create the quality jobs of tomorrow and to protect our Nation from the serious economic and strategic risks associated with our carbon reliance, our reliance on both foreign and carbon pollution-intensive energy sources?

Since we are looking at history, let's take a moment and look at the Clean Air Act of 1990, and compare the rhetoric of debate with the reality of its implementation. In 1989, the Edison Electric Institute predicted a significant rise in energy costs due to the Clean Air Act. Yet the reality, according to a recent study by the Center for American Progress, actually showed a decrease of 16 percent over those years. In 1990, the U.S. Business Roundtable claimed that passage of the Clean Air Act would cost a minimum—a minimum—of 200,000 jobs. But a recent study released by the EPA revealed the reality. The Clean Air Act resulted in a net creation of jobs and new industries created to reduce pollution, good-paying jobs in industries such as engineering, manufacturing, construction, and maintenance.

By 2008 the environmental technology sector supported 1.7 million jobs in this country.

The time has come to address climate change rather than embracing the pseudoscience and denial that is embraced by far too many in Washington today. The Nation has never solved a single problem by denying the facts. Let me be clear. Inaction is not a solution to this very real crisis. Denial is not a strategy.

Consequently, if my Republican colleagues have a better way to address carbon pollution than what the President has proposed, I would ask them to join the debate. If they have a pollution solution that is more efficient or more effective, now is the time to have that discussion.

Through American ingenuity we can slow the impact of climate change and unleash the full potential of cleaner energy. We can create a healthier, more stable environment for future generations, but we must have the will to recognize the facts as they are. We will need to make the investments that are necessary, and we will have to find the political will to act.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REID. Will the Senator from Rhode Island withhold for just a moment.

Mr. WHITEHOUSE. I would gladly withhold.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I express my appreciation to my friend from Rhode Island, who is so courteous to everyone, and I appreciate it.

UNANIMOUS CONSENT AGREEMENT— EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that on Tuesday, June 10, following disposition of Executive Calendar No. 734, the Lauck nomination, the time until 12 noon be equally divided between the two leaders or their designees and the Senate proceed to vote as under the previous order; further, that following disposition of Calendar No. 736, the Sorokin nomination, and Calendar No. 739, the Boulware nomination, the Senate stand in recess until 2:15 p.m.; that at 2:15 p.m. the time until 2:30 p.m. be equally divided between the two leaders or their designees and at 2:30 p.m. the Senate proceed to vote on cloture on Calendar No. 769, the Brainard nomination, Calendar No. 771, the Powell nomination, and Calendar No. 767, the Fischer nomination; further, that if cloture is invoked on any of these nominations, all postcloture time be expired and the Senate proceed to vote on confirmation of the nominations on Thursday, June 12, 2014, at 1:45 p.m.; further, that any rollcall vote after the first in each sequence be 10 minutes in length; further, that if any nomination is confirmed, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. With this agreement, there will be one rollcall vote at approximately 10 a.m. tomorrow, two rollcall votes at 12 noon, and three additional rollcall votes beginning at 2:30 p.m. We had to move these votes around for a lot of reasons. One is there that is a bill signing, another is that there is a funeral, and another is that one of our Senators wants to attend his son's graduation. So we will wind up at the same place—even though it won't be as orderly—at the end of the week.

Thank you again, my friend from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Thank you, Mr. President.

First, I thank Senator SANDERS of Vermont, Senator MARKEY of Massachusetts, and Senator HEINRICH of New Mexico for their remarks. I look forward to the remarks of Senator INHOFE of Oklahoma.

Viewers may wonder what we are doing here. As some will recall, several weeks ago a number of Democratic Senators—I think we ended up being 31 in total—participated in an all-night event to raise the awareness of and the discussion of climate change in this body. At that time only one of our Republican colleagues appeared to join the discussion, and that was the distinguished Senator from Oklahoma, who is here again this evening.

We heard some rumblings that some of our colleagues didn't feel they were included or wished they would have had the opportunity to participate. So taking them up on that offer, a number of us sent a letter on May 30 that says, in part:

Dear Colleague . . . We would welcome an opportunity to engage with our Republican colleagues in a discussion of how to address the problems of climate change. Indeed, we think our Republican colleagues could have a lot to offer if they wished to join us in exploring solutions.

Republican colleagues have co-authored bipartisan climate legislation, voted for the comprehensive Waxman/Markey climate legislation in the House, spoken out in favor of a carbon fee, and campaigned for national office on climate action. Republican senators represent states with great coastal cities inundated by rising tides, states with farmlands swept by unprecedented floods and droughts, states with forests lost to encroaching pine beetles and wildfires unprecedented in season and intensity, states with disappearing glaciers and reduced snowpack, and states with dying coral reefs and shifting habitats and fisheries. Republican senators represent home-state corporations with international brand names, corporations that urge action on climate. Republican senators represent great universities that contribute to the scientific understanding of climate change and how human activities are changing it. We look forward to the opportunity to discuss climate change and how to respond to it with Republican senators.

I ask unanimous consent the letter be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, May 30, 2014.

DEAR COLLEAGUE, As you may know, thirty-one of us recently took to the floor of the Senate for a ''climate all-nighter'' to express our concern over Congress's inaction on carbon pollution. We have heard some feedback expressing concerns that Republican colleagues were not invited to join in. We would welcome an opportunity to engage with our Republican colleagues in a discussion of how to address the problems of climate change. Indeed, we think our Republican colleagues could have a lot to offer if they wish to join us in exploring solutions.

Republican colleagues have co-authored bipartisan climate legislation, voted for the comprehensive Waxman/Markey climate legislation in the House, spoken out in favor of a carbon fee, and campaigned for national office on climate action. Republican senators represent states with great coastal cities inundated by rising tides, states with farmlands swept by unprecedented floods and droughts, states with forests lost to encroaching pine beetles and wildfires unprecedented in season and intensity, states with disappearing glaciers and reduced snowpack, and states with dying coral reefs and shifting habitats and fisheries. Republican senators represent home-state corporations with international brand names, corporations that urge action on climate. Republican senators represent great universities that contribute to the scientific understanding of climate change and how human activities are changing it. We look forward to the opportunity to discuss climate change and how to respond to it with Republican senators.

For any colleague who felt left out of our climate all-nighter we invite you to come to the floor. We've requested from leadership that time after votes on June 9th be reserved to engage in a robust exchange of views.

We earnestly believe that the stakes of failing to exercise American leadership and solve this problem are very high, with ramifications for our health and safety, our economic well-being, our food and water supplies, and our national security and standing. We hope you will join us in a sincere discussion.

Sincerely,

SHELDON WHITEHOUSE,
BARBARA BOXER,
BERNARD SANDERS,
JEFF MERKLEY,
EDWARD J. MARKEY,
U.S. Senators.

Mr. WHITEHOUSE. That sets the frame for what we are doing. We have had four Democratic Senators speak. We will be joined, I believe, by Chairman BOXER and perhaps others later on in the evening.

Pursuant to the unanimous consent we have agreed to, I yield to the Senator from Oklahoma for his remarks and will seek recognition pursuant to the unanimous consent at the conclusion of his remarks.

Pursuant to that understanding, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. First, I thank my good friend for yielding. I think we will have several people coming down and talking about this tonight.

I want to say something about Senator SANDERS from Vermont. I appreciate very much his comments. I think they were very appropriate.

I remember one time when he and I had a difference of opinion on an amendment. It had to do with the amount of money one of the large oil companies made. He and I debated on floor for something like 3 hours. A vote was taken, and I did win the vote. Afterward, he came up to me and he said: I want you to know that since I have been here from the House, that was probably the most enlightened debate we have ever had, and you won and I lost, and I really do appreciate it.

We have been very good friends since then.

Well, the comments he made are real because I don't have any doubt in my mind that Senator SANDERS and the rest of you have strong feelings about this.

What I want to do is something a little bit different. I have heard several people talk, and they talk about what is the hottest year and the coldest year and all of that. I am very careful to document anything I say, and I will continue to do that tonight.

Last Monday, the EPA released the long-awaited global warming regulations for the Nation's existing fleet of powerplants. We had already talked about the new powerplants and what we are going to do. We have seen the evidence of the increased pricing of energy in this country as a result of that. Now, of course, we are going to be talking about the existing program.

The interesting thing about this—this is what they are talking about doing through regulation after they have lost every single issue on the floor of this Senate—and so trying to do it now by regulations.

The EPA's proposed rule requires powerplants to reduce their CO_2 emissions by 25 percent by 2020 and by 30 percent by 2030. I do believe there will be major legal challenges facing this rule if it goes final, and I will talk about that in just a minute.

Over the past decade the Senate has debated a number of cap-and-trade bills. The first one was the McCain-Lieberman bill of 2003—I am going from memory now. I think Republicans had a majority at that time. I think I chaired either the subcommittee or the committee of jurisdiction. We defeated the McCain-Lieberman bill. It came up again slightly changed in 2005. We defeated it at that time too. Then the Warner-Lieberman bill came up in 2008, and we defeated that even by a larger margin. The Waxman-Markey bill—and keep in mind that this was when the distinguished Senator from Massachusetts was in the House—came up in 2009, but it never did reach the floor.

All of these bills would have established greenhouse gas regulations for the Nation's largest manufacturing power-generation facilities, but once the American people learned how much these cost, Congress ran away from these bills and they were defeated.

Each and every one of these bills would have cost the economy between $300 and $400 billion in lost GDP every year. These figures are not disputed. The first time they were calculated was back when the first bill came up. At that time everyone assumed that global warming was real, they assumed that the end of the world was coming and that manmade gases were responsible for it, and that was something which was kind of accepted.

At that time, though—and I remember hearing the first speculation as to the cost—the Wharton Econometrics Forecasting Associates came out with the range of between $300 and $400 billion a year. Then the Massachusetts Institute of Technology, MIT, and Charles River Associates and others came out with the same range—between $300 and $400 billion a year.

When you break this down to each household—every time there is some big regulation that comes along, I take

the number of people from my State of Oklahoma who filed a Federal tax return, number of families, and then I will calculate, do the math, and it turns out about $3,000 a family. That would make cap and trade the largest tax increase in American history.

It is not surprising that these bills did not become law. They were defeated. The McCain-Lieberman bill of 2003 fell 43 to 55; then the McCain-Lieberman bill in 2005—an even wider margin—38 to 60; and the Waxman-Markey fell because they didn't have the votes to do it.

What I am saying is that the trend is not going the way my good friend from Rhode Island would like to have it go. Instead, more and more people are opposing this.

Part of what is motivating the EPA's rule is that they want to say they leveled the playing field between parts of the country that don't have cap-and-trade programs. I think one of the previous speakers talked about the fact that many places like—I see the Senator from California is here now—California and the Northeastern States have cap and trade. These regions are hurting economically in part because of the onerous environmental regulations, including cap-and-trade programs they have been working to implement for so many years.

But the real result of this has been higher electricity prices. In fact, the average price of retail electricity in New England, according to the Energy Information Administration, is 17.67 cents per kilowatt hour. That is almost 18 cents a kilowatt hour. Compare that to Oklahoma. We are at 9 cents per kilowatt hour. We are one-half the cost in my State of Oklahoma for electricity. You see we have a real competitive advantage. There is nothing that keeps the Northeast from bringing their electricity costs down, but they are unwilling to do it. They are unwilling to do what we did; that is, utilize a diverse, inexpensive fuel supply we can source from right at home in Oklahoma.

California implemented its own cap-and-trade program just over a year ago, and it applies to both heavy industry and power generation. The State boasts that its program is second in size only to the European cap-and-trade program. Today, however, California's electricity prices are 15.94 cents—in other words, 16 cents per kilowatt hour—a stunning 70 percent more than they are in my State of Oklahoma.

Knowing this, it isn't surprising we constantly hear about all the jobs and companies and manufacturing facilities that are moving from places such as California and New England to States such as Oklahoma and to the South where we don't have these same kinds of regulations. What we want to do in Oklahoma is develop a nurturing environment for business to thrive, and a big part of it is having inexpensive, reliable energy. That is what we have in Oklahoma. EPA's rule threatens all we have worked so hard to accomplish, and it is all because so many politicians are beholden to the radical environmentalists.

What is interesting to me is the more and more the other side talks about global warming and all of the purported solutions here in Washington, the less and less people care.

In March, when Senate Democrats hosted their first global warming slumber party, Gallup released the results of the poll I believe the same day, showing Americans rank global warming as the 14th most important issue out of 15. I believe this was on March 9 or 10 when they had their last slumber party. It used to be No. 1 or No. 2, and now it is nearly last. We can see on this chart Gallup's poll numbers over time showing Americans care less about environmental issues than they ever did before. We can see the changes that have taken place. What people really care about are the economy and government spending. Those are the top two issues across party lines.

If enacted, this rule is going to cause serious damage to the economy. The Chamber of Commerce last week put out a study on regulations similar to the EPA's new greenhouse gas rules and found they will cost the economy $51 billion in lost GDP and 224,000 lost jobs each year—not just once but each year.

The Heritage Foundation put out separate analysis calculating that the rule would enact a cumulative hit of $2.23 trillion in lost GDP and destroy 600,000 jobs. By their measure, the average income for a family of four would decrease by $1,200 a year. I believe it is actually closer to $3,000 a year. Nonetheless, there is the consistency.

If we want to see where these regulations will ultimately lead, we need look no farther than the modeling President Obama uses. We need to be, as he says, more like Germany. Starting a few years ago, Germany began implementing an aggressive alternative energy agenda where they hiked subsidies and set a goal of generating 35 percent of their electricity from renewables by 2020. By 2050, this goal would increase to 80 percent. In doing this, the price of German retail electricity has doubled from where it was before. It is now 3 times—300 percent—higher than ours.

The next chart is Der Spiegel, a major publication in Germany. They recently had this on the cover of the magazine with the heading ''Luxury Electricity: Why energy has become more expensive and what politicians must do about it.''

In this, they talk about the politicians and others who are wishing Germany had not done what it was doing. And while industry, utilities, consumers, and some politicians are calling for reforms to the laws, it may be too late because everything is already on the books. This is what they are finding in Germany—and we all know how hard it is to repeal a law once it becomes implemented. So the Germans started this, and we are now emulating Germany, and their cost of electricity has doubled. When we talk about doubling, to a lot of people—maybe a lot of us who serve in this Chamber—that is not a big deal. But take a poor family that is spending 50 percent of their income on energy. It is something they can't handle.

EPA's rules will push us in the same direction as Germany—which makes sense, when we consider the EPA's recent rules such as utility MACT and the 316(b) rule, and the NRC's incessant overregulation of the nuclear power industry. We have perfectly good powerplants being forced to shut down all over the country. Now we have this rule coming out of EPA that will force even more shutdowns and push the Nation to more aggressively adopt renewables, and over a very short period of time. This is going to cause reliability and affordability issues.

We have been talking about affordability. Reliability is another thing too, because we have to have a reliable source that doesn't stop. There is no way around it. It is not just me saying this. FERC Commissioner Phil Moeller recently predicted that because of EPA's overregulation, the Nation could face rolling blackouts by next summer. Renewables will only make this risk more severe. If a substantial amount of electricity is being provided by renewables, then we will become vulnerable to reliability risks.

What I mean by that is we don't always know when the Sun is going to be shining or when the wind is going to be blowing, but there is always a demand for power. The demand is always there, but the wind stops. I understand this. I am from Oklahoma. We can have a very windy day and all of a sudden it stops, and the Sun maybe stops shining. If the wind is blowing really hard one day and then stops the next, significant strains are put on the electricity grid.

To compensate for that, we have to have backup power ready to come online at a moment's notice—where it is turned off 1 minute and then on the next. Having that kind of capacity sitting around waiting for the Sun to stop shining is incredibly expensive, which is one of the reasons Germany's power is so much more expensive than others.

So when I hear the President and EPA saying this rule could actually lower electricity bills, it makes me wonder if they ever sit down in the same room with FERC and NERC and NRC to tell it like it is. Honestly, they are not telling the truth.

The President and Administrator McCarthy have also been touting the human health benefits this rule will deliver. To help announce the new rule, President Obama did a conference call with the American Lung Association and said it would help reduce instances of childhood asthma. Gina McCarthy made the same point in her remarks about the rule. But this completely contradicts what EPA previously said.

In this chart which the Agency has published, in official documentation, it says greenhouse gases ''do not cause direct adverse health effects such as respiratory or toxic effects.'' I know others will stand up to refute this, but this is what the EPA said.

What is even worse is this rule will not have any impact on global CO_2 emissions. We know this because of the President's first EPA Administrator, Lisa Jackson. This is kind of interesting. I asked her the question during the committee hearing, on live TV: If we were to do away, either pass cap-and-trade or by regulation, would this reduce the overall CO_2 emissions worldwide?

And she said: No, it wouldn't. Her quote is: ''U.S. action alone will not impact world CO_2 levels.'' This is because the largest tax increase in history, without any benefits—because once you implement these regulations, our manufacturing base would go someplace where they can find it; maybe China, maybe India, maybe Mexico. But they will go places where they don't have the stringent emission requirements we have in this country. So in that case, emissions would actually go up instead of down.

Add to all of this the fact that there has been no increase in global surface temperature between 1998 and 2013. This is according to the journal Nature, the Economist, and even the Intergovernmental Panel on Climate Change that is the United Nations. They are the ones who started this, and even they say there has not been any increase in global surface temperature between the years of 1998 and 2013.

This pause was totally unexpected by the scientific community. After all, CO_2 concentrations went up by 8 percent over the same period of time—which, according to the models, should have led to significant temperature increases. This chart shows the difference between actual temperatures—the blue and the green lines down here—and the temperatures that were predicted by ''consensus'' scientific community—the red line. They said this is where the heat was coming, and it didn't happen. It is clear the scientific community, which everyone puts so much trust in, did not predict a pause would actually happen.

Add to this the fact that the U.S. Historical Climatology Network is reporting that this is the coldest year so far on record for the United States. Others will say, no, that is not true. So I quoted this source, the U.S. Historical Climatology Network, that if things continue as they are so far, this will be the coldest year on record in the United States.

Normally, putting all this together would make me wonder why the President is pushing these regulations. But then I remember Tom Steyer. Let me introduce him.

This man, who made billions in the traditional energy industry, is the new poster child of the environmental left. He is the one who promised to direct $100 million to resurrect the dead issue of global warming. He has the President and others on board with his plan, and they are following through. Tonight's slumber party is proof enough.

I can hear it now. A severe case of righteous indignation is going to show up, and they are going to say: Are you saying Tom Steyer is putting 100 million in these races?

No, I am not saying that. That is what Tom Steyer is saying.

I have a quote here from him: It is true that we expect to be heavily involved in the midterm elections. We are looking at a bunch of races. My guess is we will end up being involved in eight or more races. And that is with $100 million.

But that is what this all comes down to—a key constituency of the Democratic Party wanting to see the Nation completely change the way we generate and consume energy—for no environmental benefit. The only benefit here is a political one.

In closing, I wish to highlight a few of the legal issues I mentioned a minute ago that will likely come up once the rule is finalized. There are three main reasons why I do not believe this rule, from a legal perspective, is an appropriate construct of the Clean Air Act. I always supported the Clean Air Act amendments, and good things happened from them.

The first is the Clean Air Act was never designed to handle greenhouse gas emissions. We know that. This is a bipartisan perspective. Congressman JOHN DINGELL, one of the principal architects of the Clean Air Act over in the House, said last week:

> I do not believe the Clean Air Act is intended, or is the most effective way, to regulate greenhouse gases.

The second legal reason is this rule relies on an outside-the-fence approach to reducing greenhouse gas emissions. Section 111 of the Clean Air Act should only allow the EPA to establish a process where the States determine the most appropriate emission reductions on a facility-by-facility basis. Instead, the EPA has set statewide emission reduction mandates, without regard to the technical feasibility of actually accomplishing the goal.

Cap-and-trade proposals will emerge under this, which will ultimately pit industries against one another. So the real impact of this rule could far exceed its advertised intent of targeting only powerplants.

Oklahoma Attorney General Scott Pruitt has effectively made this case and will lead the charge challenging the legal authority of this rule, should it become final. I am very proud of the attorney general, because he has been very effective in leading other attorneys general around the country to join in this effort.

The third reason this rule is inappropriate is because the Clean Air Act states that section 111(b) regulations cannot be pursued in the event the facilities are already regulated under section 112, which governs air toxins. Powerplants are already regulated under this section. So the fact they are trying to regulate them under 111(b) is inconsistent with the law, and that of course will be on our side on this.

There are a number of major reasons why this rule may not stand up in the courts. But it is my expectation that it will not come to that point. The largest tax increase in history. The Earth's surface has not gotten warmer in 14 years. Polling shows Americans don't believe it is a huge problem. It is huge for job losses. Stopping CO_2 in the United States won't affect world CO_2 emissions. That is what we have from the Administrator of the EPA. So we will be hearing a lot of things tonight, all about what is going on, and they will be discreet with me. That is the reason I always document things.

Let me predict what I think is going to happen. A lot of people are not aware that there is something called the CRA, the Congressional Review Act. The Congressional Review Act is something where people say: Yes, there is a crisis in this country. Don't blame me. I am a Member of Congress. I didn't vote for it, but the regulators did this. This puts them where they should be in having to take a position.

The CRA is something introduced with 30 cosponsors. I already have 30 cosponsors to file a CRA on every one of these regulations, if they do become final. You cannot do it until they become final. Then it is a simple majority. So people are going to have to get on record, and to me that is really all we really need to get people on record on this.

I think you are probably going to hear some issues and people will assume that these are really happening. You will hear that extreme weather is increasing. The reinsurance company and global-related disaster losses have declined by 25 percent as a proportion of GDP. They will say that hurricanes are happening. Yet the Washington Post says the United States has not been witness to a category 3 or higher major hurricane landfall since October of 2005 when Wilma hit Southwest Florida as a Category 3 storm.

They will be talking about drought, in spite of the fact that even the IPCC has stated that in the United States droughts have become less frequent, less continuous, or shorter in central North America. Nature, the well-respected publication, says drought for the most part has become shorter, less frequent, and covered a smaller portion of the United States over the last century.

Flooding—the IPCC comes in again talking about this. The USGS says floods have not increased in the United States in frequency or intensity since at least 1950. NOAA says flood losses as a percentage of GDP have dropped by 75 percent since 1940. You are going to hear about flooding. That is why it is necessary to document these things.

NOAA, talking about tornadoes, says: Tornadoes have not increased in frequency, intensity or normalized damage since 1950. Some data shows that there has been a decline. So we have all these issues that I am sure we will be discussing sooner or later.

Polar bears—the chairman of the Environment and Public Works Committee gave me a polar bear coffee cup, which I use frequently, and we display that very prominently. But they say in the 1950s and 1960s there were between 5,000 and 10,000 polar bears. Today there are between 15,000 and 25,000.

So we have all these issues that are a reality on the glaciers. You can record the hurricanes and all these other items, and, yes, they are going to be talking about them, I am sure, during the course of the evening.

Let me just mention one other item from memory on this, but I know it is right because the I have said it so many times and it has recently been documented. We go through these 30-year cycles all the time. We have been going through them for a long time. If you take in 1895, all of a sudden everything started getting cooler, and that is when the term ice age first came along. They said another ice age is coming. That lasted until 1918. In 1918, all of a sudden it started getting warmer, and that was the first time you heard about global warming. That was 1918 to 1945. In 1945 it turned again—you see, every 30 years—and all of a sudden it got cold. They talked about another ice age coming. I remember Time magazine had a cover talking about the ice age. Then in 1970 another warm period came along. That is the one that people have been talking about.

Here is the thing. In 1945 we had the largest amount of increase in CO_2 emissions of any time in the recorded history of this country, and that precipitated not a warming period but a cooling period. Now as they have said, we haven't been warming for the last 15 years. So this is always a difficult issue to deal with. I know the effort is there. I know it is renewed now and people are excited about it, and I could assure you the trend is in the wrong direction, and it is not going to happen.

With that, Mr. President, my time has expired, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Under the unanimous consent request, the floor reverts to me, but the distinguished Member from California, my chairman of the Environment and Public Works Committee, has joined us, and I will yield for the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I thank the Presiding Officer, and I also want to thank my friend Senator WHITEHOUSE, such a great leader on this issue.

I am really glad that Senator INHOFE, my good friend, came down to the floor. He deserves a thank you because he has laid out why he denies the obvious, and that is that this planet is warming and it is due to human activity. Frankly, it is his right to turn his back on 97 percent of the scientists just like the deniers did when we learned that it was, in fact, smoking that was causing an epidemic of lung cancer. I respect Senator INHOFE. I am glad he came. But I have to say, I am sad that we haven't seen any Republicans come here except for Senator INHOFE who has written a whole book on this—and we know his views—but we don't see anybody else.

Let me tell you what we know from our other colleagues. Let's just take the Speaker—the Republican Speaker of the House, who said when asked about climate change—he kind of has a different view than Senator INHOFE, as does Senator RUBIO. This is what they said when asked what they think about climate change. Their answer is: Well, I am not a scientist. What do I know?

Well, right. They are not. Why don't you listen, then, to 97 percent of the scientists, if you admit that you are not a scientist?

What are Speaker BOEHNER or Senator RUBIO or the others who are these deniers saying? They are now saying they are not a scientist. Let's say they went to the doctor and the doctor said: Look, you have a serious liver condition, and I have a new drug that has been created to cure your disease. I don't think we should wait, and let's go.

And you didn't say: Well, I want a second opinion; I want to go to another doctor. You said: You know what. I am not a doctor. I don't think so.

Does that make sense?

What if you went to a dentist and the dentist said: Senator, you have an abscess. It is pretty straightforward. I can fix it. If you let it go, you are going to get an infection. I don't know what can happen.

Now, if I said to the dentist that I am going to check with a couple other people, then that is fine. But no, if I said: Oh, I am not a dentist, but I don't think so. As my friend told me before, you take your car in for repair, and they say: You know, there is something wrong with the brakes here, and we have to tighten those brakes. Can you leave the car here?

Well, I am not a repairman.

Ninety-seven percent of the scientists—they are all peer reviewed and are telling us what is happening to our planet.

Here is the thing about these deniers. If they want to jump off the climate change cliff and just go by themselves, that is their choice, but they are going to take everybody with them; OK? My grandkids, your grandkids, and their kids—and we are not going to let it happen. Senator WHITEHOUSE isn't going to let it happen. I am not going to let it happen. The President isn't going to let it happen.

Climate change is all around us. We must take action to reduce harmful carbon pollution, which 97 percent of scientists agree is leading to dangerous climate change that threatens our families. We cannot be bullied by those who have their heads in the sand, and whose obstruction is leading us off the climate change cliff.

One week ago the President released his new proposal to control dangerous carbon pollution from existing power plants, and it is a win-win-win for the American people. Power plants are the largest source of the Nation's harmful carbon pollution accounting for nearly 40 percent of all carbon released into the air. Unlike other pollutants, right now there are no limits to the amount of carbon pollution that can be released into the air for power plants. The President's carbon pollution reduction plan will protect public health and save thousands of lives. It will avoid up to 6,600 premature deaths, 150,000 asthma attacks, 3,300 heart attacks, 2,800 hospital admissions, and 490,000 missed days at school and work.

The President's plan to reduce harmful carbon pollution will also create thousands of jobs. By reducing carbon pollution we can avert the most calamitous impacts of climate change—such as rising sea levels, dangerous heat waves, and economic disruption.

As the recent Congressionally-required National Climate Assessment report tells us, we could see a 10 degree Fahrenheit rise in temperature if we do not act to limit dangerous carbon pollution now.

The President's proposal is respectful of the States' roles and allows major flexibility, while ensuring that big polluters reduce their significant contributions to climate change. The plan will allow the States to work with the EPA to analyze costs, and ensure carbon pollution standards continue to promote innovation and continue America's leadership in pollution control technology.

By cutting carbon emissions from power plants by 30 percent nationwide from 2005 levels, the President's plan will also help American families and businesses. The President's plan is projected to shrink electricity bills roughly 8 percent by increasing energy efficiency and reducing demand in the electricity system.

The American public wants action. According to a Washington Post-ABC poll released today, a bipartisan majority of the American people want Federal limits on carbon pollution. Approximately 70 percent say the Federal Government should require limits to carbon pollution from existing power plans, and 70 percent—57 percent of Republicans, 76 percent of Independents, and 79 percent of Democrats—support requiring States to limit the amount of carbon pollution within their borders.

The President's proposed carbon pollution standards for existing power plants is supported by the Clean Air Act. Congress gave the President the ability to control air pollution in the Clean Air Act. In 1990, revisions to the

Act overwhelming passed by a vote of 89–11 in the Senate and 401-21 in the House. In 2007, the Supreme Court confirmed in Massachusetts v. EPA that as passed by Congress, the Clean Air Act in no uncertain terms gave the Environmental Protection Agency authority to control carbon pollution. Four years later, the Supreme Court in American Electric Power v. Connecticut, specifically found that the Clean Air Act has provisions in place to limit carbon pollution from power plants—the very provisions the President is using in his proposed power plant carbon standards.

We have long known that air pollution contributes to climate change. During the debate on the 1970 Clean Air Act Amendments, Senator Boggs introduced into the record a White House Report stating that: ''Air pollution alters climate and may produce global changes in temperature. . . . [T]he addition of particulates and carbon dioxide in the atmosphere could have dramatic and long-term effects on world climate.'' And the Clean Air Act has a proven track record.

The U.S. has shown we can continue to protect the environment and grow the economy. Over the last 40 years since the passage of the Clean Air Act, air pollution has dropped 68 percent and America's GDP has grown 212 percent. Total private sector jobs increased by 88 percent. Between 1980 and 2012, gross domestic product increased 133 percent, vehicle miles traveled increased 92 percent, energy consumption increased 27 percent, and U.S. population grew by 38 percent. During the same time period, total emissions of the six principal air pollutants dropped by 67 percent.

It is in America's DNA to turn a problem into an opportunity, and that is what we have done by being a pioneer in the green technology industry. These new carbon pollution standards are no different. Landmark environmental laws have bolstered an environmental technology and services sector that employs an estimated 3.4 million people, according to the Bureau of Labor Statistics. And many of these jobs, like installing solar roofs and wind turbines cannot be outsourced.

We must take action to protect families and communities from the mounting impacts of climate change. Just look at China, which has hazardous levels of air pollution and toxic emissions. According to a scientific study from the Health Effect Institute on leading causes of death worldwide, outdoor air pollution contributed to 1.2 million premature deaths in China in 2010, which is nearly 40 percent of the global total. Officials in China have recently suggested that they plan to take steps to address their carbon pollution, but the U.S. cannot wait for China to act. The President's new power plant standards are a major step forward. They show that America will finally lead on a path to averting the most dangerous impacts of climate change.

On Friday the White House released a report on the harmful health impacts of climate change, especially on our most vulnerable populations like children, the elderly and low-income Americans. The report cited impacts like increased ground level ozone which could worsen respiratory illnesses like asthma, increased air pollutants from wildfires, and more heat-related and flood-related deaths. The first line in this new report sums up why we must take action to reduce carbon pollution:

> We have a moral obligation to leave our children a planet that's not irrevocably polluted or damaged.

The American people want us to protect their children and families from dangerous climate change. We must safeguard our children, our grandchildren, and generations to come.

The people of my home State of California and the American people deserve these new protections, and the President should be lauded for moving forward and tackling one of our Nation's greatest challenges.

I am going to spend the rest of my time summing it up by refuting some of the things Senator INHOFE said.

I have to say the President deserves a lot of credit for his plan. What is really interesting is it is supported by 70 percent of the American people, who ''think the Federal Government should limit the release of greenhouse gasses from existing power plants in an effort to reduce global warming.''

That includes amazingly 57 percent of Republicans, 79 percent of Democrats, and 76 percent of Independents who support the President's plan. They are not stupid. They are smart.

Look what happens when you throw the environment under the bus. People walk around in air that you can see. You don't want to see the air. You don't want to wear a mask when you go outside. The American people get it.

Then my colleague says: They are going to scare you. They are going to scare you. There is no problem with carbon in the air. There is no problem at all.

Well, let me tell you who disagrees with Senator INHOFE, who disagrees with the Republicans: the American Medical Association, the American Academy of Pediatrics, the American Thoracic Society, the American Public Health Association, the American Lung Association, the National Nurses Union. They all have statements that say climate change is a threat to public health.

Who are the people going to listen to? Us politicians or people who spend every day of their life waking up in the morning and thinking of ways to protect our health? Yes, if the deniers want to jump off the cliff and they only hurt themselves, I suppose that is their option. But they are taking my kids, and they are taking all the kids of our American families, and we are not going to let that happen.

I will close with this. The Senator from Oklahoma started to say: This is going to kill you. It is going to raise your prices of electricity. Jobs are going to be lost. He cited a U.S. Chamber of Commerce study that has been so rebuffed that the Washington Post gave it their most Pinocchios—in other words, four Pinocchios for the U.S. Chamber of Commerce because they were responding to something that never came about.

This plan of the President's makes a whole lot of sense. He has courage to do it. We are going to stand behind it. And, yes, the Republicans are going to try to repeal it. Let me give them the bad news from their perspective. They have sent over dozens and dozens of environmental riders. I want to say over 90—over 90—and we have beaten back every single one of them. For colleagues to stand there and say Senator SHELDON WHITEHOUSE and I are doing this because it is an election year is a joke. We have been doing this for years.

I daresay Senator SHELDON WHITEHOUSE has made more speeches on the floor than anyone on this subject. When I had the gavel for the first time in 2007, I had to fight to keep it in my hand because, guess what. We had Al Gore before the committee. Remember? Senator INHOFE was so stressed he tried to grab the gavel. We have kind of a funny picture in our office in which I said: ''Elections have consequences.'' And they do. But to say that we are doing this because there is some donor is the most absurd thing I have ever heard.

I will put in the record a statement by Lyndon Johnson. This shows how far back Democrats have warned about this. This is amazing. My staff discovered this. He said this in 1965.

In his ''Special Message to the Congress on Conservation and Restoration of Natural Beauty'' President Lyndon B. Johnson stated that, ''The Clean Air Act should be improved to permit [EPA] to investigate potential air pollution problems before pollution happens, rather than having to wait until the damage occurs, as is now the case, and to make recommendations leading to the prevention of such pollution.''

''Air pollution is no longer confined to isolated places. This generation has altered the composition of the atmosphere on a global scale through radioactive materials and a steady increase in carbon dioxide from the burning of fossil fuels.''

So don't come on this floor and say suddenly the Democrats care about this because it is an election year. It is ridiculous. We have known about this for years. We have been trying to get the attention of our colleagues.

I thank Senator WHITEHOUSE. He and I signed a letter with several others inviting our colleagues to the floor. All we got was Senator INHOFE—not that we don't love him, and we appreciate he came over here, but we have to now assume he speaks for everybody on that side, which is scary, because they have turned their backs on the doctors.

They have turned their backs on the scientists, and they have turned their backs on the American people.

Thank you, Senator WHITEHOUSE, and I would yield back to the Senator.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, the hope for this evening was that by extending a formal invitation to our colleagues on the other side of the aisle, somebody would come to the floor who was not just outright denying that climate change is happening.

For a while Senator INHOFE's was focused on the economics of various types of regulation during his remarks. At that point I thought maybe we could have a conversation about the best way to solve the climate change problem, but toward the end of his remarks, he got back to denying that it is happening at all, which makes a tough place to begin negotiations.

There are plenty of other Republican Senators in this body, many of whom have worked on this issue in the past. I don't know whether it is a coincidence, but the level of activity by Republican Senators on climate change collapsed shortly after the U.S. Supreme Court's decision in Citizens United. As many of my Republican friends have pointed out to me on the floor, there have been times when the big, dark, anonymous election money that has been thrown around since that decision has been made has been spent against Republicans more than against Democrats.

We hope that as we resolve that issue, some of our friends find a way back to the positions they have held in the past, back to campaigning nationally on climate issues, supporting bipartisan climate legislation, supporting a carbon fee, and voting for a cap-and-trade bill. That is where they had been before Citizens United, and we had hoped to bring them back. But the champion sent by the Republican side to represent their point of view tonight was Senator INHOFE, who has written a book that said this is all just a big hoax. In that sense it was disappointing.

I have heard these arguments before, and as we go down the list, I think it is worth taking a moment to knock them aside. One of my personal favorites is that the EPA is doing this after the issue was repeatedly blocked in Congress. Well, yes, it has been blocked in Congress by coal and oil and polluter interests. So the interests that have blocked a highway don't get to complain when traffic has to take a detour.

We would be delighted to work on serious climate legislation in this body. We would be delighted to have it here. For a lot of reasons, we would get a better result if we addressed climate change legislation here rather than through the EPA rule. This is where the conversation should take place, but when oil and coal and polluting industries take the position that this is not real and force the Republican Party into that position—that climate change is not real—then we are obviously not going to have a very meaningful discussion about solving a problem, and that is what forces it go to the EPA. It is a little rich for those who have shut down this forum for solving this problem to complain when it gets solved in another and less efficient way. They don't very well get to do that.

The high cost of the solution is—I think Senator INHOFE said—$300 to $400 billion and that it is not disputed. Well, yes, it is totally disputed. It is absolutely disputed. In fact, it is not even true.

The best way to solve this problem is with a revenue-neutral carbon fee. What does revenue neutral mean? Revenue neutral means that for every dollar that comes in from the carbon pollution fee that the polluters have to pay, it goes right back out to the American people and straight back into the economy; 100 cents on the dollar goes back to the American people. That is what I would like to see. It can be done through tax deductions.

A conservative organization, the American Enterprise Institute, has coauthored a report with the Brookings Institution on what they call a carbon tax. I call it a carbon pollution fee, because when we are giving all the money straight back to the American people, it is not truly a tax. It is not general revenue to the government. The money goes straight back out. When we do that, I think there is a case to be made that that actually propels the economy.

Investing in innovation, supporting and creating different types of energy that we can build in America is inevitably going to be better for our economy than having to use fossil fuels, clean up after the pollution, and deal with the foreign countries that traffic in fossil fuels. It would all lead to a better circumstance for our country.

The Senator from Oklahoma also said this is the product of what he called the radical environmental movement. One group that speaks very strongly on climate change is NASA. Right now NASA is driving around a Rover on the surface of Mars. They built a Rover that is about the size of an SUV, launched it into space, landed it successfully on the planet Mars, and they are now driving it around. Do you think these people know what they are talking about? Do you think NASA is a radical environmentalist movement? Really? That is a conspiracy theory that has run amok if you think NASA is part of a radical environmentalist movement.

How about our military? ''National Security and the Accelerating Risks of Climate Change'' by the CNA Military Advisory Board. The CNA Corporation is a corporation largely comprised of retired military who are kept on in that role to advise the military on emerging issues. It is sort of a think tank for the U.S. military that has been there through Republican and Democratic administrations alike. This report, ''National Security and the Accelerating Risks of Climate Change,'' was done by this military advisory board with some very interesting people.

How about BG Gerald E. Galloway, Jr., the former dean at the U.S. Military Academy. Do you think the dean from West Point is part of a radical environmental movement?

How about Lee Gunn, a former inspector general of the Department of the Navy. He doesn't seem like a very radical environmentalist to me.

ADM Skip Bowman, former Director of the Naval Nuclear Propulsion Program; Gen. James Conway, former Commandant of the Marine Corps—now there are some radical leftwing environmentalists for you, the U.S. Marines.

This is so far beyond that. Organizations such as Walmart, Coke and Pepsi, Ford and GM, UPS and FedEx, Target, Nike, VF Corporation, one of the biggest apparel manufacturers in the country located in North Carolina—all are totally on board with this.

The military is totally on board with this. NASA is totally on board with this, as is the National Science Foundation and every major scientific organization in the country—every single one. So let's not pretend this is a fringe group of radical environmentalists trying to foist an idea on the country. This is a fringe residue of oil and coal and polluting interests trying to prevent the end of a long holiday they have had from any responsibility for all the harm their carbon pollution has caused.

Let me tell you firsthand there is harm happening in my home State of Rhode Island, and it is not deniable. The deniers will never talk about the oceans. They will never talk about the oceans. They will talk about distant climate theory all day long, but when we go to the sea, the sea does not bear false witness.

The sea level is rising, and we measure that with essentially a yardstick nailed to the end of a pier. A tide gauge is not a complex instrument, and off the Naval War College in Newport, RI, the seas are up 10 inches since the 1930s. Why is that? We have known since President Lincoln was President that when we add carbon dioxide into the atmosphere, it warms the planet. That is not a hypothesis. That science has been established since Abraham Lincoln in his stovepipe hat drove around Washington in a carriage.

We know billions of tons of carbon dioxide have gone up there. We know further that virtually all the heat has gone into the oceans. Unless somebody wants to deny the law of thermal expansion—and I have not heard anybody willing to deny that yet—when we warm up the ocean, guess what. It expands and rises. We in Rhode Island have seen seas 10 inches higher thrown at our shores by a big storm or hurricane. It makes a big difference.

I challenge my colleagues on the other side of the aisle to give me just 5 minutes of their time and go to Google and look up the images of the hurricane of 1938. Look at the pictures of what happened in my State when the sea level was 10 inches lower.

Senator INHOFE mentioned the U.S. Chamber of Commerce study. I am a little surprised he did that because he is not the first Republican to mention the U.S. Chamber of Commerce study. Speaker BOEHNER mentioned the U.S. Chamber of Commerce study too. He earned a false from PolitiFact for referencing that study. The Washington Post gave it four Pinocchios. You know Pinocchio, his nose would grow longer when he would not tell the truth. So that was a strange place to go.

He said there has been no temperature increase. He said: ''It didn't happen.'' It did happen. It absolutely did happen. It happened in the oceans where more than 90 percent of the heat goes. It happened in the oceans, and it can be measured with thermometers. It is not complicated.

If you go to Narragansett Bay in Rhode Island, you will see that the mean winter water temperature is 3 to 4 degrees warmer, and it has a real effect on Rhode Islanders. Men used to go out on boats with trawls and catch winter flounder in Narragansett Bay, and it was a cash crop. It was a fishery that fed their families. It has crashed 90 percent, and a significant part of that is because the bay is no longer hospitable to winter flounder when it is 3 to 4 degrees warmer. It simply doesn't work.

The public is with us, and we will get this done. Tonight we have seen what we are up against. Not one Republican in this building would come tonight at our invitation and say one word about climate change being real—not one Republican, not one word. So that is what we are up against. But they have lost the American public, and so the fall of the denial castle is inevitable. It is built on sand, and the sand is eroding. It is eroding.

Even among young Republican voters—self-identified Republican voters under the age of 35—the hypothesis offered by the deniers that climate change is not real is viewed as—and these are the words from the poll, not my words—''ignorant, out of touch, or crazy.''

I submit that a party whose own voters under the age of 35 view that party's position of denying climate change as ''ignorant, out of touch, or crazy'' is a party that needs a new position on climate change. They are not even selling their own young voters, and they are certainly not selling the general public, which wants the President to do something about this in enormous numbers—70 and 80 percent, depending on whether one is looking at Democrats, Independents or the full population.

I will close with two specifics because we often have these debates sort of at the IPCC versus the Sierra Club level.

I have been going around to different States, and I have been looking at what is going on State by State. I have been to seven States already. I wish to mention two tonight. I just got back from New Hampshire, the most recent trip. What is going on in New Hampshire? New Hampshire, as many people know, has a big ski industry. It is a winter holiday destination, a winter vacation and tourism destination, and skiing is a big part of that. I met with the guy who runs the Cranmore ski mountain. They have, I want to say, tripled, or thereabouts, the number of snowmaking guns they have on their slopes. They have gotten better at it. They have made it more efficient so they make more snow. So as there is less snowpack in the mountains, they are able to get around it by making more snow. But the reality of this is proven by the fact that they have to go out there and make more snow. As a New Hampshire official said, that is fine for the slopes. They can get out there, and they can roar those guns all night long and make snow on those mountain slopes. But if a person is a Nordic skier, they have to go out on trails, and there is no economic way to blow snow onto trails. If a person is a snowmobile enthusiast, they go out on snow trails, and there is no economic way to blow snow onto snowmobile trails. They are seeing a dramatic falling off in Nordic and snowmobile tourism as a result and of the availability of that important market for them.

They talked about two animals. I will start with the moose. It is a pretty iconic species for New Hampshire, I was told. There are moose tours. Who knew? People go up to New Hampshire to look at moose. Moose touring is a multimillion-dollar industry. I learned something new on that trip. That industry is suffering from a couple of things. First of all, sometimes they do the moose tours on snowmobiles—no snow, no snowmobile moose tours. But worse—indeed, eerily, horrifyingly, creepily—the moose are dying off because they are being overwhelmed by ticks. Now, picking a tick off my dog is enough to give me the heebie-jeebies, and if I find one myself, it is a little creepy. We are not talking about one tick on these moose. We are not talking about 100 ticks. We are not even talking about 1,000 ticks on these moose. We are talking about 50,000 to 100,000 ticks per moose—so much that they can't keep themselves healthy. The blood is being sucked out of them by tens of thousands of ticks.

So the expert in that area who spoke to me said the reaction from the mothers is to just have one calf instead of two. That keeps the population from growing, and the calves basically starve. They die of anemia. They can't feed themselves.

They can't keep a blood system running that feeds themselves and the thousands of ticks. These things grow to be the size of a blueberry or a grape. It is really appalling. This is an emblematic mammal of New Hampshire, and this is what is befalling it.

What do the New Hampshire folks say is causing it? The retreat of the snow. The ticks, when they are falling and breeding and laying their eggs—whatever the heck they do to reproduce; I am no tick expert. But they do it on Earth now, whereas when they fell on snow, boom, that was it. So the explosion in the tick population and the disgusting infestation on those poor animals is directly related to the retreat of the snow.

The last point on New Hampshire, the State bird is evidently the purple finch. The purple finch has a very particular kind of habitat. Because of the way the climate is changing, that habitat is shrinking, and one of the bird experts I spoke to said they are looking at the prospect of the purple finch being a species that New Hampshire folks have to go to Canada to find. It is their State bird, but they have to go to Canada to find it.

The other State I will close with is Florida. Florida is ground zero for climate change. In Florida, great cities are flooding at high tide. The systems that used to drain water out of the cities in a rain storm are now flooding salt water into the cities because of sea level rise at high tides. I have met with former mayors and county commissioners who have shown me pictures of people riding their bicycle hub deep through water, on a bright sunny day. It is not raining; it is salt water. It has come up. One picture was of a yard where the homeowner had hammered a sign into the yard, ''No wake zone,'' so that cars driving by on the flooded road wouldn't create a wake and wash more salt water into their yard. Some weren't so lucky, and the water was right through the front door and into the house.

The Republican mayor of Monroe County has made climate change a priority. She has instructed her county government to do a climate change report, looking particularly at sea level rise—the Republican mayor of Monroe County. Yet, what do we hear from the Republican side here? Not a peep. Not a peep.

She said something else that is interesting. I will close with this. I asked her how the coral reefs were doing. A lot of people go to Florida to snorkel and to scuba dive and to see the wonders of the world under the sea. I said: Mayor, how are your reefs doing? I have heard a lot about what acidification and warming temperatures are doing to reefs. She said: They are still beautiful. Then she paused and said: Unless you were here 10 or 20 years ago. Ten or 20 years, and we see that change.

What is happening to the reefs is really catastrophic.

My friends on the other side never want to talk about this. They want to talk about climate modeling. We don't need a model to go to the end of the dock at Fort Pulaski and see how much

the sea level has risen. We measure it. It is simple. It is the same thing at the Naval War College. We measure it. It is simple. We don't need complex computer models to go to Narragansett Bay and see it is nearly four degrees warmer mean water temperature and all the changes that happen as a result. We use a thermometer. It is not complicated. And the acidification of the oceans that is affecting the coral reefs and so many other creatures—it wiped out the northwest oyster spat. People grow oysters in the Pacific Northwest, and the sea water that came in was so acidic, it dissolved the shells of the baby oysters and wiped out a huge percentage of their crop. That we measure with the same kind of litmus tests kids do with their aquariums. It is not complicated. But they always want to talk about where it can be confusing. They never want to confront the problem.

We are going to find ways to continue to insist on confronting this problem. They may not be here tonight, but as the old saying goes, you can run, but you can't hide. There are too many of my colleagues who have been helpful and good on this issue before—as I said, before Citizens United. If we look at the Republican Senate activity on climate change before Citizens United and after, it is like looking at a heart attack. We see steady activity until Citizens United, and then it is a flat line. Citizens United, dark money, polluter money has done as much damage polluting our democracy as they have done polluting our planet. But we are going to continue to do something about it, and the American public not only is with us, they are going to insist on it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

GASPEE DAYS

Mr. WHITEHOUSE. Madam President, I am so glad to have you here because a recurring tradition on the Senate floor is about to take place, and it is always particularly good for a Senator from Rhode Island to have a Senator from Massachusetts presiding while I talk about this.

Today I am here to recognize and celebrate one of the earliest acts of defiance against the British Crown in our great American struggle for independence. Most Americans remember the Boston Tea Party as one of the major events building up to the American Revolution. We learned the story of spirited Bostonians—and when I say ''spirited,'' I mean that in several senses; I gather that spirits had been served to those Bostonians before they embarked on this adventure—clambering onto the decks of the East India Company's ships and dumping bales of tea into Boston Harbor as a protest of British ''taxation without representation,'' which was a fine and worthy stunt, and I am certainly not here to defend taxation without representation.

However, there is a milestone on the path to revolution that is frequently overlooked, and it is the story of 60 brave Rhode Islanders who challenged British rule more than a year before that Tea Party in Boston, and they did a little bit more than throw tea bags overboard. So every year I honor those little known Rhode Island heroes who risked their lives in defiance of oppression 1 dark night more than 240 years ago.

In the years before the Revolutionary War, as tensions with the American Colonies grew, King George III stationed revenue cutters, armed customs patrol vessels, along the American coast. They were there to prevent smuggling, to enforce the payment of taxes, and to impose the authority of the Crown.

One of the most notorious of these ships was the HMS Gaspee. Its captain, Lieutenant William Duddingston, was known for destroying fishing vessels, seizing cargo, and flagging down ships only to harass, humiliate, and interrogate the colonials.

Outraged by this egregious abuse of power, the merchants and shipmasters of Rhode Island flooded civil and military officials with complaints about the Gaspee, exhausting every diplomatic and legal means to stir the British Crown to regulate Duddingston's conduct.

Not only did British officials ignore the Rhode Islanders' concerns; they responded with open hostility. The commander of the local British fleet, ADM John Montagu, warned that anyone who dared attempt acts of resistance or retaliation against the Gaspee would be taken into custody and hanged as a pirate, which brings us to June 9, 1772, 242 years ago.

Rhode Island ship captain Benjamin Lindsey was en route to Providence from Newport, in his ship the Hannah, when he was accosted and ordered to yield for inspection by the Gaspee. Captain Lindsey ignored the Gaspee's command and raced away up Narragansett Bay—despite warning shots fired by the Gaspee. As the Gaspee gave chase, Captain Lindsey knew a little something about Narragansett Bay and he knew a little something about the Hannah. He knew that she was lighter and drew less water than the Gaspee. So he sped north toward Pawtuxet Cove, toward the shallow waters off Namquid Point. His Hannah shot over the shallows there, but the heavier Gaspee grounded and stuck firm. The British ship and her crew were caught stranded in a falling tide, and it would be many hours before a rising tide could free the hulking Gaspee.

Presented with that irresistible opportunity, Captain Lindsey continued on his course to Providence and there enlisted the help of John Brown, a respected merchant from one of the most prominent Providence families. The two men rallied a group of Rhode Island patriots at Sabin's Tavern, in what is now the east side of Providence. So perhaps something the Bostonians at the Tea Party and the Rhode Islanders at the Gaspee had in common was spirits. Together, the group resolved to put an end to the Gaspee's threat to Rhode Island waters.

That night, the men, led by Captain Lindsey and Abraham Whipple—later to become a commander in the Revolutionary navy—embarked in eight longboats quietly down Narragansett Bay. They encircled the Gaspee, and they called on Lieutenant Duddingston to surrender his ship. Duddingston refused and ordered his men to fire upon anyone who tried to board.

Undeterred, the Rhode Islanders forced their way onto the Gaspee's deck—in a hail of oaths and sword clashes and musketfire—and Lieutenant Duddingston fell with a musket ball in the midst of the struggle. Right there in the waters of Warwick, RI, the very first blood in the conflict that was to become the American Revolution was drawn.

As the patriots commandeered the ship, Brown ordered one of his Rhode Islanders, a physician named John Mawney, to head to the ship's captain's cabin and tend to Duddingston's wound—a humane gesture in their moment of victory to help a man who had threatened to open fire on them only moments before.

Brown and Whipple took the captive English crew back to shore and then returned to the Gaspee to rid Narragansett Bay of her despised presence once and for all. They set her afire. The blaze spread through the ship, and ultimately to the ship's powder magazine, which went off with an explosion like fireworks, the blast echoing through the night across the bay, the flash lighting the sea up like daylight, and fragments of the ship splashing down into the water all around.

The site of this audacious act is now named Gaspee Point in honor of these brave Rhode Islanders. So I come again here to share this story and to commemorate this night so many years ago—June 9, 1772—and the names of Benjamin Lindsey, John Brown, and Abraham Whipple, and those men not known to history who fought beside them that night.

The Gaspee Affair, as it was called, generated furor in the British Government, which appointed a royal commission of inquiry based in Newport to gather evidence for indictment. The indicted men were then to be sent to England for trial.

Well, not so fast. Rhode Island's colonial charter guaranteed its citizens the right to a trial in the vicinity in which the crime was alleged to have occurred. And beyond that, these Rhode Islanders presumed they were entitled to the

same rights as Englishmen in their mother country. Some went so far to say that this proposal to try them overseas violated ancient rights outlined in the Magna Carta.

This breach of the rights that colonists believed were enshrined in the British Constitution created continent-wide uproar. Young members of Virginia's House of Burgesses, such as Thomas Jefferson and Patrick Henry, yearning to protest, pushed the body to create a committee of correspondence to gather information from around the Colonies concerning the British Parliament's actions, while also urging other Colonies to do the same. By December 1773, 11 Colonies had set up committees of correspondence. These committees played a vital role in enflaming discontent. They were the first permanent modes of communication among the Thirteen Colonies and allowed abuses by Parliament to be quickly known throughout the Colonies.

John Allen, a little-known visiting minister in the Second Baptist Church in Boston, gave a sermon on the Gaspee Affair. It went the revolutionary equivalent of viral—widely published. In this sermon, Allen rejected the proposition that Parliament had a right to tax and enforce laws like the ones implicated in the Gaspee Affair on Americans without the consent of their colonial representatives—a position that would come to define colonial discontent and reverberates to this day through the slogan ''no taxation without representation.''

Allen concluded his sermon with the provoking and revolutionary question whether the British King had a right to rule over America in the first place. Reverend Allen asserted there was no parliamentary right to reign as in Britain, nor a right by conquest, as the American colonists had only signed compacts with the Crown for protection of their religious and civil rights. Allen espoused Enlightenment ideals of social compacts and political rights, stating that if the British Government enacted laws that were oppressive to the rights of American colonists, as it had with the creation of a commission of inquiry intending to send the Gaspee raiders to England for trial, then it lost its right to rule over them.

The sermon was published eight separate times in three different colonial cities and spread widely through the Colonies. Through that, the Gaspee Affair sparked in the minds of Americans ideas about parliamentary abuses and the King's right to rule that would seed a spirit of discontent and eventually boil over into revolution. The sermon, along with fiery editorials published in the wake of the affair, inspired colonial leaders to speak openly about the British Government's abuses, instigating conflict that would culminate in the battles of Lexington and Concord.

The Gaspee Affair galvanized colonial discontent and led to greater unity among the Thirteen Colonies. After Rhode Islanders defiantly set fire to the Gaspee, the American Colonies came together for a common cause for the first time in their history, a formative step in the birth of our new Nation.

I know these events, and the patriots whose efforts allowed for their success, are not forgotten in my home State. Over the years, I have enjoyed marching in the annual Gaspee Days Parade through Warwick, RI, as every year we recall the courage and zeal of these men who fired the first shots that drew the first blood in that great contest for the freedoms we enjoy today.

They set a precedent for future patriots to follow, including those in Boston who more than 1 year later would have their tea party. But do not forget, as my home State prepares once again to celebrate the anniversary of the Gaspee incident, Massachusetts colonists threw tea bags off the deck of their British ship. We blew ours up and shot its captain more than 1 year earlier. We are little in Rhode Island, but as Lieutenant Duddingston discovered, we pack a punch.

MORNING BUSINESS

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

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

NEVADA'S MISS USA—NIA SANCHEZ

Mr. REID. Madam President, I have to be honest. Last night I was flipping around—the NBA, the game of the week, the Red Sox playing Detroit, and the Tony awards. But also, Miss USA was going on. I have to acknowledge, I watched a little bit but not a lot of each. But I watched them all. I am disappointed that I caved in and watched the final of the Miss USA contest, because Miss Nevada won, and I would have liked to have seen that. I placed a call to her, and I will talk to her as soon as she gets out of the clouds, where I am sure she is now. But I congratulate the newly crowned Miss USA, Nevada's own Nia Sanchez.

What a story she has. This woman was homeless and spent a good part of her young days in a shelter. She is an exceptional Nevadan. She is gifted beyond her physical beauty. She holds a fourth-degree black belt in tae kwon do and is a certified instructor in the martial arts. When she is not practicing tae kwon do in her own studio, she is fighting on behalf of abused women. She volunteers at Shade Tree, a shelter for abused women. We are proud of Shade Tree.

So I, along with all Nevadans, congratulate Miss USA Nia Sanchez on her well-deserved victory. I wish her the very best as she pursues the crown of Miss Universe and undertakes her duties as a global ambassador.

ADDITIONAL STATEMENTS

BISHOP McGUINNESS CATHOLIC HIGH SCHOOL CHAMPIONSHIP

• Mr. BURR. Madam President, I wish to congratulate the Bishop McGuinness Catholic High School boys tennis team for securing the North Carolina High School Athletic Association's 1A dual tennis championship. The team proved that hard work pays off by finishing the season 15 to 1 in dual matches.

With the expertise and positive influence of head coach Bob Weckworth and associate head coach Benny Jones, these young men achieved a well-deserved victory.

Winning a State championship is a testament to hard work and dedication. They displayed pride and sportsmanship throughout the season.

I join the students, teachers, friends and family of Bishop McGuinness Catholic High in congratulating Ben Jandzinski, Andrew Balogh, Alek Bissell, Jonathan Ingram, Zack Jones, Max Kreber, Sam McLaughry, Jesse Russell, Will Shannon, John Valle, Lance Dittrich, Adam Chinnasami, Jared Russell, Justin Russell and Dickson Tam on their hard-earned championship.•

REMEMBERING DR. VINCENT HARDING

• Mr. UDALL of Colorado, Madam President, I wish to commemorate the life of Dr. Vincent Harding, a prominent civil rights leader, beloved professor and proud Coloradan, who passed away on May 19, 2014. Although Dr. Harding is no longer with us, his presence lives on through the lasting influence of his life's work. Thanks to Dr. Harding and the countless others who took part in the civil rights movement, we have made great strides in the pursuit of equality for all through landmark legislation and advocacy. His passing also reminds us of the ongoing struggle for equal rights in America and moves us to continue this fight in his honor.

A devout believer in the power of social activism, Dr. Harding moved from Harlem, NY to Georgia in the early 1960s to join the American civil rights movement. He traveled the South to assist with anti-segregation campaigns, and he and his wife, Rosemarie Freeney Harding, founded the Mennonite House, an interracial service center and gathering place for individuals active in the movement. Through this work, Dr. Harding met friend and co-activist, Rev. Dr. Martin Luther King, Jr., for whom he became an aide and speechwriter. Following Dr. King's death, Dr. Harding went on to serve as the first director of the Martin Luther King, Jr. Center.

In addition to his life-long commitment to promoting and protecting civil rights through writings and advocacy, Dr. Harding served as a beloved professor to thousands of students at universities around the country, including spending over three decades with the Iliff School of Theology in Denver, CO. It was there that he founded the Veterans of Hope Project to document the stories of other social justice leaders around the world and inspire future generations of committed activists.

In commemoration, we recognize the great work and sacrifices of Dr. Harding and the many Americans who stand up for what is right every day—even when doing so brings its share of risks and challenges. Appropriately, this coming July we will proudly celebrate the 50th anniversary of the signing of the Civil Rights Act of 1964—a victory for all Americans and one that would not have been possible without the resolve of Dr. Harding, Dr. King and other advocates who devoted their lives to ending discrimination. While we continue our fight against persistent oppression in America, we can look to the legacy of Dr. Harding for inspiration and acknowledge the strength and struggles of all those involved in the civil rights movement.

On behalf of a grateful nation and State, I take this time to express my deepest gratitude for Dr. Harding's contributions and my heartfelt condolences to all those who were touched by his life.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2450. A bill to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6022. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Female Squash Flowers From Israel Into the Continental United States'' (RIN0579–AD72) received in the Office of the President of the Senate on June 5, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6023. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Spirodiclofen; Pesticide Tolerances'' (FRL No. 9910–52) received in the Office of the President of the Senate on June 4, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6024. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Imazapic; Pesticide Tolerances; Technical Correction'' (FRL No. 9911–17) received in the Office of the President of the Senate on June 4, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6025. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Flutriaful; Pesticide Tolerances'' (FRL No. 9910–38) received in the Office of the President of the Senate on June 4, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6026. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sodium bisulfate; Exemption from the Requirement of a Tolerance'' (FRL No. 9910–50) received in the Office of the President of the Senate on June 4, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6027. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled ''Report to Congress on Department of Defense Fiscal Year 2013 Purchases from Foreign Entities''; to the Committee on Armed Services.

EC–6028. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of fourteen (14) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6029. A communication from the Assistant Secretary of Defense (Logistics and Materiel Readiness), transmitting, pursuant to law, the Department of Defense Biennial Core Report to Congress; to the Committee on Armed Services.

EC–6030. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Reasonably Available Control Technology Update to Address Control Techniques Guidelines Issued in 2006, 2007, and 2008'' (FRL No. 9904–73–Region 1) received in the Office of the President of the Senate on June 4, 2014; to the Committee on Environment and Public Works.

EC–6031. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation Implementation Plans; Kentucky; Approval of Revisions to the Jefferson County Portion of the Kentucky SIP; Emissions During Startups, Shutdowns, and Malfunctions'' (FRL No. 9911–96–Region 4) received in the Office of the President of the Senate on June 4, 2014; to the Committee on Environment and Public Works.

EC–6032. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Decommissioning of Stage II Vapor Recovery Systems'' (FRL No. 9909–99–Region 1) received in the Office of the President of the Senate on June 4, 2014; to the Committee on Environment and Public Works.

EC–6033. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–047); to the Committee on Foreign Relations.

EC–6034. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 14–013); to the Committee on Foreign Relations.

EC–6035. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Administrative Detention of Drugs Intended for Human or Animal Use'' (Docket No. FDA–2013–N–0365) received in the Office of the President of the Senate on June 5, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–6036. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Microbiology Devices; Reclassification of Nucleic Acid-Based Systems for Mycobacterium tuberculosis Complex in Respiratory Specimens'' (Docket No. FDA–2013–N–0544) received in the Office of the President of the Senate on June 5, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–6037. A communication from the Chairman, Dwight D. Eisenhower Memorial Commission, transmitting, pursuant to law, a report relative to the memorial construction; to the Committee on Rules and Administration.

EC–6038. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Burial Benefits'' (RIN2900–AO82) received in the Office of the President of the Senate on June 5, 2014; to the Committee on Veterans' Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–245. A resolution adopted by the Legislature of Rockland County, New York, urging Congress to fund mesothelioma research at the highest levels in the Fiscal Year 2015 Appropriations Bill by including $5.26 billion for the National Cancer Institute and $25 million for the Peer Reviewed Research Program as part of the Congressionally Mandated Research Program; to the Committee on Appropriations.

POM–246. A resolution adopted by the House of Representatives of the State of

Michigan memorializing Congress of the United States to oppose the U.S. Department of Defense's budget proposal that would potentially close commissaries at U.S. military bases and to ensure that replacement aircraft are assigned to Selfridge Air National Guard Base to compensate for the proposed elimination of the A–10 fleet; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 319

Whereas, The proposed U.S. Department of Defense budget would dramatically cut commissary services throughout the nation and eliminate the nation's A–10 fleet, including aircraft at Michigan's Selfridge Air National Guard Base. Selfridge currently is home to 18 A–10 Thunderbolt II aircraft and the more than 400 personnel related to that mission; and

Whereas, Our brave men and women in uniform benefit greatly from commissaries, and we should continue to provide them as part of their service. Slashing the commissary budget would likely lead to the closing of commissary stores at military installations throughout the nation. Commissary stores currently provide military families an affordable and convenient location to shop for groceries and other necessities. The U.S. Defense Commissary Agency found that commissaries save shoppers an average of 30.5 percent annually compared to off-base options; and

Whereas, The proposed cuts would have a dramatic effect on the lives and morale of the dedicated men and women who choose to serve our country at Selfridge Air National Guard Base and other U.S. military bases. The elimination of the A–10 fleet would place in jeopardy more than 400 jobs at Selfridge alone. Closing commissaries would increase living expenses for military families, essentially helping to balance the defense budget at the expense of the men and women who serve; and

Whereas, In Michigan, these proposed cuts would have immeasurable impacts on Macomb County and the local communities surrounding the Selfridge Air National Guard Base. For nearly a century, the base has been a source of community pride, local jobs, and local revenue as well as a key component of disaster response for the entire state and a vital base for our nation's homeland security; and

Whereas, The A–10 fleet should not be eliminated until replacement aircraft can be assigned to Selfridge Air National Guard Base. The proposed cuts would compound past, short-sighted decisions to transfer the A–10 aircraft to Selfridge despite the knowledge that these aircraft would be phased out. These decisions have made Selfridge vulnerable to closure in future Base Realignment and Closure Commission recommendations. Assigning replacement aircraft would not only maintain the viability of this important base for homeland security, but would also be cost-effective: the Air National Guard can operate aircraft at about half the cost of an active duty unit: Now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to oppose the U.S. Department of Defense's budget proposal that would potentially close commissaries at U.S. military bases and to ensure that replacement aircraft are assigned to Selfridge Air National Guard Base to compensate for the proposed elimination of the A–10 fleet; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–247. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to oppose the elimination of the 307th Red Horse Squadron based at Barksdale Air Force Base in Bossier City, Louisiana; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION NO. 41

Whereas, established in the year 1932, the Barksdale Air Force Base, a United States Air Force Base located approximately 4.72 miles east-southeast of Bossier City, Louisiana, is named in honor of World War I aviator and test pilot 2nd Lieutenant Eugene Hoy Barksdale (1896–1926); and

Whereas, Barksdale Air Force Base has proudly served Arkansas, Louisiana, and Texas and is home to the Air Force's newest command, Air Force Global Strike Command, the 2nd Bomb Wing, 2nd Mission Support Group, 2nd Operations Group, 2nd Maintenance Group, the 2nd Medical Group, 8th Air Force Museum, and the Air Force Reserve's 917th Wing; and

Whereas, the Red Horse unit, officially known as the 307th Rapid Engineer Deployable Heavy Operational Repair Squadron Engineers, is a construction unit staffed with civil engineers, many of whom deployed to southwest Asia during the fall; and

Whereas, Barksdale Air Force Base has grown into a major source of revenue and employment for the region by providing jobs for nearly ten thousand military and civilian employees; and

Whereas, under the Defense Department's 2015 proposed spending plan, the 307th Red Horse Squadron would be deactivated as the Air Force Reserve's authorized strength would nationally decrease by almost five percent, to 61,700 airmen; and

Whereas, under the 2015 defense spending plan, the Air Force Reserve would lose the rest of the Air Force Reserve's venerable fleet of A–10s, which are Cold War-era aircraft known as Warthogs; and

Whereas, Barksdale Air Force Base continues to be a huge priority for national security and for communities in the state of Louisiana; and

Whereas, the deactivation of the 307th Red Horse Squadron at Barksdale Air Force Base will have an adverse effect on not only the economy, but the community as well: Now, Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to oppose the elimination of 307th Red Horse Squadron based at Barksdale Air Force Base in Bossier City, Louisiana; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–248. A resolution adopted by the House of Representatives of the State of Hawaii urging the United States Congress to support the Veterans Health and Benefits Improvement Act of 2013, particularly the section providing those serving in the National Guard with veteran status; to the Committee on Veterans' Affairs.

HOUSE RESOLUTION NO. 23

Whereas, the National Guard's roots date back to 1636, when colonial militias made up of ordinary citizens would put down their plows and pick up weapons to protect families and towns from hostile attacks; and

Whereas, commonly known as citizen-soldiers, members of today's National Guard hold civilian jobs or attend college while maintaining their military training part-time, always ready to defend the American way of life in the event of an emergency; and

Whereas, while the National Guard originally focused on protecting local communities, it eventually grew into a force that complements the active-duty military when help is needed anywhere in the world, including serving overseas in combat-deployment roles; and

Whereas, although the National Guard's primary area of operation is the National Guard unit's home state, National Guard members are often called on by the President of the United States to respond to, among other things, homeland security missions, domestic emergencies, counterdrug efforts, and reconstruction missions in addition to overseas combat missions; and

Whereas, while many National Guard members have similar duties and perform similar functions to their counterparts in the active-duty military, Title 38, United States Code, excludes from the definition of veteran, career reserve-component members who have not served on active duty under Title 10, United States Code, for other than training purposes; and

Whereas, a portion of the Veterans Health and Benefits Improvement Act of 2013, or S. 944, would honor as veterans any person who is entitled under chapter 1223 of Title 10, United States Code, to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service''; and

Whereas, this cost-neutral provision would not bestow any benefits other than the honor of claiming veteran status for nearly 300,000 men and women who honorably served and sacrificed as career reserve-component members, giving these individuals the respect they deserve for their uniformed service to the United States: Now, therefore, be it

Resolved by the House of Representatives of the Twenty-seventh Legislature of the State of Hawaii, Regular Session of 2014, that Congress, including Hawaii's Congressional delegation, is urged to support the Veterans Health and Benefits Improvement Act of 2013, particularly the section providing those, serving in the National Guard with veteran status; and be it further

Resolved, That certified copies of this resolution be transmitted to the Speaker of the United States House of Representatives, President Pro Tempore of the United States Senate, and Hawaii's Congressional delegation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MENENDEZ (for himself and Mr. ENZI):

S. 2449. A bill to reauthorize certain provisions of the Public Health Service Act relating to autism, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself, Mr. MCCAIN, Mr. MERKLEY, Mr. KAINE, Mr. BURR, Mr. BOOKER, Mr. RUBIO, Mr. MANCHIN, and Ms. COLLINS):

S. 2450. A bill to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes; read the first time.

By Mr. REID (by request):

S.J. Res. 39. A joint resolution relating to the approval of the proposed Agreement for Cooperation Between the Government of the

United States of America and the Government of the Socialist Republic of Vietnam Concerning the Peaceful Uses of Nuclear Energy; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 280

At the request of Mr. THUNE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 280, a bill to ensure effective control over the Congressional budget process.

S. 553

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 553, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 822

At the request of Mr. LEAHY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 822, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 1040

At the request of Mr. PORTMAN, the names of the Senator from Texas (Mr. CORNYN), the Senator from Tennessee (Mr. CORKER), the Senator from South Carolina (Mr. GRAHAM) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1040, a bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

S. 1332

At the request of Ms. COLLINS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1346

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1346, a bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies.

S. 1410

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

S. 1431

At the request of Mr. THUNE, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1697

At the request of Mr. HARKIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1697, a bill to support early learning.

S. 1799

At the request of Mr. COONS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1799, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 1971

At the request of Mr. UDALL of New Mexico, his name was added as a cosponsor of S. 1971, a bill to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, and for other purposes.

S. 2091

At the request of Mr. HELLER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2091, a bill to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 2169

At the request of Mrs. GILLIBRAND, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2169, a bill to amend the Internal Revenue Code of 1986 to reduce the rate of tax regarding the taxation of distilled spirits.

S. 2250

At the request of Ms. KLOBUCHAR, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 2250, a bill to extend the Travel Promotion Act of 2009, and for other purposes.

S. 2252

At the request of Mr. ENZI, his name was added as a cosponsor of S. 2252, a bill to reaffirm the importance of community banking and community banking regulatory experience on the Federal Reserve Board of Governors, to ensure that the Federal Reserve Board of Governors has a member who has previous experience in community banking or community banking supervision, and for other purposes.

S. 2285

At the request of Mrs. SHAHEEN, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 2285, a bill to help small businesses access capital and create jobs by reauthorizing the successful State Small Business Credit Initiative.

S. 2298

At the request of Mrs. SHAHEEN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 2298, a bill to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, and for other purposes.

S. 2301

At the request of Mr. HATCH, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2301, a bill to amend section 2259 of title 18, United States Code, and for other purposes.

S. 2329

At the request of Mrs. SHAHEEN, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from Idaho (Mr. CRAPO) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2329, a bill to prevent Hezbollah from gaining access to international financial and other institutions, and for other purposes.

S. 2362

At the request of Mrs. FISCHER, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2362, a bill to prohibit the payment of performance awards in fiscal year 2015 to employees in the Veterans Health Administration, and for other purposes.

S. 2366

At the request of Mrs. MURRAY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2366, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 2373

At the request of Mr. MARKEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2373, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 2374

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 2374, a bill to improve college affordability.

S. 2393

At the request of Mr. PRYOR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2393, a bill to amend title 38, United States Code, to improve the protection and enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes.

S. 2414

At the request of Mr. MCCONNELL, the names of the Senator from Tennessee (Mr. CORKER) and the Senator

from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2414, a bill to amend the Clean Air Act to prohibit the regulation of emissions of carbon dioxide from new or existing power plants under certain circumstances.

S. 2432

At the request of Ms. WARREN, the names of the Senator from Missouri (Mrs. MCCASKILL), the Senator from South Dakota (Mr. JOHNSON), the Senator from Oregon (Mr. WYDEN) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 2432, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

S.J. RES. 2

At the request of Mrs. FISCHER, her name was added as a cosponsor of S.J. Res. 2, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (by request):

S.J. Res. 39. A joint resolution relating to the approval of the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Socialist Republic of Vietnam Concerning the Peaceful Uses of Nuclear Energy; to the Committee on Foreign Relations.

Mr. REID. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 39

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress does favor the proposed agreement for cooperation transmitted to the Congress by the President on May 8, 2014.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, June 11, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct an oversight hearing to receive testimony on '' Indian Education Series: Examining Higher Education for American Indian Students.'' Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, June 11, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a business meeting to consider the following bills: S. 919, A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; S. 1447, A bill to make technical corrections to certain Native American water rights settlements in the State of New Mexico, and for other purposes; S. 1574, A bill to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes; S. 2041, A bill to repeal the Act of May 31, 1918, and for other purposes; S. 2188, A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes. Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, June 11, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a legislative hearing to receive testimony on the following bills: S. 1948, A bill to promote the academic achievement of American Indian, Alaska Native, and Native Hawaiian children with the establishment of a Native American language grant program; S. 1998, A bill to amend the Adult Education and Family Literacy Act to reserve funds for American Indian, Alaska Native, Native Hawaiian, and Tribal College or University adult education and literacy; and S. 2299, A bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages. Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 9, 2014, at 3:30 p.m. to conduct a hearing entitled ''Border Security: Examining the Implications of S. 1691, The Border Patrol Pay Reform Act of 2013.''

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Kristie Johnson, an intern in Senator HEINRICH's office, be granted privileges of the floor for today's session.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that at a time to be determined by the majority leader, with the concurrence of the Republican leader, the Senate proceed to executive session to consider the following nomination: Calendar No. 523; that there be 30 minutes for debate equally divided in the usual form on the nomination; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

MEASURE READ THE FIRST TIME—S. 2450

Mr. WHITEHOUSE. I understand that S. 2450, introduced earlier today by Senators SANDERS, MCCAIN, and others, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 2450) to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.

Mr. WHITEHOUSE. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for a second time on the next legislative day.

ORDERS FOR TUESDAY, JUNE 10, 2014

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, June 10, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to vote on confirmation of Executive Calendar No. 734, as provided under the previous order.

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

PROGRAM

Mr. WHITEHOUSE. Madam President, under the previous order, there will be one vote at 10 a.m., two votes at noon, followed by a recess until 2:15 p.m. for the weekly caucus meetings, and then three additional votes at 2:30 p.m.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 8:23 p.m., adjourned until Tuesday, June 10, 2014, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES TAX COURT

CARY DOUGLAS PUGH, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE ROBERT ALLEN WHERRY, JR., RETIRED.

DEPARTMENT OF STATE

JANE D. HARTLEY, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FRENCH REPUBLIC.

IN THE AIR FORCE

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

To be lieutenant general

MAJ. GEN. WILLIAM J. BENDER

WITHDRAWAL

Executive message transmitted by the President to the Senate on June 9, 2014 withdrawing from further Senate consideration the following nomination:

JEFFREY A. MURAWSKY, OF ILLINOIS, TO BE UNDER SECRETARY FOR HEALTH OF THE DEPARTMENT OF VETERANS AFFAIRS, VICE ROBERT A. PETZEL, WHICH WAS SENT TO THE SENATE ON MAY 5, 2014.