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Senate

The Senate met at 9:15 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

Immortal and invisible God only wise, we cannot escape You, nor do we desire to do so. This morning we thank You for sending the rain from Heaven, watering the Earth and making it bud and flourish. Thank You for providing seeds for the sower and a harvest for the laborers.

Lord, thank You as well for our lawmakers. As they serve You today on Capitol Hill, give them courage, power, and wisdom. May You bless and keep them from stumbling or slipping, so that one day they will stand in Your presence with great joy. Today, Lord, lift the light of Your countenance upon them and give them Your peace.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 11, 2014.

To the Senate:

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

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, if any, the Senate will resume consideration of the motion to proceed to S. 2432, the college affordability bill.

The time until 10 a.m. this morning will be divided as follows—and there is an order outstanding that dictates this: Senator ALEXANDER will control 15 minutes, and the remaining time will be equally divided and controlled between the two leaders or their designees.

At 10 a.m. there will be a cloture vote on the motion to proceed to the college affordability bill.

VETERANS AFFAIRS

Mr. REID. Mr. President, all over America today there are newspaper articles of hope—for example, in the Washington Post today, ''Veterans Affairs bills progressing quickly in Congress.'' It quotes me as saying it is something that needs to be done. ''It's urgent that we get this done to resolve some of the outstanding issues within the VA.''

My friend the Republican leader, the senior Senator from Kentucky, ''predicted that GOP senators will overwhelmingly support the bill.''

This is what the article says about Mr. MILLER from Florida, the House chairman:

Miller signaled support for the Sanders-McCain bill, noting that it largely mirrors a series of similar stand-alone proposals the House approved in recent months.

Each side has run what are called hotlines—meaning permission from Senators to move forward on this legislation—and we have been able to do that. It was my understanding late last evening that the junior Senator from Oklahoma has an amendment he feels should be offered. Fine. Let's bring that up, vote on it, and move on.

This is a bill that needs to get done. Not only are the veterans elated to hear language like what I have just read but also people all over America because we support the veterans community.

We have issues that are so deep and complex that we need to get to. Will this solve all the issues? Of course not. But because of the wars in Iraq and Afghanistan, we have 2 million new veterans who have a multitude of problems we have never had in other wars. So I certainly hope we can quickly arrange an opportunity to move forward on this legislation. I stand ready to work with my Democratic allies here and those in the minority to do everything we can to move forward on this legislation as quickly as possible.

RESERVATION OF LEADER TIME

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

BANK ON STUDENT EMERGENCY LOAN REFINANCING ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2432, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the consideration of Calendar No. 409, S. 2432, a bill to amend the

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

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Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Tennessee, Mr. ALEXANDER, will control 15 minutes, and the remaining time until 10 a.m. will be equally divided between the two leaders or their designees.

Who yields time? If no one yields time, then the time will be charged equally to both sides.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, could the Chair please let me know when I have 3 minutes remaining on my time.

The ACTING PRESIDENT pro tempore. The Chair will do so.

Mr. ALEXANDER. Mr. President, I heard the majority leader's comments about the importance of moving on to the veterans bill, so I have a suggestion: Why don't we send this political stunt on student loans to the Senate education committee, where the Senator from Iowa, Mr. HARKIN, and I are busy working in a bipartisan way to reauthorize higher education, and let's move on to the veterans bill immediately. Why should the Senate take a week on a political stunt that everybody here knows won't pass when veterans are standing in line at clinics, waiting for us to act on a bipartisan solution to their problems?

It actually goes further in giving veterans more choices in health care than anything Congress has ever done. It actually begins to give veterans more choice in health care in the same way Congress gave them choices in higher education with the passage of the GI bill for veterans in 1944. Back then, Congress said to the veterans: Here is the money. Go choose your college.

Moving to and passing the veterans bill, Congress would be saying: If you have to stand in line too long or if you live too far away from a veterans facility, here is the money—go choose your medical care.

That is a very important step for millions of veterans. It deals directly with the problems all Senators on both sides of the aisle are chagrined about—veterans standing in line waiting for health care.

So I have one question: Why should the Senate spend a week on a political stunt? Why should we go all the way to next Monday before disposing of it? Let's dispose of it today. Let's send it to the committee that is already considering these issues, and let's move on to the veterans bill before noon. We could do that, and the veterans and the people of this country would respect us for it.

I thought we had stopped the political stunts on student loans last year when the President, to his credit, worked with the Republican House and a bipartisan group in the Senate, and came to a result—a big result. It affects $100 billion of loans every year.

Half the students in America have a grant or loan to help pay for college. Congress stopped this type of political stunt last year. Instead of every election year where someone comes forward offering some preposterous proposal about what we can do in the hope that students might vote for them—Congress stopped that by saying: Let's put a market-based pricing system on new student loans. The effect of that was to stop semi-annual political stunts, while lowering the interest rate on loans for undergraduates nearly in half. Undergraduate students are 85 percent of the students receiving federal loans. So a 19-year-old student can get a loan to go to college at 3.86 percent without any credit rating and in some cases can get a grant of up to $5,645 to go to college. Congress did that last year.

This year the Senate education committee has held 10 bipartisan hearings on higher education. This is a committee that knows how to work. Senator HARKIN, the Senator from Iowa, and I have big ideological differences in our committee, but that doesn't stop us from working, from doing our job. We passed 19 bills out of our committee, and 10 of them have gone through the Senate and became law. No other committee in the Senate can say that. Right now we are working on this very subject of the political stunt.

So why not stop the political stunt and put this where it belongs—back in the committee that is already working on it in a bipartisan way. Let's focus on the veterans who are standing in line and do what the majority leader said, which is let's deal with that issue.

Why do I say this student loan idea is not a serious proposal? It is not out of lack of respect to the sponsor. Of course I have great respect for her and for other Senators who are offering this proposal. But let me outline why I say this is not a serious proposal. And everybody in the Senate knows that. They know it is not going to pass. So why would the Senate waste time on it?

No. 1, it does nothing—not one thing—for current or future students. For students who are in college today or will be tomorrow, this does nothing for them. So don't let the rhetoric fool you.

No. 2, what does it do for people who used to be in college paying off a student loan? According to data supplied by the Congressional Research Service: It will give them $1 a day. For the typical former student who has old loans, this bill will give them a taxpayer subsidy of $1 a day to help pay their student loans.

How big is that loan? For undergraduates—which are 85 percent of all students with loans—it is $21,600. For graduates with a 4-year degree, it is $27,000. So $27,000—probably the best investment a person will ever make. The College Board says that if you have a 4-year degree, your lifetime earnings will be $1 million more. So $27,000 for a student with no credit rating and has a right to borrow that earns you $1 million? I think that is a pretty good deal. In fact, this $27,000, is about the exact amount of the average car loan.

So what are we going to do next week? Instead of dealing with lines of veterans at clinics, is somebody going to come on the floor and say: Well, people have a $27,000 car loan, so let's raise taxes and raise the debt and give them $1 a day to pay off their car loan or the mortgage loan or the credit card.

This is not a serious proposal. It is not going to help people. College graduates don't need a dollar-a-day tax subsidy to pay off their loan. They need a job. They need a job, and right now they are experiencing the worst situation for finding a job that they have seen in a long time.

Now Republicans have plans that would help create more jobs. We would like to do what the President said, which was give the President more trade authority so companies in the nation can sell more things in Europe and Asia, but, no, we cannot bring that up. We would like to approve the Keystone Pipeline, but, no, we cannot bring that up. We would like to repeal ObamaCare and particularly the parts that make it harder to create jobs, but, no, we don't want to talk about that. We would like to at least change the provision about part-time jobs from 30 to 40 hours which affects millions of American workers, but, no, we cannot bring that up either.

If the Senate wants to talk about students paying back loans, they don't need a dollar a day, they need a job. But my point is why should the Senate waste a week on this bill when veterans are standing in line waiting for us to take up and deal with a bipartisan proposal that the majority leader just described? What else is wrong with this student loan proposal? It could add up to $420 billion to the Federal debt. It does bring the money with it to eventually pay it off, we hope, but it adds to the debt. The Congressional Budget Office says national debt is rising at such a rate that interest payments will go from around $200 billion up to around $800 billion in 10 years. Taxpayers will be spending more on interest in 10 years than on national defense. It increases individual income taxes $72 billion with what I call a class warfare tax. That tax has been rejected eight times by the United States Senate, seven times on a motion to proceed.

There already is a way to lower your payments if you are a student with a loan and your monthly payments are too high. It is in the law. The President talked about it this week. It is called the income based repayment plan. It could lower monthly payments $60 more a month than the Democrat proposal if you are a typical undergraduate and $300 more a month if you are a typical graduate student. Former students can do that today. That is a bigger savings on monthly payments than in the proposal we are debating.

In addition to that, if this proposal were to pass the Senate. It could not be

sent to the House. It is unconstitutional. We cannot originate a tax in the Senate, according to the Constitution. So why would the Senate pass this if it cannot be sent to the House? Next, it violates the Budget Control Act. We passed a law that said we couldn't spend any more than X. This measure violates that act.

So if it gives a dollar a day to pay off a $27,000 loan at a time when a college degree will earn people more than $1 million, if the loans for undergraduates are about the same as a car loan, if it raises the debt by $420 billion, if it raises taxes by $72 billion, if there already is a way in the law to lower monthly payments more than this proposal without raising taxes, without raising the debt, without passing the law that is unconstitutional—so even if it did pass, it cannot be sent to the House—if it violates the Budget Control Act, why would the Senate waste time on it when veterans are standing in line waiting for a bipartisan proposal to give them more choices for medical care? Why would we do that?

Right behind the veterans bill are Senator MIKULSKI from Maryland and Senator SHELBY from Alabama with a series of appropriations bills that have bipartisan support. They have been through committee too. We haven't passed appropriations bills in the last 4 years—two of those years we passed zero, one of those years we passed one. They are ready to do the job on both sides of the aisle.

Why would we spend time on this if it doesn't deal with the real issue? Students with loans don't need a dollar a day to pay off the loan. They need a job. We have proposals for jobs. The real problems with student loans are complexities and overborrowing. Ninety percent of the loans we read about in the paper that are over $100,000 are loans held by graduate students. But these are only 2 percent of the loans for all students.

The ACTING PRESIDENT pro tempore. May I inform the Senator from Tennessee he has 3 minutes remaining.

Mr. ALEXANDER. I thank the Chair. I will reserve 1 minute and I will do it in this way:

Vote no. A ''no'' vote means no to a week-long political stunt, no to debt and taxes, and yes to moving today to a bipartisan solution to the problem of veterans standing in line at clinics; yes to appropriations bills that deal with cancer research and national defense and the other urgent needs of our country, also in a bipartisan way; yes to the way the Senate ought to run. It would mean no to the practice of pulling a bill out of your pocket, putting it on the floor, and wasting 1 week with a political stunt while veterans are standing in line at a clinic waiting for us to act.

So I would suggest the right thing to do is to vote no, send the bill and the discussion about student loans to the education committee. We can work with the President on a solution just like last year, and let's move on to dealing with a bipartisan solution to veterans who are standing in line waiting for the Senate to act.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

Mr. MCCONNELL. The senior Senator from Tennessee has summed it up quite accurately. I have been calling on the majority leader to press pause on his party's nonstop campaign so we can take up bipartisan legislation for a change, because there is a real crisis in the country. It is a scandal that demands the Senate's full attention.

According to the Obama administration's own internal audit, its veterans scandal has now spread to more than three-quarters—three-quarters—of the VA facilities that were surveyed. Nearly 100,000 veterans continue to wait for care at VA centers and many of our veterans have been forced to wait 3 months or longer. Eighteen veterans have already died in Phoenix alone waiting for care that never came. This is a national disgrace.

The President needs to nominate a capable leader and manager who possesses the skills, leadership ability, and determination to correct the failings of the VA, support thousands of VA workers who are committed to serving our veterans, and provide all of those who have served bravely with the timely care they have earned. He also needs to use the tools he already has to address the systemic failures of management in his administration, and he needs to use the new tools we can provide him with the legislation as well. We in this body have a responsibility to act and to do so with a sense of urgency.

Yesterday the House passed bipartisan legislation unanimously—unanimously—to help deal with this crisis. It is similar to the bipartisan Sanders-McCain bill right here in the Senate. It would increase patient choice, it would introduce some much needed accountability into the VA system, and it is past time to take up that kind of legislation in the Senate. Veterans have been made to wait long enough. Senate Democrats shouldn't be keeping them in the waiting room even longer.

I know the majority leader and his Democratic colleagues would rather stick to their campaign playbook. We know they would rather talk about a bill they claim is about student loans, but the Senate Democrats' bill isn't about students at all. It is all about Senate Democrats because Senate Democrats don't actually want a solution for their students, they want an issue to campaign on to save their own hides this November.

Recall that around this same time last year Republicans had to swoop in with a bipartisan piece of legislation to save students from a rate increase after Senate Democrats blew past the deadline, and Senator ALEXANDER was right in the middle of that incredible and effective solution. Now Senate Democrats are pushing yet another—yet another—student loan bill, one they actually hope will fail.

I think Senate Democrats are in for a surprise. Americans are not going to fall for this spin because students can understand this bill will not make college more affordable, they understand it will not reduce the amount of money they have to borrow, and students know it will not do a thing—not a thing—to fix the economy that is depriving so many young Americans of the jobs they seek.

Of course Senate Democrats understand all of these things too. Here is what the majority leader's lieutenant, the senior Senator from New York, said when he was asked a couple of years ago about student loans. He said that if Democrats had wanted to be ''political about this'' issue, they ''would have paid for it with'' the very same gimmick being used to pay for the bill before us today.

I give the Senator from New York points for honesty. His words show without equivocation that Senate Democrats are now playing politics with the futures of young Americans instead of doing something about the VA crisis.

So let's just accept the Senator's admission that his party's bill is truly about helping Democrats, not students, and let's move on to fixing the VA scandal instead. The time is now to turn away from designed-to-fail politicking and toward actual bipartisan solutions. Our constituents demand it and our veterans deserve it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Mr. FRANKEN. Thank you very much. We can do both the Sanders-McCain bill, the veterans bill, and we can do this, and there is a need for this.

I was proud to join Senator WARREN of Massachusetts in presenting the Bank on Students Emergency Loan Refinancing Act. I come from a State where we have the distinction of being fourth in the Nation in terms of level of debt that our students have when they graduate from college, over $30,000. Then we see people who come to graduate school with a lot more.

I do college roundtables all the time. Kids are working 20, 30, 40 hours a week while going to school. I have kids telling me they are giving blood while they are in school. We need to address this. This is only a part of what we need to do when talking about the costs of college, but why is it possible to refinance a home loan in this country, people are able to refinance their car loans, they are able to refinance a business loan, but they cannot refinance their student debt? That makes no sense.

This has become a macroeconomic issue. Economists agree that because of the level of student debt—and if someone is paying 10 percent interest on it, it makes a huge difference—they are

not able to save enough to put a downpayment on a house or they are not able to buy a car, they are not able to move out of their parents' house. This would help 550,000 Minnesotans—550,000 Minnesotans. That is 1 out of every 10 Minnesotans.

What pays for it is saying that people who make over $1 million a year would pay in income taxes what people making $60,000 a year pay. This is about fairness. We all know that in the last number of decades, and especially in the last number of years, virtually all new income has flowed to those at the top. The top 40 hedge fund managers make as much as 300,000 teachers. Why shouldn't they pay 30 percent on their income? Why not benefit the millions of Americans who have student debt and let them refinance their debt as we can with home loans, car loans, business loans?

It just seems that this is a matter of fairness, and it is smart economics because economists agree that the $1.2 trillion in student debt has hurt this economy. It seems to make common sense.

This is not political. It is not political if the other side votes for it. If the other side votes for it, then we can help millions and millions of Americans refinance debt just like other Americans can refinance their credit card debt or home debt. This makes too much sense, and it should not be political. It should be bipartisan.

We should get to this, and then move on to the Sanders-McCain bill, which I cosponsored. I want to get on that. I want to be able to get on a lot of legislation. In this Congress we have sometimes seen—and in the last several Congresses—the minority do what it can to slow down the process and gum up the works here. I would love to get to the veterans bill immediately after passing this.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Massachusetts.

Ms. WARREN. Mr. President, I rise today to urge my colleagues to support the Bank on Students Emergency Loan Refinancing Act, which is currently pending before the Senate. This legislation would reduce student loan debt for millions of Americans and provide relief for those who are struggling to keep up with their payments.

Student loan debt is exploding, and it threatens the stability of our young people and the future of our economy. The debt now totals $1.2 trillion and it is growing bigger every single day. In 8 years the average student loan balance increased by 70 percent, and now 7 out of every 10 college seniors are dealing with student loan debt.

This debt is crushing our young people and dragging down our economy by keeping borrowers from being able to buy homes, cars, and open small businesses. It is keeping them from making the purchases that get their economic lives started and help our economy grow.

We must act now to provide relief for existing borrowers, and the Bank on Students Emergency Loan Refinancing Act will do exactly that. The legislation is straightforward. It allows existing borrowers to reduce their debt by refinancing their high-interest loans to much lower—and much more manageable—levels.

Depending on when they took out their student loans, millions of Americans are stuck in loans at 6 percent, 8 percent, 10 percent, and even higher. While interest rates are low, we propose to refinance those loans so that the old debt is at the same rates currently being offered to new student loan borrowers. These new rates are exactly the same rates that nearly every Republican in the House and Senate voted for just last summer as the fair rate for new student loans issued in 2013 through 2014—3.6 percent for undergraduate loans and a little higher for graduate and parent loans. These new rates are still higher than what it costs the government to run its student loan program. But if these lower rates are good enough for new borrowers, they should be good enough for older borrowers too.

Later today Senators will have a choice. They can move forward and debate this bill or they can filibuster it and prevent any consideration of this refinancing plan. Some Republicans have pointed out that the legislation doesn't solve every problem that we have in higher education. Well, that is true; refinancing will not fix everything that is broken in our higher education system.

We need to bring down the cost of college, and we need more accountability for how schools spend their Federal dollars. Senator REID, Senator DURBIN, and I have a bill to do just that, and we welcome our Republican friends to join us on that bill. But we have another problem right now—student loan debt. Refinancing that debt is a straightforward way to ease that problem right now. We should do it right now. If Senators want to do more, they should offer amendments to that bill, but they should not block it from being considered.

Some Republicans have expressed concern about the effect of student loan refinancing on the deficit. In fact, the bill is fully paid for and—according to official estimates from the Congressional Budget Office—it actually reduces the deficit, and that is because it is funded by stitching up the loophole in our Tax Code that allows some millionaires to pay lower tax rates than middle-class families. Investing in students and asking billionaires to pay their taxes seems pretty fair to me. If Senators want to pay for this in a different way, they should offer amendments to this bill, but they should not block it from being considered.

Finally, some have argued that the financial benefit for our young people here is small. If Republicans would like to lower the interest rates even more, then count me in. That is what I would like to do. But let's be clear: 40 million borrowers in this country have student loan debt—40 million—and many of those individuals could save hundreds or even thousands of dollars a year under this proposal. That is real money back in the pockets of people who invested in their education. If Senators want to change those rates, they should offer amendments to the bill, but they should not block it from being considered.

This should not be a partisan issue. Locking old borrowers into high interest rates just doesn't make any sense. The Federal Government should offer refinancing just like any other lender.

This is not only about economics, it is also about our values. These young people saddled with student loan debt didn't go to the mall and run up charges on a credit card. They worked hard and learned new skills that will benefit this country and help us build a stronger America. They deserve a fair shot at an affordable education.

Unfortunately, people struggling with student loans don't have the money to hire armies of lobbyists to argue their case on Capitol Hill, they don't have a super PAC, and they can't fund super secret political machines. But they have their voices, and they are making themselves heard. Over 700,000 people have signed petitions urging Congress to refinance student loans. Dozens of organizations have endorsed the bill—including student groups, colleges, and mortgage bankers.

Senators have a choice to make today. They can move forward and debate this bill, they can acknowledge that the debt is crushing our families and do what we were sent here to do—address an economic emergency that threatens the financial futures of Americans and the stability of our economy—or they can block this bill from being considered. They can refuse even to debate this idea in order to protect tax loopholes for millionaires and billionaires. That is it—billionaires or students, people who have already made it big or people who are working to build their futures.

With this vote, we show the American people whom we work for in the Senate—billionaires or students. A vote on this legislation is a vote to give millions of young people a fair shot at building their future. Forty million students and their families are counting on us.

I thank the Presiding Officer and yield the floor.

Mr. ALEXANDER. Mr. President, how much time do we have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 2 minutes remaining.

Mr. ALEXANDER. The question before the Senate is, Shall we spend the next week on a political stunt that gives some students $1 a day to pay off a student loan or shall we move to a bipartisan solution for veterans who are lined up at clinics and hospitals across the country in a way that shocks Senators on both sides of the aisle? That is the issue.

The proposal before the Senate is not a serious proposal. There is nothing in it for current or future students. It is a $1 a day subsidy to pay off a $27,000 loan. What are we going to do next week—raise taxes and raise the debt to pay off a $27,000 car loan, which is similar to the average loan debt of a graduate with a 4-year degree?

In addition, this could not even be sent to the House if it passed because it is unconstitutional. You can't start a tax in the Senate, and this has a big tax in it.

The way we deal with these issues is the way we did it last year. We worked with the President in a bipartisan way and reduced rates for students.

What we need to do today is vote no—no to the political stunt, and move immediately to the deal to help veterans standing in line at clinics and hospitals across the country.

I urge the Senate to send this to the committee that is already working on it in a bipartisan way, and let's move to help the veterans in a bipartisan way.

I thank the Presiding Officer and yield the floor.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the 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.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to 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, and for other purposes, 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 Missouri (Mrs. MCCASKILL) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE), the Senator from Mississippi (Mr. COCHRAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kansas (Mr. MORAN), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting, the Senator from South Carolina (Mr. SCOTT) would have voted ''nay.''

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 38, as follows:

[Rollcall Vote No. 185 Leg.]

YEAS—56

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

NAYS—38

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

NOT VOTING—6

Ayotte	Graham	Moran
Cochran	McCaskill	Scott

The ACTING PRESIDENT pro tempore. On this vote the yeas are 56, the nays are 38.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked on S. 2432.

The ACTING PRESIDENT pro tempore. The motion is entered.

Mr. REID. Mr. President, I see no one seeking the floor at this time.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

AUTHORIZING USE OF THE ROTUNDA

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 37.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A resolution (S. Con. Res. 37) authorizing the use of the rotunda of the United States Capitol in commemoration of the Shimon Peres Congressional Gold Medal Ceremony.

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

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Con. Res. 37) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

Mr. REID. Madam President, this is a request to use the rotunda of the U.S. Capitol to give to Shimon Peres the Congressional Gold Medal. He is really a fine human being. I feel so fortunate to have had conversations with him over the years. I have such respect for this man who has been a leader in Israel for decade after decade. This is a man who always stood for peace, a man who has been so futuristic about what should be done in that part of the world. I look forward to this ceremony that will take place. He is now 90 years old. This is just my estimation: Very few people in the world have dedicated such valiant service to their country as this man has to the State of Israel.

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

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

Mr. BARRASSO. I ask unanimous consent to speak as if in morning business.

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

HEALTH CARE

Mr. BARRASSO. Madam President, I come to the floor today to talk about some of the side effects we have been seeing from the health care law.

When President Obama and Democrats in Congress were selling their health care law, they made a lot of promises. One of the big ones was that the health care law would save money. They said it was going to save money because people would be going to see physicians in offices for routine care instead of going to the emergency room.

President Obama said:

If everybody's got coverage, then they're not going to the emergency room for treatment.

Well, just like promises about keeping your doctor if you like your doctor or keeping your insurance if you like your insurance—promises the President made—it turns out the President's claims about emergency room care weren't true either. That is what the Louisville Courier Journal says they have seen in the State of Kentucky. This was the headline on Monday, just a couple days ago: ''More patients flocking to ERs under ObamaCare.'' That is not what the President said, but that was the headline.

The article says:

It wasn't supposed to work this way, but since the Affordable Care Act took effect in January, Norton Hospital has seen its packed emergency room become even more crowded, with about 100 more patients a month.

That is a 12-percent spike in the number of patients at the emergency room of that hospital in Louisville. As the article said, it wasn't supposed to happen that way, and that is why I come to the floor to talk about the side effects of the President's health care law.

There are many side effects. They are harmful. They are expensive. Some are irreversible. But they are all related to promises made to the American people by a President who I don't believe fully understands his law. And I know there are many people in this body who voted for it who, I understand, never read it in the first place. Those are the concerns I have. Those are the concerns I hear at home in Wyoming every week, and I heard them this past weekend all around the Cowboy State.

For the President, this emergency room situation may be just another surprising side effect of the health care law. And they are not seeing this just in Kentucky. According to a survey by the American College of Emergency Physicians, it is happening all across the country. Their survey found that 58 percent of emergency room doctors say they are seeing more patients since the beginning of the year. A doctor in Virginia told the Wall Street Journal that the health care law ''is going to stretch emergency doctors further, and that has implications on how quickly we can get people through.'' When the emergency rooms have more patients, it involves longer wait times for those patients.

It seems the Democrats who voted for this health care law—many without reading it—were so focused on getting people insurance coverage that they came up with a system that actually makes it harder for people to get care. It was interesting listening to the President continuing to give speeches about coverage and ignoring the fact that people were worried about actually getting health care.

That is a very dangerous side effect, but it is not the only side effect of the law. There are also incredibly expensive side effects of the health care law.

There is an expensive side effect that a lot of people are starting to hear more about as States release information on insurance premiums for next year.

Late last Friday the State of Maryland released their rates. We could tell it was going to be bad news for people in Maryland because they snuck the numbers out late Friday afternoon. It seems that is what happens when bad news comes out—they get it out late Friday afternoon. According to the Washington Post, the biggest insurance company in Maryland is CareFirst. This was in the Washington Post Metro section on Saturday, June 7: ''CareFirst seeks hefty premium increases.''

The article says:

Maryland's dominant insurance company, CareFirst, is proposing hefty premium increases of 23 to 30 percent for consumers buying individual plans next year under the federal health care law.

The President of the United States said the health care law was going to save families $2,500 a year by the end of his first term. But what we are seeing here—Metro section, Washington Post, Saturday: ''CareFirst seeks hefty premium increases.''

Maryland's dominant insurance company, CareFirst, is proposing hefty premium increases of 23 to 30 percent for consumers buying individual plans next year under the federal health care law.

That is a very costly side effect of the health care law.

Remember, the health exchange—where people are supposed to buy this insurance in Maryland—was so broken that they had to start over again. State officials spent $118 million to set up their own exchange. Now they are going to use software from Connecticut's exchange. Nobody got care for that money. That is wasted taxpayer dollars. Nobody got care.

Connecticut may have gotten the software right, but people there are going to have to pay more for insurance too. The Washington Post says that two insurance carriers in Connecticut have proposed rate increases averaging about 12 percent. That is the average. Some people will have smaller increases, but many people will pay much more.

President Obama said Democrats in Congress should forcefully defend the law and be proud of it. That is what he said they should do—forcefully defend and be proud. Are there any Democrats who are ready to come down to the floor and forcefully defend these dangerous side effects of more people going to the emergency room, stretching overworked emergency room doctors even thinner, making for longer wait times in emergency rooms? Are Democrats going to come to the floor and forcefully defend and be proud of the law when they see expensive side effects such as the hefty premium increases in Maryland of 23 to 30 percent, 12 percent in Connecticut?

It didn't have to be this way. Republicans offered ways to reform America's health care system back when we were debating the law, but President Obama and Democrats in Congress didn't want to hear it. We warned about some of these brutal side effects of the health care law that were going to hurt people, and we talked about bipartisan ideas that could have helped to maintain the access people had for the doctor they liked. That is what people want. They want the doctor they liked, and at the same time they want care to be more affordable. They want access to care, quality care, affordable care, not empty coverage, expensive coverage, which is what the President has provided.

We are going to keep talking about measures that would expand access to health savings accounts to save money for families as well as for employers. I talked about that when some of us met with the President in 2010. The President didn't want to listen. It is too bad, but it is not too late.

The Republicans are going to keep talking about letting consumers buy health insurance across State lines to increase competition, to let them shop for options they actually need, want, and will work for their family. That could actually help bring down prices, not drive them up as the Democrats' health care laws do. These are ideas Republicans have offered from the beginning, ways to give the American people care they need, from a doctor they choose, at lower costs. That is all people wanted in the beginning. Instead they got these harmful, hurtful, expensive side effects.

We know what the American people have asked for. We know what they wanted, and that is what Republicans are going to continue to try to give them, not the empty promises from President Obama and Democrats who told the American people that the President and Democrats knew better what they needed or wanted than what the American people knew worked best for them and their families.

Thank you. I yield the floor.

VETERANS HEALTH CARE

Mr. SANDERS. Madam President, as chairman of the Senate Committee on Veterans' Affairs, I wish to say a few words as to where we are right now and my strong hope that we can move forward as rapidly as we can—hopefully today—in addressing some of the very serious problems that exist within the Veterans' Administration.

What I have learned since I have been chair of the Veterans' Affairs Committee for the last year and a half is that the cost of war does not end when the last shots are fired and the last missiles are launched. The cost of war continues until the last veteran receives the care and the benefits he or she is entitled to and has earned on the battlefield. The cost of war is in fact extremely expensive in terms of human life and financially. That is something every American should know.

It is very easy to vote to send people to war, but we have to understand what the costs of those wars are in terms of

what happens to people who come home from them and in some cases do not come home. The cost of wars in Iraq and Afghanistan is almost 7,000 dead. The cost of war from Iraq and Afghanistan alone is some 200,000 men and women coming home with post-traumatic stress disorder and traumatic brain injury. The cost of war is too many young men and women coming home without their legs or their arms or their hearing or their eyesight. The cost of war is manifested by tragic suicides that are taking place all across this country. The cost of war is veterans coming home and finding it difficult to get reintegrated into their communities and get jobs and get their feet on the ground financially. The cost of war is high divorce rates and the impact that has on children. The cost of war is widows suddenly having to begin their lives anew. Those are some of the real costs of war.

Last week Senator MCCAIN and I hammered together a proposal to deal with the immediate crisis facing the VA. I thank him very much for coming forward, for working with me, and for understanding the need for us to move forward expeditiously. There are serious problems at the VA now and they must be addressed now—not next week, not next month but now.

I thank the 27 bipartisan cosponsors who have agreed to sign on to this bill. There are 21 Democrats and 6 Republicans, and I think in fact the support is broader than that. I thank Senators BEGICH, BLUMENTHAL, BOOKER, BURR, CASEY, COLLINS, COONS, HAGAN, HIRONO, ISAKSON, JOHANNS, KAINE, MANCHIN, MCCAIN, MERKLEY, MURPHY, PRYOR, RUBIO, SCHATZ, UDALL, WALSH, and WHITEHOUSE for cosponsoring this legislation.

Clearly, the bill Senator MCCAIN and I introduced, which now has 27 cosponsors from both parties, is not the bill he would have written alone, and it certainly is not the bill I would have written alone. It is a compromise. What this bill does is address the immediate crisis facing the VA of veterans having to wait too long a period of time—long waiting lists—in order to get the quality care they need in a timely manner.

What our veterans deserve is to be able to get into the system in a timely manner and get quality care. What this legislation does is move us forward strongly in that direction. Let me very briefly describe some of the major features in this legislation.

There has been on the drawing boards for many years in some cases the need to build or expand VA medical and research facilities. This bill provides for 26 major medical facility leases in 26 States and Puerto Rico. That is something that is supported in a bipartisan way and has already passed the House in virtually a unanimous vote.

This bill provides for the expedited hiring of VA doctors, nurses, and other health care providers and $500 million targeted to hire those providers with unobligated funds. The simple truth is that no medical program—not in the private sector, not in the VA, not anywhere—can provide quality care in a timely manner if that program does not have an adequate number of doctors, nurses, and other medical providers. It is unclear exactly how many more providers are needed, but there is no question there are many needed. I have heard—I will not swear to this, but I have heard estimates that in Phoenix alone there is a need for up to 500 new providers. While the Phoenix situation may be worse than other parts of the country, there is no doubt in my mind that many hundreds, if not thousands, of doctors and nurses are needed, and we need to expedite the hiring process.

Importantly, what our legislation also does is say to veterans around the country that if they cannot get into a VA facility in a timely manner, they will be able to get the care they need outside of the VA from a private provider in their community. They will be able to go to a federally qualified health center in their community, an Indian Health Service or if there is a Department of Defense military base and they can get care there, they will be able to do that. This gives the veteran himself or herself the opportunity if that person cannot get timely care within the VA to go outside of the VA.

What this bill also does is say to veterans who live 40 miles or more away from a VA facility if they choose—and it is clear there are some veterans that live hundreds of miles away in our rural areas from a VA facility—they will also be able to get care outside of the VA. For those veterans in rural areas this is an important provision.

This legislation also addresses a major crisis that we have seen tragically in recent years within the DOD, within the military, and that is the issue of sexual assault. Far too many women and men have been sexually assaulted, and this legislation provides funding for the VA to provide improved care for those suffering from sexual assault.

This bill also deals with an issue where I believe there is widespread support among Republicans, Democrats, and Independents, and that is the need to address instate tuition for all veterans at public colleges and universities. This legislation also provides that surviving spouses of those who die in the line of duty will be eligible for the post-9/11 GI bill. This bill also establishes commissions to provide help to the VA in terms of improving scheduling capabilities and also their capital planning, two areas clearly where the VA needs to improve.

Lastly, and it is very important, this bill gives the Secretary of the VA the authority to immediately fire incompetent employees and, even worse, those who have falsified or manipulated data in terms of waiting periods or in other instances. So what we say is if somebody has lied, has manipulated data, they are out tomorrow, after the bill is signed, but we also provide a very expedited appeals process in order to allow some due process.

I worry very much about the politicalization of the VA if a Secretary comes in with a new President and says, I am going to get rid of 400 top people and 4 years later another Secretary comes in and says, I am going to get rid of another 400 people. What we want in the VA, which is the largest integrated health care system in America, taking care of 6.5 million veterans—one shouldn't care if those folks are Republicans, Democrats, progressives or conservatives—what we want are competent, able supervisors. I also want to make sure if people get fired that it has nothing to do with the color of their skin or sexual orientation.

So we have an abbreviated appeals process, but within that appeals process somebody can be removed from their position immediately.

The House of Representatives, as you know, passed legislation yesterday which covers a lot of the same ground the Sanders-McCain bill covers, and I applaud the House for moving forward in a very rapid fashion. I am absolutely confident that working with House Chairman MILLER and Ranking Member MICHAUD, we can in fact bridge the differences that exist in the two bills and send to the President legislation he can sign as soon as possible.

Finally, I wish to say a word to the some 300,000 employees who work at the VA. The overwhelming majority of these people are hardworking, honest, serious employees. In fact, many of them are veterans. My experience is that for many of these employees what they do is less of a job than a mission. They understand the sacrifices veterans have made, and they in the vast majority of cases are doing excellent work to support our veterans. Let us never forget that some 230,000 veterans today and tomorrow and the next day are going into the VA for health care and that the vast majority of those people—and that is 6.5 million people a year—are receiving high-quality care.

I have talked to veterans all over the State of Vermont, and what they tell me is that they get very good care. I obviously cannot speak for every veteran, but in Vermont—and I expect in most areas around this country—veterans feel good about the health care they get.

A few weeks ago I held a hearing and asked all of the major veterans organizations point blank about their view on VA health care. What they said—this is not what BERNIE SANDERS said; it is what they said—was that once people get into the system, the care is good. That is not just their view. There are independent studies out there that rate VA health care with private sector care, and oftentimes VA health care comes out better. Right now our job is to address the crisis of long waiting periods and making sure that veterans all

over this country can get the care they need in a timely manner.

In my State of Vermont—according to information that just came out the other day—some 98 percent of veterans get appointments in the system within 30 days. I suspect the numbers are similar in certain other parts of the country, although clearly not in all parts of the country. That is the issue we are addressing right now.

It seems to me that our job now is to defend the veterans of this country who have defended us. It is time to move the Sanders-McCain legislation as quickly as we can—hopefully today. I know the majority leader, Senator REID, feels strongly about this issue. He wants this legislation moved as quickly as possible, as do I, and I believe Senator MCCAIN does as well.

Once we get that legislation passed, I am confident we can set up a quick conference committee and resolve the differences between the House and Senate bills and get a bill to the President as early as next week.

It is one thing to give great speeches on Memorial Day and Veterans Day about how much we love and respect veterans, but it is another for us to act expeditiously and effectively on behalf of veterans. Now is the time for action, and I hope very much we will have virtually unanimous support to move this important legislation forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

IMMIGRATION REFORM

Mr. SCHUMER. Madam President, I rise today to discuss a topic of great importance to our country's security, economy, and social fabric, and that is our broken immigration system.

No one can dispute that our system is broken. We do not yet have sufficient resources on our border or in our interior to prevent illegal immigration. And our legal immigration system takes far too long, has far too much bureaucratic redtape, and does not sufficiently serve our economic needs. In the meantime, our broken system has created millions of broken families. Many of these families are separated simply because of immigration status.

All of these problems can be solved by passing immigration reform legislation. Immigration reform will jump-start our economy, reduce our national debt, secure our country, and heal these broken families. The truth is, we have heard excuse after excuse after excuse from House Republicans about why they have not put immigration reform legislation on the floor.

First, it was that the Senate had to act first with broad bipartisan support. Well, that was taken away when the Senate passed bipartisan comprehensive reform legislation with 68 votes—a vote total which is virtually unprecedented for such important legislation.

Then it was that the House could only pass measures under the Hastert rule, which meant that a majority of the Republicans in the House had to support a bill in order to get a vote. This excuse was also taken away when the House showed it could pass other legislation, such as the debt ceiling, Sandy relief, and the Violence Against Women Act, without needing to fulfill the Hastert rule.

Then it was that the House could not pass one bill; it needed to break up the bill into component pieces. They thought this would be a deal killer. We said: Fine, we will work with you on the smaller pieces of immigration reform as long as all of the important pieces are addressed at or around the same time.

Then it was lack of trust of the President. That too was a phony excuse given that the President has deported more individuals than any other President. But even here we said: If that is really your problem, let's pass a bill now and delay implementation until 2017. We will get the President out of this equation so he is not used as an excuse. The House had no answers for that suggestion.

Now we have a new excuse. The excuse is that we supposedly cannot pass immigration reform because ERIC CANTOR lost his primary election. Well, just like all of the other excuses that have proven to be illusory, the idea that they cannot do immigration reform because ERIC CANTOR lost his election is another phony excuse for not passing immigration reform put together by those who willingly and unashamedly hand the leadership gavel on immigration to far-right extremists like STEVE KING.

I want to be very clear about two things today. First, ERIC CANTOR was never the solution on immigration. He was always the problem. Every time I talked to Republican Members, business leaders, growers, and faith leaders about immigration reform in the last several months, I consistently heard that the House leadership wanted to move forward but they did not have CANTOR's support. CANTOR was the chokepoint for immigration reform for these past few months. Contrary to the conventional wisdom, CANTOR's loss makes it easier—not harder—for House leadership to pass immigration reform.

Secondly, the polling is clear. ERIC CANTOR did not lose his primary because of support for immigration reform. It has been widely reported that 72 percent of registered voters in CANTOR's district polled on Tuesday said they either strongly or somewhat support immigration reform that would secure the borders, block employers from hiring those illegally, and allow undocumented residents without criminal backgrounds to gain legal status. And this is the case in one of the most conservative districts in Virginia and the country. The polling is consistent with other recent polling which shows support for immigration reform among a majority of Republicans and a plurality of tea party supporters across the country. Even 70 percent of Republicans in CANTOR's district support reform. Again, to be clear, not even the majority of the farthest right segment of the Republican Party supports deportations and the current broken system. But that is what we still have in place today.

So to repeat, ERIC CANTOR did not lose his primary yesterday because of immigration. He lost it because he had lost touch with the people in his district.

The election shows the Republican Party has two paths it can take on immigration: the Graham path of showing leadership and solving a problem in a mainstream way, which leads to victory, or the Cantor path of trying to play both sides, which is a path to defeat.

The lesson Republicans should take from last night is that embracing and showing leadership on immigration reform is a far better path to victory than running from it, particularly for Republicans who are not tea party members but mainstream conservatives. The example shown by Senator GRAHAM is dispositive. Rather than trying to be all things to all people, he defended immigration reform strongly in his State and was rewarded by the people of South Carolina, the Republicans of South Carolina, which is an extremely Republican and conservative State.

Senator GRAHAM sat with us from day one and crafted an immigration reform bill that he could sell to the mainstream conservatives in South Carolina, and he was rewarded last night by his State for being a man of principle.

One final thing about last night's election. David Brat won by receiving 36,000 votes in a Republican primary in rural Virginia in an election where 65,000 people showed up. The total population of the Cantor district is over 750,000 people, and there are 11 percent more Republicans in the district than Democrats. For some context, in the 2012 election, ERIC CANTOR received 220,000 votes and his Democratic challenger 160,000 votes. The point here is that it would be a monumentally lame excuse for Republicans to say that our Nation's immigration policy should be dictated by the whims of less than 20 percent of the Republican voters in a rural Virginia Republican district.

So the time for excuses is over. The time for action is now. It has been nearly 1 year since the Senate passed bipartisan comprehensive immigration reform legislation that would secure the border, turbo charge America's economic growth, and provide a chance to heal America's broken families who are being separated by our dysfunctional immigration system.

For far too long, Republican House leaders have yielded the leadership gavel on immigration to the xenophobic leaders of the extreme far right of the party such as STEVE KING, who has previously described immigration as a ''slow-motion holocaust.''

The question is whether House leadership will side with the STEVE KINGs and David Brats of the world or if they will side with the opinions of the vast majority of Republican voters and even the vast majority of voters in the Seventh Congressional District in Virginia.

Time is running out. The window is now open for passing immigration reform legislation, and the clock is furiously ticking. We have less than 7 weeks to go to get something passed, and the time is now for Republicans to give us their proposals on fixing the broken system. I say 7 weeks because it is highly unlikely that immigration reform could pass during a Republican Presidential primary season, where the party leaders will have to move to the extreme right to try and capture the Presidential nomination.

Therefore, it is time for the House leadership to declare unequivocally that immigration reform will be placed on the floor for a vote before the August recess. Without this declaration and the pressure to act, we will not be able to get immigration reform drafted and passed during this window.

Make no mistake about it. If the House fails to act during this window—a clear indication that they have no inclination in solving the problem—the President would be more than justified in acting anytime after the summer is over to take whatever changes he feels are necessary to make our immigration system work better for those unfairly burdened by our broken immigration laws.

But administrative relief is not what anyone wants to resort to. Those measures will be far too limited to fix all of the problems that currently plague our broken system. What we need right now is true leadership. Let's work together to get this done. A true leader will say: I will do what is good for my country—and for my party—even if it means that an extreme wing of my party will be unhappy. That is leadership. That is necessary.

We stand ready to work with any of our Republican colleagues who want to achieve solutions in good faith. But for now, I will conclude by saying that immigration reform is both necessary and inevitable. It is necessary because it will secure our country, grow our economy, reduce our deficit, create new jobs, and provide us with the best and the brightest. It is inevitable because the population of voters who believe this is an important issue continues to grow and become more politically active day by day.

So to my Republican friends, the choice is yours: Work with us on immigration reform this year and help the country now or do nothing and watch as immigration reform eventually passes without your support or your input. I hope we can act this year, but we will ultimately act. Let's hope we can finally do what is right before every other option has been tried.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. WARNER. Madam President, are we still in morning business?

The PRESIDING OFFICER. The Senate is considering the motion to proceed to S. 2432, the student loan refinancing bill.

Mr. WARNER. Madam President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

STUDENT LOAN DEBT

Mr. WARNER. I come to the floor disappointed that the Senate did not move to full consideration of the legislation that I know the Presiding Officer and others have worked on to take on the challenge that I believe will be the next great financial crisis our country will face—student debt.

Student debt, which is $1.2 trillion, now exceeds credit card debt, and that has been a PolitiFact out there and now validated. Increasingly, this crushing amount of student debt is slowing economic growth. It is not allowing young workers to go into the marketplace and buy a house or start a business.

While I am disappointed that we were not able to move to full consideration of the legislation that would provide a more comprehensive ability for students to refinance at a lower rate, I would point out that there are a number of other tools we can use.

I know I am going to be joined in a few moments—our paths may not completely cross here—by Senator RUBIO. There are two pieces of legislation around this issue that Senator RUBIO and I are working on together, and I want to speak briefly about both of those.

The first is legislation we have actually been joined by Senator WYDEN on as well called the Know Before You Go Act—a relatively simple concept using data that the U.S. Department of Education already collects. It says we ought to put together in a user-friendly Web site information for every parent and young student before they go off to college—whether it is a 4-year college, a 2-year college, or a community college—so they know, if they attend that university, what their chance of graduation is, how long it will take; if they choose to major in art history, the way my daughter did, what the chances are of getting a job and what that job would actually pay, so that we can make these people—young and not so young—better informed consumers. The cost of higher education—perhaps next to the purchase of a home—is the single largest investment most families will make.

This legislation I have with Senator RUBIO, the Know Before You Go Act—and Senator WYDEN—would say that making these families and parents more informed will add value and make a more-informed consumer. It is simple, very little cost. We already collect this data, but we don't present this data in a format that is easily obtainable by families all across America.

I know Senator RUBIO is going to speak about the second piece of legislation, and I think Senator RUBIO and I share a common background on this issue. I believe we are both first in our generation to have graduated from college. I was able to get through college and law school—being quite a bit older than Senator RUBIO—through direct aid, through work during college and law school, but also through student loans, but I came out of that with only $15,000 in student debt.

My personal story is that after working a bit in politics, I decided I would become an entrepreneur and proceeded to go off and start my own business, which within 6 weeks failed miserably. I then started a second enterprise that lasted a little longer; it lasted 6 months. My third enterprise was in the very early days of cell phones, and it managed to do pretty well, going on to cofound the company that became Nextel.

But as I reflect upon that period, particularly when I was literally living out of my car and sleeping on friends' couches, I am not sure I would have had the courage to try once, twice, or three times if I was looking at the kind of student debt that many—perhaps even some of these young pages here as they go on to college—might face if we don't take on this problem. It is not uncommon now for students—particularly if they complete graduate school—to see $70, $80, $100,000 in debt. The average student in Virginia comes out with about $30,000 in debt. We have to recognize that there should be a variety of tools available to them.

Again, I wish we had proceeded with the full debate on the bill on having the comprehensive ability to refinance.

One other piece of legislation, one other solution set—and I will be coming to the floor on a regular basis because I think there are a variety of ideas we need to lay out—a piece of legislation that Senator RUBIO and I are working on together that we will be introducing is on simplifying into a single form a tool that already exists on student debt in terms of income-based repayment.

Income-based repayment is a pretty simple idea. It says that if you get out of college or get out of graduate school—too many young people now are perhaps forced into careers that

may not have been their initial choice, but because of the crushing amount of debt payments they have to make, they don't have the kind of freedom I had to go out, candidly, and fail a couple of times before I managed to be successful. Income-based repayment says we will graduate the amount of money you will pay back on your student debt based upon the income you make. So if at first you need to take that job that might pay a little lower because there is a chance you can pursue your dream or actually become an entrepreneur, we will allow you to tailor your repayment schedule based upon the income, and as your income goes up, your payments will go up.

Rather than making income-based repayment kind of at the end of the line and very complicated to sort through, we simplify this approach, do it in a way that I believe is financially responsible, and do it in a way that gives that potential entrepreneur—the way I was—the chance to go out and take those risks, and if you are not successful at first—and can't leave out that 90 percent of entrepreneurs are not successful the first time they try a business—to make sure that you can maybe get that second shot, get that fair shot every American ought to have and not allow that student debt to be able to crush your dreams.

Clearly in America in 2014, in a world that is a global economy that is based upon our knowledge skills to stay competitive, you shouldn't go broke in America if you choose to go to college or get a higher education.

I believe these two pieces of legislation I am working on with Senator RUBIO—the Know Before You Go Act, so you are more informed about your options going forward, and this income-based repayment—are two of the possible solutions that could be added to make sure everyone gets the same kind of fair shot that I know the Presiding Officer and my good friend the Senator from Maryland had and that we want to make sure all the future Americans have as well.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Let me thank Senator WARNER for his leadership on this issue.

The bills Senator WARNER is bringing forward will help deal with the incredible burden American families are confronting today in order to get quality education. His story is a story told about the opportunities of America. Education is the great equalizer in this country.

My grandparents came to America for a better life for their children. My parents benefited from education. They are products of the Baltimore City public school system and the public colleges and universities in the State of Maryland. As a result of the educational tools given to them, the grandson of those immigrants now serves in the Senate. That is the story of America. Education is the great equalizer.

That is why we were so disappointed that we couldn't proceed with an important tool to make education more available to families; that is, the bill we just recently voted on to try to at least break the filibuster so that we could help those who currently have student loans.

Education has been the great equalizer in a growing middle class, which has led to the strength of America. It has been key to global competition. We all talk about the fact that other countries are doing a better job in STEM education or catching up to America—in some cases surpassing America. Well, education is a great equalizer.

We should make it easier for families to be able to afford a college education.

The truth is that it is more expensive here than it is in other countries. Yet we expect our country to be able to compete globally.

We are hurting ourselves. It is important for a growing economy, a growing middle class. Trained workers will strengthen America's economy, creating more jobs and more opportunity. So it is in our collective interests, not just that one family who is debating whether they are going to send their child to college or which college because of costs. It is in all of our interests to make it easier for Americans to afford a higher education.

The cost of higher education today is just plain too expensive. It is just too costly. It is the single most important investment a family can make. Yet today college debt is around $1.2 trillion—greater than all of the credit card debt held by American families. Is that putting a priority on education? I don't think so. We can do a much better job.

In Maryland, 776,000 students have Federal student loan debt totaling over $21 million. Over 50 percent of those graduating students are borrowing money in order to attend college, but here is the problem. For too many families it is a decision of whether they are going to college or not going to college—the cost. For too many families it is going to a school of their second, third, or fourth choice rather than the school they want to go to, and they are making that choice not because they couldn't get into the school they wanted but because they can't afford the school they want, their first choice.

The debt they have when they leave college, it is clearly affecting their career choice. We may have a brilliant future researcher or a brilliant future teacher. What is more important than being a teacher? But they choose to go into a different profession because they have student loans, and they choose for immediate pay considerations for their jobs rather than the career they really want because they know it is not fair to their families to continue these large student debts with which they are graduating.

That is the situation we confront. We know the numbers. I will tell you some real stories about real Marylanders.

Last year I visited one of our 4-year colleges and had a roundtable discussion with students. There was a second-year student there. She told me she was going to drop out of school after her second year. This is, by the way, in a very challenged community.

I said to her: I guess you are not doing well. She said: I am a straight-A student. I love the opportunities I am being given here. I love the knowledge I am getting, but I can't do it to my family to incur more debt. I look at my classmates from high school who have graduated and they are making money for their family and here I am a burden to my family by incurring more debt. I can't do it. I don't know where I am going to be 2 years from now, but I know I can't do this to my family. So I have to go out and work. I can't incur more debt.

That is a loss for that student and for our community.

I met another student named Becky last week at one of our Southern Maryland colleges. She told me the story about wanting to become a pediatric dentist. She is brilliant. She is doing great. But Becky is working full time and going to college. She is not going to be able to go to her first choice. She has her first choice, but she is not going to be able to do that because she is working full time and incurring debt in order to go to college. So it is going to take her a lot longer. She is not going to get through undergraduate in 4 years. It is going to take her 5 years or 6 years to get through, and whether she will ever become the pediatric dentist she wants to be, I don't know.

That is what is happening in America today, and millions of others can tell you similar stories of career decisions they have made, giving up the most important investment in their life because of the financial considerations. The bill we have on the floor right now can do something about it.

I would be the first to acknowledge there is a lot we could do to help in this regard, but I thank Senator WARREN for her leadership in bringing forward a bill that will make a difference for millions of students who hold debt. It will make it less costly for them to take out the loans they have taken out. It would affect millions of students.

I think Americans would be upset, disappointed, and outraged to learn the Federal Government is making money off of student loans. The interest rates are higher than what the cost of the student loan is. Taking into consideration defaults, taking into consideration administrative costs, taking into consideration the cost of borrowing, between 2007 and 2012 $66 billion was made off the backs of students who can't afford the loans they currently have.

What Senator WARREN's bill does is allow those who hold student debt to refinance and take advantage of lower interest rates. It is not going to be subsidized loans. There will be no cost to

the taxpayers to do this. This seems like a no-brainer, quite frankly. It would make it easier for them. We let homeowners refinance their mortgages and we passed special legislation to allow that. We allow businesses to refinance their loans to the lowest competitive rate. Why can't students do this? That is what the bill before us does. It lets us move forward at no cost because we are not subsidizing the loans.

Just because of our unusual scoring reasons here, she provides an offset, which I don't think is necessary, but I certainly support the bill, and the offset is certainly one that has millionaires paying their fair share and it makes sense. So this will save thousands of dollars for those who currently holds loans. That is important.

Some say: Don't we need more accountability from higher education? Yes, we do. Don't we need more transparency from higher education? Yes, we do. Don't we need to have better consumer information? Yes. I agree with all of the above, but today we can do something about the interest costs and correct an injustice of government, making money off of student loans, and do this in a way that makes it more affordable for families. We can do something that truly helps. It will provide help to families.

President Obama has acted. I thank him for doing that. Five million families will benefit from his Executive order or clarification which says no more than 10 percent of your income will be used to pay student loans and caps the number of years. That is going to help. He is also doing more to promote awareness of repayment options. That is good, but we in Congress have an opportunity to act and act today.

I hope we get bipartisan support to help middle-income families and to help our country. I urge my colleagues to allow us to get on the bill and to pay to help the middle class of America.

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. RUBIO. 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. RUBIO. Madam President, in a few moments I will yield the floor to my colleagues who will have an announcement about the progress which has been made on the veterans bill, an important issue.

I wish to take this moment to talk about a tale of two bills—a tale of two very critical issues that confront our country, both deserving of the time and attention of the Senate but how they have been treated very differently from one another.

The first issue is one which has been talked about here; that is, the issue of student loans in America. This is an issue I care about deeply for two reasons.

The first is, when I arrived on the floor of the Senate in January of 2011, I owed over $100,000 in student loans. For years we struggled with the cost of those loans. My parents never made enough money to save for our education, but I was able to pay for it through a combination of Pell grants and loans for my undergraduate and graduate studies. The undergraduate-level loans were manageable. The graduate-level loans for law school were quite a strain. At one point in our lives it was the single highest expenditure in our monthly budget. So I know the cost of this.

The other reason is because I have the honor of serving as an adjunct professor at Florida International University, where once or twice a week I interact with young men and women in South Florida who are facing not just the cost of undergraduate education but starting to think about how they are going to pay to go to law school or get a master's degree or any other profession they choose. This is a very significant issue, and there are two aspects of it that we are going to talk about in a moment.

The second issue that is critically important for our country is the well-documented problems of the Veterans' Administration. I don't need to go into a long dissertation about how our men and women who have served us so honorably and so bravely in uniform deserve the very best care possible.

Well documented are the long waiting lists and, even more tragically, efforts among some at the VA to cover up all of this, to cover their tracks and to cover up their incompetence. The vast majority of the men and women who work at the VA work hard and do a good job, but there are too many who do not, and there is not enough accountability with regard to that. As I said a couple of weeks ago when I came to the floor and tried to pass a measure, a companion of the issue that passed in the House: You are more likely to get a promotion or bonus than you are to get demoted or fired for not doing your job at the VA.

Two very important issues: a tale of two bills because they have been handled so differently.

I anticipate in a moment a number of Senators will come to the floor—Senators whom I thank for allowing me to work with them to make this possible—and will have an announcement to make with regard to votes on the veterans bill. That is great news. The men and women who have served us deserve this progress.

There is no claim that this is going to solve every problem in the world, but it is an important first step. I thank Senators MCCAIN, SANDERS, BURR, COBURN, and others for all the work they have done on this issue. We are excited to hear about their announcement in a few moments. If they arrive, I will gladly yield the floor for them to do that at the appropriate moment. I thank them, our men and women who have served us thank them, and the people of Florida thank them. We are a State with an enormous number of veterans.

This is an important issue, and I wish people could have seen the effort and how people worked across party lines to get this done. Everyone has great ideas about things they want to see added to it, about things they would like to see in addition to what has been included, but we all understand a sense of urgency about addressing this issue. We all had ideas we wanted to pursue, but we were all willing to put those aside for another debate and another day in order to get this done.

We need more of that in the Senate, we need more of that in the U.S. Government, and I thank the Senators who have worked so hard to make this happen and my colleague in the House, JEFF MILLER, for the work he has done in terms of bringing this forward as well. He has done a fantastic job.

Compare that to the way this issue on student loans has been handled, however. This is a legitimate issue that needs to be addressed, but the bill that was brought before the Senate included something the proponents knew was deeply political and controversial—the so-called Buffett rule. We have had debate on that issue before. We can have debate in the future.

They knew the simple utilization of that rule as part of this measure—as admitted, by the way, by Members of the majority who have talked about this measure in the past—they knew that by putting that in there, it politicized it and, quite frankly, doomed it to failure.

Let me lift the veil for those who are watching at home or in the gallery or anywhere, watching or listening now or in the future. They knew what the outcome would be when they included that, but it was put in there for the purposes of saying Republicans blocked this because they knew that issue in and of itself served as a sort of poison pill that held this up. It is unfortunate because the issue of student loans is a very valid issue in America.

Look, there was a time not long ago when higher education was an important option for millions of Americans, but, for example, even if someone didn't have a college education, they could still find a middle-income job that allowed them to make it to the middle class.

That is how my parents did it. Neither one of my parents had advanced formal education. Neither one finished the equivalent of high school. Yet we lived in the middle class. We achieved the American dream, because working as a bartender and as a maid, my parents were able to make enough money to achieve that.

The world has changed. Today, if someone doesn't have some form of advanced education, they are going to struggle to find a job that pays enough to keep up with the cost of living, much less to get ahead. This has made

higher education no longer an option. It is now a necessity. This is an issue that needs to be looked at in multiple ways, not simply the loan issue, by the way.

Take, for example, the story of a 41-year-old head of household who has worked their entire life to provide for their family and now has lost their job or their business, the only way they are going to be able to get a job that makes it to the middle class in the 21st century—because the job they used to have has been automated or outsourced or the industry is no longer around. The only way they are going to be able to make it back into the middle class and stay there is to acquire skills and education necessary for 21st century middle-class and above jobs.

But if someone is 41 years old and they have to work full time to provide for their family, and they have to raise that family, they can't just drop everything and go back to college for 4 years, and they probably can't afford it either. So we need to revolutionize what higher education means in America so people living those circumstances can access it in a cost-effective way.

When I worked in the State legislature, I had an employee who was the equivalent of my executive assistant. She made less than $30,000 a year because that is what the State pay grade called for. But she went to school at night and became a paralegal and doubled her pay on the day after her graduation because she was able to acquire advanced skills and a degree that allowed her to improve not just her lifestyle and her quality of life but that of her daughter's as well—a young, single mother struggling to provide and move ahead in life.

The problem is that our existing higher education system is one we had in the 20th century. It is largely designed for a student who graduates from high school and goes to college for 4 years, but it is inaccessible and unaffordable for Americans who are later in their lives, who have to work full time and raise a family, for people who in the middle of a career have found their job outsourced or automated and need to be retrained. That in and of itself calls for higher education to be revolutionized. The second point I would make is there is some innovation in higher education. For example, there are degrees and degree-type programs you can now get online. But you will often find that the cost of those programs is as much and more than a brick and mortar institution would charge. It costs as much and in many instances more to get your degree on line than it would by sitting in a classroom and taking lectures every day. For many people that is not realistic.

So we need to revolutionize what higher education means. The traditional 4-year college will always be an important part of it, but we also have to provide programs that allow people to graduate from high school with skills that allow them to immediately be employed such as more welders and more electricians. There is nothing wrong with that. These are important jobs that we have shortages in, by the way.

We need to create more innovation so that people can acquire learning in the most effective way possible. For example, why can't we allow people to package learning in any way they acquire it, online, work experience, life experience, to be able to package all of your learning and acquire the equivalent of a degree that allows you to go to work?

There are real answers to these problems. I am involved in at least three of them. One is a program called ''Right to Know Before You Go'' that I sponsored with Senator WYDEN. It is a bipartisan proposal. It is very simple. It says that when you go to school before you take out a loan you have to be told: ''This is how much people that graduate from our school with a degree that you are seeking make.'' So you can decide whether it is worth taking out thousands of dollars in loans for a degree that doesn't lead to jobs.

The other proposal is changing the way we accredit higher education in America. Accrediting basically means you have permission to get a college degree. But the institutions who control that process are the existing status quo schools. They will always have an important job in our educational portfolio but they cannot be the only ones anymore. We need to change that so there are alternative programs available that allow you to package learning no matter how you acquire it so that you can get credit for that as well. So the changing of accrediting is a big part of this.

I believe that income-based repayments should be a part of this. There is a more responsible way to do it. Thankfully, Senator WARNER and I are working on such a proposal. I wish issues such as that were debated as a part of this solution, as opposed to simply a political stunt brought to the floor designed to get enough ''no'' votes by Republicans so it can be used in November on the campaign trail.

Student loans—a trillion dollars' worth—are owed by both Republicans and Democrats. We need to get this issue solved if we are going to move forward. On the Veterans' Administration issue—I see a number of Senators have arrived and potentially have an announcement for us—we have made great progress. The bill is important, but the one part I have been working on personally is accountability, giving the Secretary the power to hire and to fire those mid-level bureaucrats that are not doing their job. That is an important measure. I am glad that is included in this. I am glad the Senate will be moving forward on this in a few moments.

It is the tale of two bills. One is an example of how we can get things done to address the real needs in our country, and the other is a missed opportunity to address one of the single greatest impediments to upward mobility and the American dream in the 21st Century—and that is the accessibility and affordability of higher education, because today higher education is no longer just an option. In some way, shape or form acquiring higher education has become a necessity for all Americans, and we need to make that more accessible and more affordable.

It is my hope that in the weeks and months to come we will be able to put aside the desire to turn this issue into a political tool and come together to solve this problem because there is a trillion dollars of student loan debt sitting out there, and there are hundreds of thousands of Americans who desperately need to acquire some sort of higher education and they cannot afford it or they cannot access it or both. They need us to address this issue because this cannot be an issue we do not resolve. The American dream will continue to slip out of reach for millions of people in this new century unless we make the acquisition of higher education more accessible and more affordable to people from all walks of life: the 18-year-old who graduates from high school, the 25-year-old single mother, the 41-year-old father who heads a household, and everyone in between.

This is an enormous challenge for our country but one for which there are solutions. All we need now is a willingness to proceed to do it, and I hope that in the weeks to come, once we pass this moment, we can get back on this issue and solve it in a real and responsible way.

I appreciate the opportunity to speak on these issues. I look forward to working to pass the veterans bill hopefully today and to move forward and work together in a serious and meaningful way to make higher education more affordable for every American who needs it in order to achieve their American dream.

Madam President, 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. 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. REID. Madam President, before I say anything, I really and deeply appreciate the ability of the Democrats and Republicans to work together on an extremely important issue, and I need not editorialize more than that.

MAKING CONTINUING APPROPRIATIONS DURING A GOVERNMENT SHUTDOWN

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 206, H.R. 3230; that all after

the enacting clause be stricken and the text of S. 2450 be inserted in lieu thereof, which is the Sanders-McCain veterans bill; that there be no other amendments, motions or points of order in order other than a budget point of order against the bill and the applicable motion to waive; that the time until 4 p.m. be equally divided between the two leaders or their designees; that if a budget point of order is made and the applicable motion to waive the point of order is made, then at 4 p.m. today, the Senate proceed to vote on the motion to waive; if the motion to waive is agreed to, the bill, as amended, be read a third time and the Senate proceed to vote on passage of the bill, as amended.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3230) making continuing appropriations during a government shutdown to provide pay and allowances to members of the reserve components of the Armed Forces who perform inactive-duty training during such period.

The amendment is as follows:

H.R. 3230

Resolved, That the bill from the House of Representatives (H.R. 3230) entitled ''An Act making continuing appropriations during a Government shutdown to provide pay and allowances to members of the reserve components of the Armed Forces who perform inactive-duty training during such period.'', do pass with the following amendments:

Strike all after the enacting clause, and insert in lieu thereof:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—IMPROVEMENT OF SCHEDULING SYSTEM FOR HEALTH CARE APPOINTMENTS

Sec. 101. Independent assessment of the scheduling of appointments and other health care management processes of the Department of Veterans Affairs.

Sec. 102. Technology task force on review of scheduling system and software of the Department of Veterans Affairs.

TITLE II—TRAINING AND HIRING OF HEALTH CARE STAFF

Sec. 201. Treatment of staffing shortage and biannual report on staffing of medical facilities of the Department of Veterans Affairs.

Sec. 202. Clinic management training for managers and health care providers of the Department of Veterans Affairs.

Sec. 203. Use of unobligated amounts to hire additional health care providers for the Veterans Health Administration.

TITLE III—IMPROVEMENT OF ACCESS TO CARE FROM NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS

Sec. 301. Expanded availability of hospital care and medical services for veterans through the use of contracts.

Sec. 302. Transfer of authority for payments for hospital care, medical services, and other health care from non-Department providers to the Chief Business Office of the Veterans Health Administration of the Department.

Sec. 303. Enhancement of collaboration between Department of Veterans Affairs and Indian Health Service.

Sec. 304. Enhancement of collaboration between Department of Veterans Affairs and Native Hawaiian health care systems.

Sec. 305. Sense of Congress on prompt payment by Department of Veterans Affairs.

TITLE IV—HEALTH CARE ADMINISTRATIVE MATTERS

Sec. 401. Improvement of access of veterans to mobile vet centers of the Department of Veterans Affairs.

Sec. 402. Commission on construction projects of the Department of Veterans Affairs.

Sec. 403. Commission on Access to Care.

Sec. 404. Improved performance metrics for health care provided by Department of Veterans Affairs.

Sec. 405. Improved transparency concerning health care provided by Department of Veterans Affairs.

Sec. 406. Information for veterans on the credentials of Department of Veterans Affairs physicians.

Sec. 407. Information in annual budget of the President on hospital care and medical services furnished through expanded use of contracts for such care.

Sec. 408. Prohibition on falsification of data concerning wait times and quality measures at Department of Veterans Affairs.

Sec. 409. Removal of Senior Executive Service employees of the Department of Veterans Affairs for performance.

TITLE V—HEALTH CARE RELATED TO SEXUAL TRAUMA

Sec. 501. Expansion of eligibility for sexual trauma counseling and treatment to veterans on inactive duty training.

Sec. 502. Provision of counseling and treatment for sexual trauma by the Department of Veterans Affairs to members of the Armed Forces.

Sec. 503. Reports on military sexual trauma.

TITLE VI—MAJOR MEDICAL FACILITY LEASES

Sec. 601. Authorization of major medical facility leases.

Sec. 602. Budgetary treatment of Department of Veterans Affairs major medical facilities leases.

TITLE VII—VETERANS BENEFITS MATTERS

Sec. 701. Expansion of Marine Gunnery Sergeant John David Fry Scholarship.

Sec. 702. Approval of courses of education provided by public institutions of higher learning for purposes of All-Volunteer Force Educational Assistance Program and Post-9/11 Educational Assistance conditional on in-State tuition rate for veterans.

TITLE VIII—APPROPRIATION AND EMERGENCY DESIGNATIONS

Sec. 801. Appropriation of emergency amounts.

Sec. 802. Emergency designations.

TITLE I—IMPROVEMENT OF SCHEDULING SYSTEM FOR HEALTH CARE APPOINTMENTS

SEC. 101. INDEPENDENT ASSESSMENT OF THE SCHEDULING OF APPOINTMENTS AND OTHER HEALTH CARE MANAGEMENT PROCESSES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) INDEPENDENT ASSESSMENT.—

(1) ASSESSMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into a contract with an independent third party to assess the following:

(A) The process at each medical facility of the Department of Veterans Affairs for scheduling appointments for veterans to receive hospital care, medical services, or other health care from the Department.

(B) The staffing level and productivity of each medical facility of the Department, including the following:

(i) The case load of each health care provider of the Department.

(ii) The time spent by each health care provider of the Department on matters other than the case load of such health care provider, including time spent by such health care provider as follows:

(I) At a medical facility that is affiliated with the Department.

(II) Conducting research.

(III) Training or overseeing other health care professionals of the Department.

(C) The organization, processes, and tools used by the Department to support clinical documentation and the subsequent coding of inpatient services.

(D) The purchasing, distribution, and use of pharmaceuticals, medical and surgical supplies, and medical devices by the Department, including the following:

(i) The prices paid for, standardization of, and use by the Department of the following:

(I) High-cost pharmaceuticals.

(II) Medical and surgical supplies.

(III) Medical devices.

(ii) The use by the Department of group purchasing arrangements to purchase pharmaceuticals, medical and surgical supplies, medical devices, and health care related services.

(iii) The strategy used by the Department to distribute pharmaceuticals, medical and surgical supplies, and medical devices to Veterans Integrated Service Networks and medical facilities of the Department.

(E) The performance of the Department in paying amounts owed to third parties and collecting amounts owed to the Department with respect to hospital care, medical services, and other health care, including any recommendations of the independent third party as follows:

(i) To avoid the payment of penalties to vendors.

(ii) To increase the collection of amounts owed to the Department for hospital care, medical services, or other health care provided by the Department for which reimbursement from a third party is authorized.

(iii) To increase the collection of any other amounts owed to the Department.

(2) ELEMENTS OF SCHEDULING ASSESSMENT.—In carrying out the assessment required by paragraph (1)(A), the independent third party shall do the following:

(A) Review all training materials pertaining to scheduling of appointments at each medical facility of the Department.

(B) Assess whether all employees of the Department conducting tasks related to scheduling are properly trained for conducting such tasks.

(C) Assess whether changes in the technology or system used in scheduling appointments are necessary to limit access to the system to only those employees that have been properly trained in conducting such tasks.

(D) Assess whether health care providers of the Department are making changes to their

schedules that hinder the ability of employees conducting such tasks to perform such tasks.

(E) Assess whether the establishment of a centralized call center throughout the Department for scheduling appointments at medical facilities of the Department would improve the process of scheduling such appointments.

(F) Assess whether booking templates for each medical facility or clinic of the Department would improve the process of scheduling such appointments.

(G) Recommend any actions to be taken by the Department to improve the process for scheduling such appointments, including the following:

(i) Changes in training materials provided to employees of the Department with respect to conducting tasks related to scheduling such appointments.

(ii) Changes in monitoring and assessment conducted by the Department of wait times of veterans for such appointments.

(iii) Changes in the system used to schedule such appointments, including changes to improve how the Department—

(I) measures wait times of veterans for such appointments;

(II) monitors the availability of health care providers of the Department; and

(III) provides veterans the ability to schedule such appointments.

(iv) Such other actions as the independent third party considers appropriate.

(3) TIMING.—The independent third party carrying out the assessment required by paragraph (1) shall complete such assessment not later than 180 days after entering into the contract described in such paragraph.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date on which the independent third party completes the assessment under this section, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of such assessment.

(2) PUBLICATION.—Not later than 30 days after submitting the report under paragraph (1), the Secretary shall publish such report in the Federal Register and on an Internet website of the Department accessible to the public.

SEC. 102. TECHNOLOGY TASK FORCE ON REVIEW OF SCHEDULING SYSTEM AND SOFTWARE OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) TASK FORCE REVIEW.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall, through the use of a technology task force, conduct a review of the needs of the Department of Veterans Affairs with respect to the scheduling system and scheduling software of the Department of Veterans Affairs that is used by the Department to schedule appointments for veterans for hospital care, medical services, and other health care from the Department.

(2) AGREEMENT.—

(A) IN GENERAL.—The Secretary shall seek to enter into an agreement with a technology organization or technology organizations to carry out the review required by paragraph (1).

(B) PROHIBITION ON USE OF FUNDS.—No Federal funds may be used to assist the technology organization or technology organizations under subparagraph (A) in carrying out the review required by paragraph (1).

(b) REPORT.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the technology task force required under subsection (a)(1) shall submit to the Secretary, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a report setting forth the findings and recommendations of the technology task force regarding the needs of the Department with respect to the scheduling system and scheduling software of the Department described in such subsection.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) Proposals for specific actions to be taken by the Department to improve the scheduling system and scheduling software of the Department described in subsection (a)(1).

(B) A determination as to whether an existing off-the-shelf system would—

(i) meet the needs of the Department to schedule appointments for veterans for hospital care, medical services, and other health care from the Department; and

(ii) improve the access of veterans to such care and services.

(3) PUBLICATION.—Not later than 30 days after the receipt of the report required by paragraph (1), the Secretary shall publish such report in the Federal Register and on an Internet website of the Department accessible to the public.

(c) IMPLEMENTATION OF TASK FORCE RECOMMENDATIONS.—Not later than one year after the receipt of the report required by subsection (b)(1), the Secretary shall implement the recommendations set forth in such report that the Secretary considers are feasible, advisable, and cost-effective.

TITLE II—TRAINING AND HIRING OF HEALTH CARE STAFF

SEC. 201. TREATMENT OF STAFFING SHORTAGE AND BIANNUAL REPORT ON STAFFING OF MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) STAFFING SHORTAGE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not later than September 30 each year thereafter, the Inspector General of the Department of Veterans Affairs shall determine, and the Secretary of Veterans Affairs shall publish in the Federal Register, the five occupations of health care providers of the Department of Veterans Affairs for which there is the largest staffing shortage throughout the Department.

(2) RECRUITMENT AND APPOINTMENT.—Notwithstanding sections 3304 and 3309 through 3318 of title 5, United States Code, the Secretary may, upon a determination by the Inspector General under paragraph (1) that there is a staffing shortage throughout the Department with respect to a particular occupation of health care provider, recruit and directly appoint highly qualified health care providers to serve as health care providers in that particular occupation for the Department.

(3) PRIORITY IN HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE PROGRAM TO CERTAIN PROVIDERS.—Section 7612(b)(5) of title 38, United States Code, is amended—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) shall give priority to applicants pursuing a course of education or training towards a career in an occupation for which the Secretary has, in the most current determination published in the Federal Register pursuant to section 201(a)(1) of the Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014, determined that there is one of the largest staffing shortages throughout the Department with respect to such occupation; and''.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not later than December 31 of each even numbered year thereafter until 2024, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report assessing the staffing of each medical facility of the Department of Veterans Affairs.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) The results of a system-wide assessment of all medical facilities of the Department to ensure the following:

(i) Appropriate staffing levels for health care providers to meet the goals of the Secretary for timely access to care for veterans.

(ii) Appropriate staffing levels for support personnel, including clerks.

(iii) Appropriate sizes for clinical panels.

(iv) Appropriate numbers of full-time staff, or full-time equivalents, dedicated to direct care of patients.

(v) Appropriate physical plant space to meet the capacity needs of the Department in that area.

(vi) Such other factors as the Secretary considers necessary.

(B) A plan for addressing any issues identified in the assessment described in subparagraph (A), including a timeline for addressing such issues.

(C) A list of the current wait times and workload levels for the following clinics in each medical facility:

(i) Mental health.

(ii) Primary care.

(iii) Gastroenterology.

(iv) Women's health.

(v) Such other clinics as the Secretary considers appropriate.

(D) A description of the results of the most current determination of the Inspector General under paragraph (1) of subsection (a) and a plan to use direct appointment authority under paragraph (2) of such subsection to fill staffing shortages, including recommendations for improving the speed at which the credentialing and privileging process can be conducted.

(E) The current staffing models of the Department for the following clinics, including recommendations for changes to such models:

(i) Mental health.

(ii) Primary care.

(iii) Gastroenterology.

(iv) Women's health.

(v) Such other clinics as the Secretary considers appropriate.

(F) A detailed analysis of succession planning at medical facilities of the Department, including the following:

(i) The number of positions in medical facilities throughout the Department that are not filled by a permanent employee.

(ii) The length of time each position described in clause (i) remained vacant or filled by a temporary or acting employee.

(iii) A description of any barriers to filling the positions described in clause (i).

(iv) A plan for filling any positions that are vacant or filled by a temporary or acting employee for more than 180 days.

(v) A plan for handling emergency circumstances, such as administrative leave or sudden medical leave for senior officials.

(G) The number of health care providers of the Department who have been removed from their positions, have retired, or have left their positions for another reason, disaggregated by provider type, during the two-year period preceding the submittal of the report.

(H) Of the health care providers specified in subparagraph (G) who have been removed from their positions, the following:

(i) The number of such health care providers who were reassigned to other positions in the Department.

(ii) The number of such health care providers who left the Department.

(iii) The number of such health care providers who left the Department and were subsequently rehired by the Department.

SEC. 202. CLINIC MANAGEMENT TRAINING FOR MANAGERS AND HEALTH CARE PROVIDERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) CLINIC MANAGEMENT TRAINING PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a clinic management training program to provide in-person, standardized education on health care management to all managers of, and health care providers at, medical facilities of the Department of Veterans Affairs.

(2) ELEMENTS.—The clinic management training program required by paragraph (1) shall include the following:

(A) Training on how to manage the schedules of health care providers of the Department, including the following:

(i) Maintaining such schedules in a manner that allows appointments to be booked at least eight weeks in advance.

(ii) Proper planning procedures for vacation, leave, and graduate medical education training schedules.

(B) Training on the appropriate number of appointments that a health care provider should conduct on a daily basis, based on specialty.

(C) Training on how to determine whether there are enough available appointment slots to manage demand for different appointment types and mechanisms for alerting management of insufficient slots.

(D) Training on how to properly use the appointment scheduling system of the Department, including any new scheduling system implemented by the Department.

(E) Training on how to optimize the use of technology, including the following:

(i) Telemedicine.

(ii) Electronic mail.

(iii) Text messaging.

(iv) Such other technologies as specified by the Secretary.

(F) Training on how to properly use physical plant space at medical facilities of the Department to ensure efficient flow and privacy for patients and staff.

(3) SUNSET.—The clinic management training program required by paragraph (1) shall terminate on the date that is two years after the date on which the Secretary commences such program.

(b) TRAINING MATERIALS.—

(1) IN GENERAL.—After the termination of the clinic management training program required by subsection (a), the Secretary shall provide training materials on health care management to each of the following employees of the Department upon the commencement of employment of such employee:

(A) Any manager of a medical facility of the Department.

(B) Any health care provider at a medical facility of the Department.

(C) Such other employees of the Department as the Secretary considers appropriate.

(2) UPDATE.—The Secretary shall regularly update the training materials required under paragraph (1).

SEC. 203. USE OF UNOBLIGATED AMOUNTS TO HIRE ADDITIONAL HEALTH CARE PROVIDERS FOR THE VETERANS HEALTH ADMINISTRATION.

(a) IN GENERAL.—At the end of each of fiscal years 2014 and 2015, all covered amounts shall be made available to the Secretary of Veterans Affairs to hire additional health care providers for the Veterans Health Administration of the Department of Veterans Affairs, or to carry out any provision of this Act or the amendments made by this Act, and shall remain available until expended.

(b) PRIORITY IN HIRING.—The Secretary shall prioritize hiring additional health care providers under subsection (a) at medical facilities of the Department and in geographic areas in which the Secretary identifies the greatest shortage of health care providers.

(c) COVERED AMOUNTS DEFINED.—In this section, the term ''covered amounts'' means amounts—

(1) that are made available to the Veterans Health Administration of the Department for an appropriations account—

(A) under the heading ''MEDICAL SERVICES'';

(B) under the heading ''MEDICAL SUPPORT AND COMPLIANCE''; or

(C) under the heading ''MEDICAL FACILITIES''; and

(2) that are unobligated at the end of the applicable fiscal year.

TITLE III—IMPROVEMENT OF ACCESS TO CARE FROM NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS

SEC. 301. EXPANDED AVAILABILITY OF HOSPITAL CARE AND MEDICAL SERVICES FOR VETERANS THROUGH THE USE OF CONTRACTS.

(a) EXPANSION OF AVAILABLE CARE AND SERVICES.—

(1) FURNISHING OF CARE.—

(A) IN GENERAL.—Hospital care and medical services under chapter 17 of title 38, United States Code, shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (d), or any other law administered by the Secretary of Veterans Affairs, with entities specified in subparagraph (B) for the furnishing of such care and services to veterans.

(B) ENTITIES SPECIFIED.—The entities specified in this subparagraph are the following:

(i) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(ii) Any Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(iii) The Department of Defense.

(iv) The Indian Health Service.

(2) CHOICE OF PROVIDER.—An eligible veteran who elects to receive care and services under this section may select the provider of such care and services from among any source of provider of such care and services through an entity specified in paragraph (1)(B) that is accessible to the veteran.

(3) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department of Veterans Affairs, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the current wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

(1)(A) the veteran is enrolled in the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705 of title 38, United States Code; or

(B) the veteran is enrolled in such system, has not received hospital care or medical services from the Department, and has contacted the Department seeking an initial appointment from the Department for the receipt of such care or services; and

(2) the veteran—

(A)(i) attempts, or has attempted under paragraph (1)(B), to schedule an appointment for the receipt of hospital care or medical services under chapter 17 of title 38, United States Code, but is unable to schedule an appointment within the current wait-time goals of the Veterans Health Administration for the furnishing of such care or services; and

(ii) elects, and is authorized, to be furnished such care or services pursuant to subsection (c)(2);

(B) resides more than 40 miles from the nearest medical facility of the Department, including a community-based outpatient clinic, that is closest to the residence of the veteran; or

(C) resides—

(i) in a State without a medical facility of the Department that provides—

(I) hospital care;

(II) emergency medical services; and

(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

(ii) more than 20 miles from a medical facility of the Department described in clause (i).

(c) ELECTION AND AUTHORIZATION.—

(1) IN GENERAL.—If the Secretary confirms that an appointment for an eligible veteran described in subsection (b)(2)(A) for the receipt of hospital care or medical services under chapter 17 of title 38, United States Code, is unavailable within the current wait-time goals of the Department for the furnishing of such care or services, the Secretary shall, at the election of the eligible veteran—

(A) place such eligible veteran on an electronic waiting list described in paragraph (2) for such an appointment; or

(B)(i) authorize that such care and services be furnished to the eligible veteran under this section for a period of time specified by the Secretary; and

(ii) send a letter to the eligible veteran describing the care and services the eligible veteran is eligible to receive under this section.

(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website for the following purposes:

(A) To determine the place of such eligible veteran on the waiting list.

(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

(d) CARE AND SERVICES THROUGH CONTRACTS.—

(1) IN GENERAL.—The Secretary shall enter into contracts with health care providers that are participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) to furnish care and services to eligible veterans under this section.

(2) RATES AND REIMBURSEMENT.—

(A) IN GENERAL.—In entering into a contract under this subsection, the Secretary shall—

(i) negotiate rates for the furnishing of care and services under this section; and

(ii) reimburse the health care provider for such care and services at the rates negotiated pursuant to clause (i) as provided in such contract.

(B) LIMIT ON RATES.—

(i) IN GENERAL.—Except as provided in clause (ii), rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care and services.

(ii) EXCEPTION.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran if the Secretary determines that there is no health care provider that will provide such care or services to such eligible veteran at the rate required under such clause—

(I) within the current wait-time goals of the Veterans Health Administration for the furnishing of such care or services; and

(II) at a location not more than 40 miles from the residence of such eligible veteran.

(C) LIMIT ON COLLECTION.—For the furnishing of care and services pursuant to a contract under this section, a health care provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

(3) INFORMATION ON POLICIES AND PROCEDURES.—The Secretary shall provide to any

health care provider with which the Secretary has entered into a contract under paragraph (1) the following:

(A) Information on applicable policies and procedures for submitting bills or claims for authorized care and services furnished to eligible veterans under this section.

(B) Access to a telephone hotline maintained by the Department that such health care provider may call for information on the following:

(i) Procedures for furnishing care and services under this section.

(ii) Procedures for submitting bills or claims for authorized care and services furnished to eligible veterans under this section and being reimbursed for furnishing such care and services.

(iii) Whether particular care or services under this section are authorized, and the procedures for authorization of such care or services.

(e) CHOICE CARD.—

(1) IN GENERAL.—For purposes of receiving care and services under this section, the Secretary shall issue to each eligible veteran a card that the eligible veteran shall present to a health care provider that is eligible to furnish care and services under this section before receiving such care and services.

(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a ''Choice Card''.

(3) DETAILS OF CARD.—Each Choice Card issued to an eligible veteran under paragraph (1) shall include the following:

(A) The name of the eligible veteran.

(B) An identification number for the eligible veteran that is not the social security number of the eligible veteran.

(C) The contact information of an appropriate office of the Department for health care providers to confirm that care and services under this section are authorized for the eligible veteran.

(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care and services under this section.

(E) The following statement: ''This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.''.

(4) INFORMATION ON USE OF CARD.—Upon issuing a Choice Card to an eligible veteran, the Secretary shall provide the eligible veteran with information clearly stating the circumstances under which the veteran may be eligible for care and services under this section.

(f) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

(1) When the veteran enrolls in the patient enrollment system of the Department under section 1705 of title 38, United States Code.

(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the current wait-time goals of the Veterans Health Administration for delivery of such care or services.

(g) PROVIDERS.—To be eligible to furnish care and services under this section, a health care provider must—

(1) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

(2) submit, not less frequently than once each year, verification of such licenses and credentials maintained by such health care provider.

(h) COST-SHARING.—

(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment to the Department for the receipt of care and services under this section only if such eligible veteran would be required to pay such copayment for the receipt of such care and services at a medical facility of the Department.

(2) LIMITATION.—The copayment required under paragraph (1) shall not be greater than the copayment required of such eligible veteran by the Department for the receipt of such care and services at a medical facility of the Department.

(i) CLAIMS PROCESSING SYSTEM.—

(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for processing and paying bills or claims for authorized care and services furnished to eligible veterans under this section.

(2) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe regulations for the implementation of such system.

(3) OVERSIGHT.—The Chief Business Office of the Veterans Health Administration shall oversee the implementation and maintenance of such system.

(4) ACCURACY OF PAYMENT.—

(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

(B) ANNUAL REPORT.—

(i) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the termination date specified in subsection (n), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the goals for accuracy of such system.

(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

(II) An assessment of the success of the Department in meeting such goals during the year preceding the submittal of the report.

(j) MEDICAL RECORDS.—The Secretary shall ensure that any health care provider that furnishes care and services under this section to an eligible veteran submits to the Department any medical record related to the care and services provided to such eligible veteran by such health care provider for inclusion in the electronic medical record of such eligible veteran maintained by the Department upon the completion of the provision of such care and services to such eligible veteran.

(k) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care and services under this section by eligible veterans to ensure that the Department does not pay for such care and services that were not furnished to an eligible veteran.

(l) IMPLEMENTATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall prescribe interim final regulations on the implementation of this section and publish such regulations in the Federal Register.

(m) INSPECTOR GENERAL REPORT.—Not later than 540 days after the publication of the interim final regulations under subsection (l), the Inspector General of the Department shall submit to the Secretary a report on the results of an audit of the care and services furnished under this section to ensure the accuracy and timeliness of payments by the Department for the cost of such care and services, including any findings and recommendations of the Inspector General.

(n) TERMINATION.—The requirement of the Secretary to furnish care and services under this section terminates on the date that is two years after the date on which the Secretary publishes the interim final regulations under subsection (l).

(o) REPORTS.—

(1) INITIAL REPORT.—Not later than 90 days after the publication of the interim final regulations under subsection (l), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under this section that includes the following:

(A) The number of eligible veterans who have received care and services under this section.

(B) A description of the type of care and services furnished to eligible veterans under this section.

(2) FINAL REPORT.—Not later than 540 days after the publication of the interim final regulations under subsection (l), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under this section that includes the following:

(A) The total number of eligible veterans who have received care and services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A); and

(ii) eligible veterans described in subsection (b)(2)(B).

(B) A description of the type of care and services furnished to eligible veterans under this section.

(C) An accounting of the total cost of furnishing care and services to eligible veterans under this section.

(D) The results of a survey of eligible veterans who have received care or services under this section on the satisfaction of such eligible veterans with the care or services received by such eligible veterans under this section.

(E) An assessment of the effect of furnishing care and services under this section on wait times for an appointment for the receipt of hospital care and medical services from the Department.

(F) An assessment of the feasibility and advisability of continuing furnishing care and services under this section after the termination date specified in subsection (n).

(p) RULES OF CONSTRUCTION.—

(1) NO MODIFICATION OF CONTRACTS.—Nothing in this section shall be construed to require the Secretary to renegotiate contracts for the furnishing of hospital care or medical services to veterans entered into by the Department before the date of the enactment of this Act.

(2) FILLING AND PAYING FOR PRESCRIPTION MEDICATIONS.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

SEC. 302. TRANSFER OF AUTHORITY FOR PAYMENTS FOR HOSPITAL CARE, MEDICAL SERVICES, AND OTHER HEALTH CARE FROM NON-DEPARTMENT PROVIDERS TO THE CHIEF BUSINESS OFFICE OF THE VETERANS HEALTH ADMINISTRATION OF THE DEPARTMENT.

(a) TRANSFER OF AUTHORITY.—

(1) IN GENERAL.—Effective on October 1, 2014, the Secretary of Veterans Affairs shall transfer the authority to pay for hospital care, medical services, and other health care through non-Department providers to the Chief Business Office of the Veterans Health Administration of the Department of Veterans Affairs from the Veterans Integrated Service Networks and medical centers of the Department of Veterans Affairs.

(2) MANNER OF CARE.—The Chief Business Office shall work in consultation with the Office of Clinical Operations and Management of the Department of Veterans Affairs to ensure that care and services described in paragraph (1) are provided in a manner that is clinically appropriate and effective.

(3) NO DELAY IN PAYMENT.—The transfer of authority under paragraph (1) shall be carried out in a manner that does not delay or impede

any payment by the Department for hospital care, medical services, or other health care provided through a non-Department provider under the laws administered by the Secretary.

(b) BUDGETARY EFFECT.—The Secretary shall, for each fiscal year that begins after the date of the enactment of this Act—

(1) include in the budget for the Chief Business Office of the Veterans Health Administration amounts to pay for hospital care, medical services, and other health care provided through non-Department providers, including any amounts necessary to carry out the transfer of authority to pay for such care and services under subsection (a), including any increase in staff; and

(2) not include in the budget of each Veterans Integrated Service Network and medical center of the Department amounts to pay for such care and services.

SEC. 303. ENHANCEMENT OF COLLABORATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND INDIAN HEALTH SERVICE.

(a) OUTREACH TO TRIBAL-RUN MEDICAL FACILITIES.—The Secretary of Veterans Affairs shall, in consultation with the Director of the Indian Health Service, conduct outreach to each medical facility operated by an Indian tribe or tribal organization through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) to raise awareness of the ability of such facilities, Indian tribes, and tribal organizations to enter into agreements with the Department of Veterans Affairs under which the Secretary reimburses such facilities, Indian tribes, or tribal organizations, as the case may be, for health care provided to veterans eligible for health care at such facilities.

(b) METRICS FOR MEMORANDUM OF UNDERSTANDING PERFORMANCE.—The Secretary of Veterans Affairs shall implement performance metrics for assessing the performance by the Department of Veterans Affairs and the Indian Health Service under the memorandum of understanding entitled ''Memorandum of Understanding between the Department of Veterans Affairs (VA) and the Indian Health Service (IHS)'' in increasing access to health care, improving quality and coordination of health care, promoting effective patient-centered collaboration and partnerships between the Department and the Service, and ensuring health-promotion and disease-prevention services are appropriately funded and available for beneficiaries under both health care systems.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Director of the Indian Health Service shall jointly submit to Congress a report on the feasibility and advisability of the following:

(1) Entering into agreements for the reimbursement by the Secretary of the costs of direct care services provided through organizations receiving amounts pursuant to grants made or contracts entered into under section 503 of the Indian Health Care Improvement Act (25 U.S.C. 1653) to veterans who are otherwise eligible to receive health care from such organizations.

(2) Including the reimbursement of the costs of direct care services provided to veterans who are not Indians in agreements between the Department and the following:

(A) The Indian Health Service.

(B) An Indian tribe or tribal organization operating a medical facility through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(C) A medical facility of the Indian Health Service.

(d) DEFINITIONS.—In this section:

(1) INDIAN.—The terms ''Indian'' and ''Indian tribe'' have the meanings given those terms in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

(2) MEDICAL FACILITY OF THE INDIAN HEALTH SERVICE.—The term ''medical facility of the Indian Health Service'' includes a facility operated by an Indian tribe or tribal organization through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(3) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 304. ENHANCEMENT OF COLLABORATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND NATIVE HAWAIIAN HEALTH CARE SYSTEMS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall, in consultation with Papa Ola Lokahi and such other organizations involved in the delivery of health care to Native Hawaiians as the Secretary considers appropriate, enter into contracts or agreements with Native Hawaiian health care systems that are in receipt of funds from the Secretary of Health and Human Services pursuant to grants awarded or contracts entered into under section 6(a) of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11705(a)) for the reimbursement of direct care services provided to eligible veterans as specified in such contracts or agreements.

(b) DEFINITIONS.—In this section, the terms ''Native Hawaiian'', ''Native Hawaiian health care system'', and ''Papa Ola Lokahi'' have the meanings given those terms in section 12 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11711).

SEC. 305. SENSE OF CONGRESS ON PROMPT PAYMENT BY DEPARTMENT OF VETERANS AFFAIRS.

It is the sense of Congress that the Secretary of Veterans Affairs shall comply with section 1315 of title 5, Code of Federal Regulations (commonly known as the ''prompt payment rule''), or any corresponding similar regulation or ruling, in paying for health care pursuant to contracts entered into with non-Department of Veterans Affairs providers to provide health care under the laws administered by the Secretary.

TITLE IV—HEALTH CARE ADMINISTRATIVE MATTERS

SEC. 401. IMPROVEMENT OF ACCESS OF VETERANS TO MOBILE VET CENTERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IMPROVEMENT OF ACCESS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall improve the access of veterans to telemedicine and other health care through the use of mobile vet centers of the Department of Veterans Affairs by providing standardized requirements for the operation of such centers.

(2) REQUIREMENTS.—The standardized requirements required by paragraph (1) shall include the following:

(A) The number of days each mobile vet center of the Department is expected to travel per year.

(B) The number of locations each center is expected to visit per year.

(C) The number of appointments each center is expected to conduct per year.

(D) The method and timing of notifications given by each center to individuals in the area to which such center is traveling, including notifications informing veterans of the availability to schedule appointments at the center.

(3) USE OF TELEMEDICINE.—The Secretary shall ensure that each mobile vet center of the Department has the capability to provide telemedicine services.

(b) REPORTS.—Not later than one year after the date of the enactment of this Act, and not later than September 30 each year thereafter, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the following:

(1) The use of mobile vet centers to provide telemedicine services to veterans during the year preceding the submittal of the report, including the following:

(A) The number of days each mobile vet center was open to provide such services.

(B) The number of days each mobile vet center traveled to a location other than the headquarters of the mobile vet center to provide such services.

(C) The number of appointments each center conducted to provide such services on average per month and in total during such year.

(2) An analysis of the effectiveness of using mobile vet centers to provide health care services to veterans through the use of telemedicine.

(3) Any recommendations for an increase in the number of mobile vet centers of the Department.

(4) Any recommendations for an increase in the telemedicine capabilities of each mobile vet center.

(5) The feasibility and advisability of using temporary health care providers, including locum tenens, to provide direct health care services to veterans at mobile vet centers.

(6) Such other recommendations on improvement of the use of mobile vet centers by the Department as the Secretary considers appropriate.

SEC. 402. COMMISSION ON CONSTRUCTION PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) ESTABLISHMENT OF COMMISSION.—

(1) ESTABLISHMENT.—There is established an Independent Commission on Department of Veterans Affairs Construction Projects (in this section referred to as the ''Commission'').

(2) MEMBERSHIP.—

(A) VOTING MEMBERS.—The Commission shall be composed of 10 voting members as follows:

(i) Three members to be appointed by the President from among members of the National Academy of Engineering who are nominated under subparagraph (B).

(ii) Three members to be appointed by the President from among members of the National Institute of Building Sciences who are nominated under subparagraph (B).

(iii) Four members to be appointed by the President from among veterans enrolled in the patient enrollment system of the Department of Veterans Affairs under section 1705 of title 38, United States Code, who are nominated under subparagraph (B).

(B) NOMINATION OF VOTING MEMBERS.—The majority leader of the Senate, the minority leader of the Senate, the speaker of the House of Representatives, and the minority leader of the House of Representatives shall jointly nominate not less than 24 individuals to be considered by the President for appointment under subparagraph (A).

(C) NONVOTING MEMBERS.—The Commission shall be composed of the following nonvoting members:

(i) The Comptroller General of the United States, or designee.

(ii) The Secretary of Veterans Affairs, or designee.

(iii) The Inspector General of the Department of Veterans Affairs, or designee.

(D) DATE OF APPOINTMENT OF MEMBERS.—The appointments of the members of the Commission under subparagraph (A) shall be made not later than 14 days after the date of the enactment of this Act.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) INITIAL MEETING.—Not later than five days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(5) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(6) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(7) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall select a Chairperson and Vice Chairperson from among its members.

(b) DUTIES OF COMMISSION.—

(1) REVIEW.—The Commission shall review current construction and maintenance projects and the medical facility leasing program of the Department of Veterans Affairs to identify any problems experienced by the Department in carrying out such projects and program.

(2) REPORTS.—

(A) COMMISSION REPORT.—Not later than 120 days after the date of the enactment of this Act, the Commission shall submit to the Secretary of Veterans Affairs, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a report setting forth recommendations, if any, for improving the manner in which the Secretary carries out the projects and program specified in paragraph (1).

(B) DEPARTMENT REPORT.—Not later than 60 days after the submittal of the report under subparagraph (A), the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the feasibility and advisability of implementing the recommendations of the Commission, if any, included in the report submitted under such subparagraph, including a timeline for the implementation of such recommendations.

(c) POWERS OF COMMISSION.—

(1) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal agency such information as the Commission considers necessary to carry out this section. Upon request of the Chairperson of the Commission, the head of such agency shall furnish such information to the Commission.

(d) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(e) TERMINATION OF COMMISSION.—The Commission shall terminate 30 days after the date on which the Commission submits its report under subsection (b)(2)(A).

SEC. 403. COMMISSION ON ACCESS TO CARE.

(a) ESTABLISHMENT OF COMMISSION.—

(1) IN GENERAL.—There is established the Commission on Access to Care (in this section referred to as the ''Commission'') to examine the access of veterans to health care from the Department of Veterans Affairs and strategically examine how best to organize the Veterans Health Administration, locate health care resources, and deliver health care to veterans during the 10- to 20-year period beginning on the date of the enactment of this Act.

(2) MEMBERSHIP.—

(A) VOTING MEMBERS.—The Commission shall be composed of 10 voting members who are appointed by the President as follows:

(i) At least two members who represent an organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(ii) At least one member from among persons who have experience as senior management for a private integrated health care system with an annual gross revenue of more than $50,000,000.

(iii) At least one member from among persons who are familiar with government health care systems, including those systems of the Department of Defense, the Indian Health Service, and Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(iv) At least two members from among persons who are familiar with the Veterans Health Administration but are not current employees of the Veterans Health Administration.

(v) At least two members from among persons who are veterans or eligible for hospital care, medical services, or other health care under the laws administered by the Secretary of Veterans Affairs.

(B) NONVOTING MEMBERS.—

(i) IN GENERAL.—In addition to members appointed under subparagraph (A), the Commission shall be composed of 10 nonvoting members who are appointed by the President as follows:

(I) At least two members who represent an organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(II) At least one member from among persons who have experience as senior management for a private integrated health care system with an annual gross revenue of more than $50,000,000.

(III) At least one member from among persons who are familiar with government health care systems, including those systems of the Department of Defense, the Indian Health Service, and Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(IV) At least two members from among persons who are familiar with the Veterans Health Administration but are not current employees of the Veterans Health Administration.

(V) At least two members from among persons who are veterans or eligible for hospital care, medical services, or other health care under the laws administered by the Secretary of Veterans Affairs.

(ii) ADDITIONAL NONVOTING MEMBERS.—In addition to members appointed under subparagraph (A) and clause (i), the Commission shall be composed of the following nonvoting members:

(I) The Comptroller General of the United States, or designee.

(II) The Inspector General of the Department of Veterans Affairs, or designee.

(C) DATE.—The appointments of members of the Commission shall be made not later than 60 days after the date of the enactment of this Act.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) INITIAL MEETING.—Not later than 15 days after the date on which seven voting members of the Commission have been appointed, the Commission shall hold its first meeting.

(5) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(6) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(7) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall select a Chairperson and Vice Chairperson from among its members.

(b) DUTIES OF COMMISSION.—

(1) EVALUATION AND ASSESSMENT.—The Commission shall undertake a comprehensive evaluation and assessment of access to health care at the Department of Veterans Affairs.

(2) MATTERS EVALUATED AND ASSESSED.—The matters evaluated and assessed by the Commission shall include the following:

(A) The appropriateness of current standards of the Department of Veterans Affairs concerning access to health care.

(B) The measurement of such standards.

(C) The appropriateness of performance standards and incentives in relation to standards described in subparagraph (A).

(D) Staffing levels throughout the Veterans Health Administration and whether they are sufficient to meet current demand for health care from the Administration.

(E) The results of the assessment conducted by an independent third party under section 101(a), including any data or recommendations included in such assessment.

(3) REPORTS.—The Commission shall submit to the President, through the Secretary of Veterans Affairs, reports as follows:

(A) Not later than 90 days after the date of the initial meeting of the Commission, an interim report on—

(i) the findings of the Commission with respect to the evaluation and assessment required by this subsection; and

(ii) such recommendations as the Commission may have for legislative or administrative action to improve access to health care through the Veterans Health Administration.

(B) Not later than 180 days after the date of the initial meeting of the Commission, a final report on—

(i) the findings of the Commission with respect to the evaluation and assessment required by this subsection; and

(ii) such recommendations as the Commission may have for legislative or administrative action to improve access to health care through the Veterans Health Administration.

(c) POWERS OF THE COMMISSION.—

(1) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry

out this section. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(d) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(e) TERMINATION OF THE COMMISSION.—The Commission shall terminate 30 days after the date on which the Commission submits its report under subsection (b)(3)(B).

(f) FUNDING.—The Secretary of Veterans Affairs shall make available to the Commission from amounts appropriated or otherwise made available to the Secretary such amounts as the Secretary and the Chairperson of the Commission jointly consider appropriate for the Commission to perform its duties under this section.

(g) EXECUTIVE ACTION.—

(1) ACTION ON RECOMMENDATIONS.—The President shall require the Secretary of Veterans Affairs and such other heads of relevant Federal departments and agencies to implement each recommendation set forth in a report submitted under subsection (b)(3) that the President—

(A) considers feasible and advisable; and

(B) determines can be implemented without further legislative action.

(2) REPORTS.—Not later than 60 days after the date on which the President receives a report under subsection (b)(3), the President shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives and such other committees of Congress as the President considers appropriate a report setting forth the following:

(A) An assessment of the feasibility and advisability of each recommendation contained in the report received by the President.

(B) For each recommendation assessed as feasible and advisable under subparagraph (A) the following:

(i) Whether such recommendation requires legislative action.

(ii) If such recommendation requires legislative action, a recommendation concerning such legislative action.

(iii) A description of any administrative action already taken to carry out such recommendation.

(iv) A description of any administrative action the President intends to be taken to carry out such recommendation and by whom.

SEC. 404. IMPROVED PERFORMANCE METRICS FOR HEALTH CARE PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) PROHIBITION ON USE OF SCHEDULING AND WAIT-TIME METRICS IN DETERMINATION OF PERFORMANCE AWARDS.—The Secretary of Veterans Affairs shall ensure that scheduling and wait-time metrics or goals are not used as factors in determining the performance of the following employees for purposes of determining whether to pay performance awards to such employees:

(1) Directors, associate directors, assistant directors, deputy directors, chiefs of staff, and clinical leads of medical centers of the Department of Veterans Affairs.

(2) Directors, assistant directors, and quality management officers of Veterans Integrated Service Networks of the Department of Veterans Affairs.

(b) MODIFICATION OF PERFORMANCE PLANS.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall modify the performance plans of the directors of the medical centers of the Department and the directors of the Veterans Integrated Service Networks to ensure that such plans are based on the quality of care received by veterans at the health care facilities under the jurisdictions of such directors.

(2) FACTORS.—In modifying performance plans under paragraph (1), the Secretary shall ensure that assessment of the quality of care provided at health care facilities under the jurisdiction of a director described in paragraph (1) includes consideration of the following:

(A) Recent reviews by the Joint Commission (formerly known as the ''Joint Commission on Accreditation of Healthcare Organizations'') of such facilities.

(B) The number and nature of recommendations concerning such facilities by the Inspector General of the Department in reviews conducted through the Combined Assessment Program (CAP), in the reviews by the Inspector General of community based outpatient clinics and primary care clinics, and in reviews conducted through the Office of Healthcare Inspections during the two most recently completed fiscal years.

(C) The number of recommendations described in subparagraph (B) that the Inspector General of the Department determines have not been carried out satisfactorily with respect to such facilities.

(D) Reviews of such facilities by the Commission on Accreditation of Rehabilitation Facilities.

(E) The number and outcomes of administrative investigation boards, root cause analysis, and peer reviews conducted at such facilities during the fiscal year for which the assessment is being conducted.

(F) The effectiveness of any remedial actions or plans resulting from any Inspector General recommendations in the reviews and analyses described in subparagraphs (A) through (E).

(3) ADDITIONAL LEADERSHIP POSITIONS.—To the degree practicable, the Secretary shall assess the performance of other employees of the Department in leadership positions at Department medical centers, including associate directors, assistant directors, deputy directors, chiefs of staff, and clinical leads, and in Veterans Integrated Service Networks, including assistant directors and quality management officers, using factors and criteria similar to those used in the performance plans modified under paragraph (1).

(c) REMOVAL OF CERTAIN PERFORMANCE GOALS.—For each fiscal year that begins after the date of the enactment of this Act, the Secretary shall not include in the performance goals of any employee of a Veterans Integrated Service Network or medical center of the Department any performance goal that might disincentivize the payment of Department amounts to provide hospital care, medical services, or other health care through a non-Department provider.

SEC. 405. IMPROVED TRANSPARENCY CONCERNING HEALTH CARE PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) PUBLICATION OF WAIT TIMES.—

(1) GOALS.—

(A) INITIAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall publish in the Federal Register, and on an Internet website accessible to the public of each medical center of the Department of Veterans Affairs, the wait-time goals of the Department for the scheduling of an appointment by a veteran for the receipt of health care from the Department.

(B) SUBSEQUENT CHANGES.—

(i) IN GENERAL.—If the Secretary modifies the wait-time goals described in subparagraph (A), the Secretary shall publish the new wait-times goals—

(I) on an Internet website accessible to the public of each medical center of the Department not later than 30 days after such modification; and

(II) in the Federal Register not later than 90 days after such modification.

(ii) EFFECTIVE DATE.—Any modification under clause (i) shall take effect on the date of publication in the Federal Register.

(C) GOALS DESCRIBED.—Wait-time goals published under this paragraph shall include goals for primary care appointments, specialty care appointments, and appointments based on the general severity of the condition of the veteran.

(2) WAIT TIMES AT MEDICAL CENTERS OF THE DEPARTMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall publish on an Internet website accessible to the public of each medical center of the Department the current wait time for an appointment for primary care and specialty care at the medical center.

(b) PUBLICLY AVAILABLE DATABASE OF PATIENT SAFETY, QUALITY OF CARE, AND OUTCOME MEASURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and make available to the public a comprehensive database containing all applicable patient safety, quality of care, and outcome measures for health care provided by the Department that are tracked by the Secretary.

(2) UPDATE FREQUENCY.—The Secretary shall update the database required by paragraph (1) not less frequently than once each year.

(3) UNAVAILABLE MEASURES.—For all measures that the Secretary would otherwise publish in the database required by paragraph (1) but has not done so because such measures are not available, the Secretary shall publish notice in the database of the reason for such unavailability and a timeline for making such measures available in the database.

(4) ACCESSIBILITY.—The Secretary shall ensure that the database required by paragraph (1) is accessible to the public through the primary Internet website of the Department and

through each primary Internet website of a Department medical center.

(c) HOSPITAL COMPARE WEBSITE OF DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

(1) AGREEMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the Secretary of Health and Human Services for the provision by the Secretary of Veterans Affairs of such information as the Secretary of Health and Human Services may require to report and make publicly available patient quality and outcome information concerning Department of Veterans Affairs medical centers through the Hospital Compare Internet website of the Department of Health and Human Services or any successor Internet website.

(2) INFORMATION PROVIDED.—The information provided by the Secretary of Veterans Affairs to the Secretary of Health and Human Services under paragraph (1) shall include the following:

(A) Measures of timely and effective health care.

(B) Measures of readmissions, complications of death, including with respect to 30-day mortality rates and 30-day readmission rates, surgical complication measures, and health care related infection measures.

(C) Survey data of patient experiences, including the Hospital Consumer Assessment of Healthcare Providers and Systems or any similar successor survey developed by the Department of Health and Human Services.

(D) Any other measures required of or reported with respect to hospitals participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(3) UNAVAILABLE INFORMATION.—For any applicable metric collected by the Department of Veterans Affairs or required to be provided under paragraph (2) and withheld from or unavailable in the Hospital Compare Internet website, the Secretary of Veterans Affairs shall publish a notice in the Federal Register stating the reason why such metric was withheld from public disclosure and a timeline for making such metric available, if applicable.

(d) COMPTROLLER GENERAL REVIEW OF PUBLICLY AVAILABLE SAFETY AND QUALITY METRICS.—Not later than three years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the safety and quality metrics made publicly available by the Secretary of Veterans Affairs under this section to assess the degree to which the Secretary is complying with the provisions of this section.

SEC. 406. INFORMATION FOR VETERANS ON THE CREDENTIALS OF DEPARTMENT OF VETERANS AFFAIRS PHYSICIANS.

(a) IMPROVEMENT OF ''OUR PROVIDERS'' INTERNET WEBSITE LINKS.—

(1) AVAILABILITY THROUGH DEPARTMENT OF VETERANS AFFAIRS HOMEPAGE.—A link to the ''Our Providers'' health care providers database of the Department of Veterans Affairs, or any successor database, shall be available on and through the homepage of the Internet website of the Department that is accessible to the public.

(2) INFORMATION ON LOCATION OF RESIDENCY TRAINING.—The Internet website of the Department that is accessible to the public shall include under the link to the ''Our Providers'' health care providers database of the Department, or any successor database, the location of residency training of each licensed physician of the Department.

(3) INFORMATION ON PHYSICIANS AT PARTICULAR FACILITIES.—The ''Our Providers'' health care providers database of the Department, or any successor database, shall identify whether each licensed physician of the Department is a physician in residency.

(b) INFORMATION ON CREDENTIALS OF PHYSICIANS FOR VETERANS UNDERGOING SURGICAL PROCEDURES.—

(1) IN GENERAL.—Each veteran who is undergoing a surgical procedure by or through the Department shall be provided information on the credentials of the surgeon to be performing such procedure at such time in advance of the procedure as is appropriate to permit such veteran to evaluate such information.

(2) OTHER INDIVIDUALS.—If a veteran is unable to evaluate the information provided under paragraph (1) due to the health or mental competence of the veteran, such information shall be provided to an individual acting on behalf of the veteran.

(c) COMPTROLLER GENERAL REPORT AND PLAN.—

(1) REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth an assessment by the Comptroller General of the following:

(A) The manner in which contractors under the Patient-Centered Community Care initiative of the Department perform oversight of the credentials of physicians within the networks of such contractors under the initiative.

(B) The oversight by the Department of the contracts under the Patient-Centered Community Care initiative.

(C) The verification by the Department of the credentials and licenses of health care providers furnishing hospital care and medical services under section 301.

(2) PLAN.—

(A) IN GENERAL.—Not later than 30 days after the submittal of the report under paragraph (1), the Secretary shall—

(i) submit to the Comptroller General, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a plan to address any findings and recommendations of the Comptroller General included in such report; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a request for additional amounts, if any, that may be necessary to carry out such plan.

(B) IMPLEMENTATION.—Not later than 90 days after the submittal of the report under paragraph (1), the Secretary shall carry out such plan.

SEC. 407. INFORMATION IN ANNUAL BUDGET OF THE PRESIDENT ON HOSPITAL CARE AND MEDICAL SERVICES FURNISHED THROUGH EXPANDED USE OF CONTRACTS FOR SUCH CARE.

The materials on the Department of Veterans Affairs in the budget of the President for a fiscal year, as submitted to Congress pursuant to section 1105(a) of title 31, United States Code, shall set forth the following:

(1) The number of veterans who received hospital care and medical services under section 301 during the fiscal year preceding the fiscal year in which such budget is submitted.

(2) The amount expended by the Department on furnishing care and services under such section during the fiscal year preceding the fiscal year in which such budget is submitted.

(3) The amount requested in such budget for the costs of furnishing care and services under such section during the fiscal year covered by such budget, set forth in aggregate and by amounts for each account for which amounts are so requested.

(4) The number of veterans that the Department estimates will receive hospital care and medical services under such section during the fiscal years covered by the budget submission.

(5) The number of employees of the Department on paid administrative leave at any point during the fiscal year preceding the fiscal year in which such budget is submitted.

SEC. 408. PROHIBITION ON FALSIFICATION OF DATA CONCERNING WAIT TIMES AND QUALITY MEASURES AT DEPARTMENT OF VETERANS AFFAIRS.

Not later than 60 days after the date of the enactment of this Act, and in accordance with title 5, United States Code, the Secretary of Veterans Affairs shall establish policies whereby any employee of the Department of Veterans Affairs who knowingly submits false data concerning wait times for health care or quality measures with respect to health care to another employee of the Department or knowingly requires another employee of the Department to submit false data concerning such wait times or quality measures to another employee of the Department is subject to a penalty the Secretary considers appropriate after notice and an opportunity for a hearing, including civil penalties, unpaid suspensions, or termination.

SEC. 409. REMOVAL OF SENIOR EXECUTIVE SERVICE EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS FOR PERFORMANCE.

(a) REMOVAL OR TRANSFER.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 713. Senior Executive Service: removal based on performance

''(a) IN GENERAL.—The Secretary may remove any individual from the Senior Executive Service if the Secretary determines the performance of the individual warrants such removal. If the Secretary so removes such an individual, the Secretary may—

''(1) remove the individual from the civil service (as defined in section 2101 of title 5); or

''(2) transfer the individual to a General Schedule position at any grade of the General Schedule for which the individual is qualified and that the Secretary determines is appropriate.

''(b) NOTICE TO CONGRESS.—Not later than 30 days after removing or transferring an individual from the Senior Executive Service under subsection (a), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives notice in writing of such removal or transfer and the reason for such removal or transfer.

''(c) PROCEDURE.—(1) The procedures under section 7543 of title 5 shall not apply to a removal or transfer under this section.

''(2)(A) Subject to subparagraph (B), any removal or transfer under subsection (a) may be appealed to the Merit Systems Protection Board under section 7701 of title 5.

''(B) An appeal under subparagraph (A) of a removal or transfer may only be made if such appeal is made not later than 7 days after the date of such removal or transfer.

''(d) EXPEDITED REVIEW BY MERIT SYSTEMS PROTECTION BOARD.—(1) The Merit Systems Protection Board shall expedite any appeal under section 7701 of title 5 of a removal or transfer under subsection (a) and, in any such case, shall issue a decision not later than 21 days after the date of the appeal.

''(2) In any case in which the Merit Systems Protection Board determines that it cannot issue a decision in accordance with the 21-day requirement under paragraph (1), the Merit Systems Protection Board shall submit to Congress a report that explains the reason why the Merit Systems Protection Board is unable to issue a decision in accordance with such requirement in such case.

''(3) There is authorized to be appropriated such sums as may be necessary for the Merit Systems Protection Board to expedite appeals under paragraph (1).

''(4) The Merit Systems Protection Board may not stay any personnel action taken under this section.

''(5) A person who appeals under section 7701 of title 5 a removal under subsection (a)(1) may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits from the Secretary until the Merit Systems Protection Board has made a final decision on such appeal.

''(6) A decision made by the Merit Systems Protection Board with respect to a removal or

transfer under subsection (a) shall not be subject to any further appeal.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''713. Senior Executive Service: removal based on performance.''.

(b) ESTABLISHMENT OF EXPEDITED REVIEW PROCESS.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Merit Systems Protection Board shall establish and put into effect a process to conduct expedited reviews in accordance with section 713(d) of title 38, United States Code.

(2) INAPPLICABILITY OF CERTAIN REGULATIONS.—Section 1201.22 of title 5, Code of Federal Regulations, as in effect on the day before the date of the enactment of this Act, shall not apply to expedited reviews carried out under section 713(d) of title 38, United States Code.

(3) REPORT BY MERIT SYSTEMS PROTECTION BOARD.—Not later than 30 days after the date of the enactment of this Act, the Merit Systems Protection Board shall submit to Congress a report on the actions the Board plans to take to conduct expedited reviews under section 713(d) of title 38, United States Code, as added by subsection (a). Such report shall include a description of the resources the Board determines will be necessary to conduct such reviews and a description of whether any resources will be necessary to conduct such reviews that were not available to the Board on the day before the date of the enactment of this Act.

(c) TEMPORARY EXEMPTION FROM CERTAIN LIMITATION ON INITIATION OF REMOVAL FROM SENIOR EXECUTIVE SERVICE.—During the 120-day period beginning on the date of the enactment of this Act, an action to remove an individual from the Senior Executive Service at the Department of Veterans Affairs pursuant to section 713 of title 38, United States Code, as added by subsection (a), or section 7543 of title 5, United States Code, may be initiated, notwithstanding section 3592(b) of title 5, United States Code, or any other provision of law.

(d) CONSTRUCTION.—Nothing in this section or section 713 of title 38, United States Code, as added by subsection (a), shall be construed to apply to an appeal of a removal, transfer, or other personnel action that was pending before the date of the enactment of this Act.

TITLE V—HEALTH CARE RELATED TO SEXUAL TRAUMA

SEC. 501. EXPANSION OF ELIGIBILITY FOR SEXUAL TRAUMA COUNSELING AND TREATMENT TO VETERANS ON INACTIVE DUTY TRAINING.

Section 1720D(a)(1) of title 38, United States Code, is amended by striking ''or active duty for training'' and inserting '', active duty for training, or inactive duty training''.

SEC. 502. PROVISION OF COUNSELING AND TREATMENT FOR SEXUAL TRAUMA BY THE DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF THE ARMED FORCES.

(a) EXPANSION OF COVERAGE TO MEMBERS OF THE ARMED FORCES.—Subsection (a) of section 1720D of title 38, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2)(A) In operating the program required by paragraph (1), the Secretary may, in consultation with the Secretary of Defense, provide counseling and care and services to members of the Armed Forces (including members of the National Guard and Reserves) on active duty to overcome psychological trauma described in that paragraph.

''(B) A member described in subparagraph (A) shall not be required to obtain a referral before receiving counseling and care and services under this paragraph.''; and

(3) in paragraph (3), as predesignated by paragraph (1)—

(A) by striking ''a veteran'' and inserting ''an individual''; and

(B) by striking ''that veteran'' each place it appears and inserting ''that individual''.

(b) INFORMATION TO MEMBERS ON AVAILABILITY OF COUNSELING AND SERVICES.—Subsection (c) of such section is amended—

(1) by striking ''to veterans'' each place it appears; and

(2) in paragraph (3), by inserting ''members of the Armed Forces and'' before ''individuals''.

(c) INCLUSION OF MEMBERS IN REPORTS ON COUNSELING AND SERVICES.—Subsection (e) of such section is amended—

(1) in the matter preceding paragraph (1), by striking ''to veterans'';

(2) in paragraph (2)—

(A) by striking ''women veterans'' and inserting ''individuals''; and

(B) by striking ''training under subsection (d).'' and inserting ''training under subsection (d), desegregated by—

''(A) veterans;

''(B) members of the Armed Forces (including members of the National Guard and Reserves) on active duty; and

''(C) for each of subparagraphs (A) and (B)—

''(i) men; and

''(ii) women.'';

(3) in paragraph (4), by striking ''veterans'' and inserting ''individuals''; and

(4) in paragraph (5)—

(A) by striking ''women veterans'' and inserting ''individuals'' ; and

(B) by inserting '', including specific recommendations for individuals specified in subparagraphs (A), (B), and (C) of paragraph (2)'' before the period at the end.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 503. REPORTS ON MILITARY SEXUAL TRAUMA.

(a) REPORT ON SERVICES AVAILABLE FOR MILITARY SEXUAL TRAUMA IN THE DEPARTMENT OF VETERANS AFFAIRS.—Not later than 630 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the treatment and services available from the Department of Veterans Affairs for male veterans who experience military sexual trauma compared to such treatment and services available to female veterans who experience military sexual trauma.

(b) REPORTS ON TRANSITION OF MILITARY SEXUAL TRAUMA TREATMENT FROM DEPARTMENT OF DEFENSE TO DEPARTMENT OF VETERANS AFFAIRS.—Not later than 630 days after the date of the enactment of this Act, and annually thereafter for five years, the Department of Veterans Affairs-Department of Defense Joint Executive Committee established by section 320(a) of title 38, United States Code, shall submit to the appropriate committees of Congress a report on military sexual trauma that includes the following:

(1) The processes and procedures utilized by the Department of Veterans Affairs and the Department of Defense to facilitate transition of treatment of individuals who have experienced military sexual trauma from treatment provided by the Department of Defense to treatment provided by the Department of Veterans Affairs.

(2) A description and assessment of the collaboration between the Department of Veterans Affairs and the Department of Defense in assisting veterans in filing claims for disabilities related to military sexual trauma, including permitting veterans access to information and evidence necessary to develop or support such claims.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives.

(2) MILITARY SEXUAL TRAUMA.—The term ''military sexual trauma'' means psychological trauma, which in the judgment of a mental health professional employed by the Department, resulted from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the veteran was serving on active duty or active duty for training.

(3) SEXUAL HARASSMENT.—The term ''sexual harassment'' means repeated, unsolicited verbal or physical contact of a sexual nature which is threatening in character.

(4) SEXUAL TRAUMA.—The term ''sexual trauma'' shall have the meaning given that term by the Secretary of Veterans Affairs for purposes of this section.

(d) EFFECTIVE DATE.—This section shall take effect on the date that is 270 days after the date of the enactment of this Act.

TITLE VI—MAJOR MEDICAL FACILITY LEASES

SEC. 601. AUTHORIZATION OF MAJOR MEDICAL FACILITY LEASES.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified, and in an amount for each lease not to exceed the amount shown for such location (not including any estimated cancellation costs):

(1) For a clinical research and pharmacy coordinating center, Albuquerque, New Mexico, an amount not to exceed $9,560,000.

(2) For a community-based outpatient clinic, Brick, New Jersey, an amount not to exceed $7,280,000.

(3) For a new primary care and dental clinic annex, Charleston, South Carolina, an amount not to exceed $7,070,250.

(4) For the Cobb County community-based Outpatient Clinic, Cobb County, Georgia, an amount not to exceed $6,409,000.

(5) For the Leeward Outpatient Healthcare Access Center, Honolulu, Hawaii, including a co-located clinic with the Department of Defense and the co-location of the Honolulu Regional Office of the Veterans Benefits Administration and the Capel Vet Center of the Department of Veterans Affairs, an amount not to exceed $15,887,370.

(6) For a community-based outpatient clinic, Johnson County, Kansas, an amount not to exceed $2,263,000.

(7) For a replacement community-based outpatient clinic, Lafayette, Louisiana, an amount not to exceed $2,996,000.

(8) For a community-based outpatient clinic, Lake Charles, Louisiana, an amount not to exceed $2,626,000.

(9) For outpatient clinic consolidation, New Port Riche, Florida, an amount not to exceed $11,927,000.

(10) For an outpatient clinic, Pence, Puerto Rico, an amount not to exceed $11,535,000.

(11) For lease consolidation, San Antonio, Texas, an amount not to exceed $19,426,000.

(12) For a community-based outpatient clinic, San Diego, California, an amount not to exceed $11,946,100.

(13) For an outpatient clinic, Tyler, Texas, an amount not to exceed $4,327,000.

(14) For the Arere Community Care Center, West Haven, Connecticut, an amount not to exceed $4,883,000.

(15) For the Worcester community-based Outpatient Clinic, Worcester, Massachusetts, an amount not to exceed $4,855,000.

(16) For the expansion of a community-based outpatient clinic, Cape Girardeau, Missouri, an amount not to exceed $4,232,060.

(17) For a multi specialty clinic, Chattanooga, Tennessee, an amount not to exceed $7,069,000.

(18) For the expansion of a community-based outpatient clinic, Chico, California, an amount not to exceed $4,534,000.

(19) For a community-based outpatient clinic, Chula Vista, California, an amount not to exceed $3,714,000.

(20) For a new research lease, Haines, Illinois, an amount not to exceed $22,032,000.

(21) For a replacement research lease, Houston, Texas, an amount not to exceed $6,142,000.

(22) For a community-based outpatient clinic, Lincoln, Nebraska, an amount not to exceed $7,178,400.

(23) For a community-based outpatient clinic, Lubbock, Texas, an amount not to exceed $8,554,000.

(24) For a community-based outpatient clinic consolidation, Myrtle Beach, South Carolina, an amount not to exceed $8,022,000.

(25) For a community-based outpatient clinic, Phoenix, Arizona, an amount not to exceed $20,757,000.

(26) For the expansion of a community-based outpatient clinic, Redding, California, an amount not to exceed $8,154,000.

SEC. 602. BUDGETARY TREATMENT OF DEPARTMENT OF VETERANS AFFAIRS MAJOR MEDICAL FACILITIES LEASES.

(a) FINDINGS.—Congress finds the following:

(1) Title 31, United States Code, requires the Department of Veterans Affairs to record the full cost of its contractual obligation against funds available at the time a contract is executed.

(2) Office of Management and Budget Circular A–11 provides guidance to agencies in meeting the statutory requirements under title 31, United States Code, with respect to leases.

(3) For operating leases, Office of Management and Budget Circular A–11 requires the Department of Veterans Affairs to record up-front budget authority in an ''amount equal to total payments under the full term of the lease or [an] amount sufficient to cover first year lease payments plus cancellation costs''.

(b) REQUIREMENT FOR OBLIGATION OF FULL COST.—

(1) IN GENERAL.—Subject to the availability of appropriations provided in advance, in exercising the authority of the Secretary of Veterans Affairs to enter into leases provided in this Act, the Secretary shall record, pursuant to section 1501 of title 31, United States Code, as the full cost of the contractual obligation at the time a contract is executed either—

(A) an amount equal to total payments under the full term of the lease; or

(B) if the lease specifies payments to be made in the event the lease is terminated before its full term, an amount sufficient to cover the first year lease payments plus the specified cancellation costs.

(2) SELF-INSURING AUTHORITY.—The requirements of paragraph (1) may be satisfied through the use of a self-insuring authority consistent with Office of Management and Budget Circular A–11.

(c) TRANSPARENCY.—

(1) COMPLIANCE.—Subsection (b) of section 8104 of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(7) In the case of a prospectus proposing funding for a major medical facility lease, a detailed analysis of how the lease is expected to comply with Office of Management and Budget Circular A–11 and section 1341 of title 31 (commonly referred to as the 'Anti-Deficiency Act'). Any such analysis shall include—

''(A) an analysis of the classification of the lease as a 'lease-purchase', 'capital lease', or 'operating lease' as those terms are defined in Office of Management and Budget Circular A–11;

''(B) an analysis of the obligation of budgetary resources associated with the lease; and

''(C) an analysis of the methodology used in determining the asset cost, fair market value, and cancellation costs of the lease.''.

(2) SUBMITTAL TO CONGRESS.—Such section 8104 is further amended by adding at the end the following new subsection:

''(h)(1) Not less than 30 days before entering into a major medical facility lease, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives—

''(A) notice of the Secretary's intention to enter into the lease;

''(B) a detailed summary of the proposed lease;

''(C) a description and analysis of any differences between the prospectus submitted pursuant to subsection (b) and the proposed lease; and

''(D) a scoring analysis demonstrating that the proposed lease fully complies with Office of Management and Budget Circular A–11.

''(2) Each committee described in paragraph (1) shall ensure that any information submitted to the committee under such paragraph is treated by the committee with the same level of confidentiality as is required by law of the Secretary and subject to the same statutory penalties for unauthorized disclosure or use as the Secretary.

''(3) Not more than 30 days after entering into a major medical facility lease, the Secretary shall submit to each committee described in paragraph (1) a report on any material differences between the lease that was entered into and the proposed lease described under such paragraph, including how the lease that was entered into changes the previously submitted scoring analysis described in subparagraph (D) of such paragraph.''.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to in any way relieve the Department of Veterans Affairs from any statutory or regulatory obligations or requirements existing prior to the enactment of this section and such amendments.

TITLE VII—VETERANS BENEFITS MATTERS

SEC. 701. EXPANSION OF MARINE GUNNERY SERGEANT JOHN DAVID FRY SCHOLARSHIP.

(a) EXPANSION OF ENTITLEMENT.—Subsection (b)(9) of section 3311 of title 38, United States Code, is amended by inserting ''or spouse'' after ''child''.

(b) LIMITATION AND ELECTION ON CERTAIN BENEFITS.—Subsection (f) of such section is amended—

(1) by redesignating paragraph (2) as paragraph (4); and

(2) by inserting after paragraph (1) the following new paragraphs:

''(2) LIMITATION.—The entitlement of an individual to assistance under subsection (a) pursuant to paragraph (9) of subsection (b) because the individual was a spouse of a person described in such paragraph shall expire on the earlier of—

''(A) the date that is 15 years after the date on which the person died; and

''(B) the date on which the individual remarries.

''(3) ELECTION ON RECEIPT OF CERTAIN BENEFITS.—A surviving spouse entitled to assistance under subsection (a) pursuant to paragraph (9) of subsection (b) who is also entitled to educational assistance under chapter 35 of this title may not receive assistance under both this section and such chapter, but shall make an irrevocable election (in such form and manner as the Secretary may prescribe) under which section or chapter to receive educational assistance.''.

(c) CONFORMING AMENDMENT.—Section 3321(b)(4) of such title is amended—

(1) by striking ''an individual'' and inserting ''a child''; and

(2) by striking ''such individual's'' each time it appears and inserting ''such child's''.

SEC. 702. APPROVAL OF COURSES OF EDUCATION PROVIDED BY PUBLIC INSTITUTIONS OF HIGHER LEARNING FOR PURPOSES OF ALL-VOLUNTEER FORCE EDUCATIONAL ASSISTANCE PROGRAM AND POST-9/11 EDUCATIONAL ASSISTANCE CONDITIONAL ON IN-STATE TUITION RATE FOR VETERANS.

(a) IN GENERAL.—Section 3679 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) Notwithstanding any other provision of this chapter and subject to paragraphs (3) through (6), the Secretary shall disapprove a course of education provided by a public institution of higher learning to a covered individual pursuing a course of education with educational assistance under chapter 30 or 33 of this title while living in the State in which the public institution of higher learning is located if the institution charges tuition and fees for that course for the covered individual at a rate that is higher than the rate the institution charges for tuition and fees for that course for residents of the State in which the institution is located, regardless of the covered individual's State of residence.

''(2) For purposes of this subsection, a covered individual is any individual as follows:

''(A) A veteran who was discharged or released from a period of not fewer than 90 days of service in the active military, naval, or air service less than three years before the date of enrollment in the course concerned.

''(B) An individual who is entitled to assistance under section 3311(b)(9) or 3319 of this title by virtue of such individual's relationship to a veteran described in subparagraph (A).

''(3) If after enrollment in a course of education that is subject to disapproval under paragraph (1) by reason of paragraph (2)(A) or (2)(B) a covered individual pursues one or more courses of education at the same public institution of higher learning while remaining continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at that institution of higher learning, any course so pursued by the covered individual at that institution of higher learning while so continuously enrolled shall also be subject to disapproval under paragraph (1).

''(4) It shall not be grounds to disapprove a course of education under paragraph (1) if a public institution of higher learning requires a covered individual pursuing a course of education at the institution to demonstrate an intent, by means other than satisfying a physical presence requirement, to establish residency in the State in which the institution is located, or to satisfy other requirements not relating to the establishment of residency, in order to be charged tuition and fees for that course at a rate that is equal to or less than the rate the institution charges for tuition and fees for that course for residents of the State.

''(5) The Secretary may waive such requirements of paragraph (1) as the Secretary considers appropriate.

''(6) Disapproval under paragraph (1) shall apply only with respect to educational assistance under chapters 30 and 33 of this title.''.

(b) EFFECTIVE DATE.—Subsection (c) of section 3679 of title 38, United States Code (as added by subsection (a) of this section), shall apply with respect to educational assistance provided for pursuit of programs of education during academic terms that begin after July 1, 2015, through courses of education that commence on or after that date.

TITLE VIII—APPROPRIATION AND EMERGENCY DESIGNATIONS

SEC. 801. APPROPRIATION OF EMERGENCY AMOUNTS.

There is authorized to be appropriated, and is appropriated, to the Secretary of Veterans Affairs, out of any funds in the Treasury not otherwise appropriated, for fiscal years 2014, 2015,

and 2016, such sums as may be necessary to carry out this Act.

SEC. 802. EMERGENCY DESIGNATIONS.

(a) IN GENERAL.—This Act is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this Act is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

Mr. REID. Madam President, we will have one or two rollcall votes starting at 4 p.m. this afternoon.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, we have not completed this legislation, and we may be subject to a budget point of order. It is not clear yet whether there will be one, but according to this unanimous consent agreement, there will be no amendments filed prior to a vote on final passage either with or without a budget point of order being considered by the body. We will have time between now and then to have an indepth discussion of the provisions of this legislation.

In the meantime, I thank the Senator from Vermont for his willingness to make very difficult compromises. I also thank many of my colleagues who have forgone the amending process in order that we may expedite this legislation, which if there is a definition for emergency, I would say this legislation fits that appellation. It is an emergency. What is happening to our veterans and the men and women who have served this country needs to be addressed, and we need to pass this legislation and get it to conference with the House as soon as possible.

I especially mention two people who are really responsible for this legislation, and I say—with not typical modesty—that they were the ones who were really responsible for the provisions of this bill; that is, Senator BURR, ranking member of the Veterans' Affairs Committee, and Senator COBURN, whom I view, in many respects, as the conscience of the Senate. Those two individuals were largely responsible for this legislation, and I am obviously very proud to be a part of it.

Again, we will have time to discuss this legislation, but I extend my appreciation to the Senator from Vermont whose chairmanship of the Veterans' Affairs Committee has been conducted with patriotism and with the needs of our veterans uppermost in his priorities.

I thank the Senator from Vermont, and I look forward to our passing this legislation and getting it to conference in as short a period of time as is possible so we can bring it back to this body and then to the President's desk for signature.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, the Senator from Arizona has been too modest. He deserves a great deal of credit for stepping to the plate when we needed him to step to the plate. He understands that we have an emergency, and it is imperative that the veterans of this country get quality care in a timely manner. He and I were both determined to make sure that something happened.

I thank Senator MCCAIN and his staff for their hard work on this bill. We will discuss this issue more on the floor. He was absolutely right when he said that we have an emergency. We have to pass this legislation today. We have to get it to conference as soon as possible, and we have to get a good bill on the President's desk next week.

Again, I thank Senator MCCAIN.

With that I yield the floor.

Mr. MCCAIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

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

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

CLIMATE CHANGE

Mr. COONS. Madam President, I come to the floor of the Senate to speak about an issue that is of urgent concern to me and should be of urgent concern to all of us. That issue is global warming or climate change.

This is a personal issue for me. As the father of three, along with any other parent, my kids are never far from my mind and my heart. This is true for me as a father as well as a Senator, where every day I have to ask the question: What kind of example am I setting? What kind of a world are my actions going to lead to? What sort of a world will I leave my children, and will it be better than the one my parents left to me?

Last summer I experienced one of the great joys of parenthood—a family trip. My wife Annie and I took our three children Maggie, Michael, and Jack on a visit to one of our Nation's most spectacular places: the mountains and glaciers of Glacier National Park in Montana. There was one hike in particular on our summer trip that I will never forget. It was our hike up to visit historic Grinnell Glacier. If we had taken this hike more than 60 years ago, here is what we would have seen, as this picture shows: mountains deep in glaciers, thick with ice and snow, covered in the glaciers that gave this national park its name. Yet last year as we took a long and winding hike up the trails, we came up and over the last rise, and what we saw was noticeably different—strikingly so—because most of what is left of the iconic Grinnell Glacier in the summer is a chilly pool of water in a largely empty valley pool. We can see the difference in these two pictures, and this is just in one lifetime.

Since 1966, Grinnell Glacier has lost half its total acreage, and as we continue to warm our planet, these changes will only accelerate. My children—our children—will not just lose the chance to see beautiful glaciers and an iconic national park but the chance to live in a world as robust and safe and healthy and vibrant as the one their parents were born into. As our global population keeps growing toward 9 billion and developing nations keep seeking higher living standards and climate change accelerates, this is the foundational challenge of the 21st century.

Climate change impacts everything: human health, agriculture, national security, migration patterns for animals and fish and birds. As parents and as a nation, I think it is our responsibility, our challenge, and our opportunity to lead the way, to show that prosperity does not need to mean doom for our future.

I also think in my view that, simply put, there is no alternative to action. The world where we don't act isn't a world of vibrant economic growth, it is a world with more frequent and extreme natural disasters, with increased droughts and famine, with displaced populations and cities—even regions and in a few cases even nations—plunged under water.

I represent the lowest mean elevation State in America, the State of Delaware. It has been documented in a broad study led by our Governor's Department of Natural Resources and Environmental Control that rising sea levels could put up to 11 percent of my home State of Delaware under water by the end of the century. We know these changes are coming. They are slow. They are gradual. They are cumulative. At times they are hard to perceive, but they have already started and will only get more extreme and more expensive the longer we wait to act. The cost of our inaction will be borne by our children and generations to come.

We are not the only ones seeing these impacts, and although the debate over science raged for many years, and I think is settled, I have also had an opportunity to hear from folks who live well outside the Western scientific world but have a profound insight into what these impacts are and how they are seen in the world.

Several years ago, along with the senior Senator, a friend of mine, our President pro tempore, Senator LEAHY, I visited the Kogi tribe in the remote Santa Marta Mountains of Colombia. These equatorial mountains have massive glaciers up at the very top of very high mountains but are also right at the edge of the Caribbean Sea. The folks who make up this pre-Colombian tribe, the Kogi tribe, don't have sophisticated technology that monitors and tracks climate change, but as they sat with us they shared with us what they see as starkly as our best weather-monitoring satellites. By observing changes in migratory patterns and weather and the snowpack on the glacial mountains they worship, they see,

more every year, that there is a fundamental change happening in our environment, in our climate. Their purpose in calling us to meet with them was to warn us that climate change is impacting the way of life that has passed down from generation to generation for centuries in their people, and it has moved them to speak out to the world, to tell their story, and to urge the rest of us not to hurt Mother Earth and to understand the consequences of the changes we are making.

Whether the voices we listen to come from our own children, from our science community or from remote corners of the world, all of them call us to act, to act in a way that prevents the worst from happening and to ensure that the benefits outweigh the costs.

This isn't just wild-eyed or rosy thinking. It is possible for us to make meaningful change in a bipartisan way. We have done it before. Back in 1990, when acid rain was a real and pressing challenge that was threatening the vitality and the vibrancy of many of the lakes and the mountain places in the American West, I remember well that under then-Republican President George H.W. Bush, Congress came together in a bipartisan way and passed the Clean Air Act amendments. These were designed to reduce the contributing elements to acid rain: powerplant emissions that produce sulfur dioxide and nitrogen dioxide that in combination caused acid rain, damaging historic property, monuments, injuring forests and lakes and ecosystems all over our country.

So Congress came together to create a novel, market-based, flexible cap-and-trade program that allowed powerplants to find cost-effective alternatives, solutions to limit pollution. Rather than tanking our economy, that cap-and-trade plan to fight acid rain ended up finding new ways to power our country and to improve energy efficiency without so much pollution. We adapted, we changed, and in some ways we thrived.

As a study done 13 years later shows, those standards adopted in 1990 have saved lives at a cost well worth it: $70 billion in health benefits every year, cumulatively, compared to $1.7 billion in costs—a 40-to-1 tradeoff that I think most Americans would take any day of the week as a return on their investment.

More recently, in my own State of Delaware and eight of our northeastern neighbors, we showed how we can act together to begin to curb climate change and grow our economies at the same time. In 2003, a bipartisan group of regional leaders, this time led by New York State's Republican Gov. George Pataki, built a regional cap-and-trade system, similar to the Acid Rain Prevention Program I just referenced. But the one in our region was called the Regional Greenhouse Gas Initiative, or RGGI for short. It is flexible, market-based, and it has been effective. States choose to cut pollution in a number of ways, from closing older coal-fired powerplants or opening renewable energy projects to investing in important and valuable energy efficiency.

As the New York Times reported just last week, since that program started in 2009, our economies in these regional States have actually grown more than the 41 other States that are not part of RGGI—by several percentage points—while we have cut our emissions over four times more than the rest of the Nation.

We have created jobs, we have invested in innovation, we have cut pollution, and we saved millions of families money on their energy bills. That is why I think we should feel optimistic about the important steps the administration has just taken. The President's strong standards for vehicle fuel efficiency were a great start. At first many argued that pushing car companies to make cleaner, more efficient cars would end up costing a huge amount of money with little to show for it. But the opposite has happened.

We set more aggressive national standards. Engineers have gotten to work. They have innovated. They have invented. America's leading car companies have met the challenge, and the improvement in fuel efficiency has been dramatic. Although there is a cost in upfront research and development, it is well worth it, as drivers save money at the pump, America becomes less dependent on foreign oil, and we all get to breathe cleaner air.

Just last week the Obama administration took another step and proposed our Nation's first rules to limit carbon pollution from existing powerplants. Although they will not be finalized for another year, these limits represent the most significant action that any country has taken to halt the devastating warming of our planet.

They will have real and lasting health benefits. By cutting powerplant pollution over the next 15 years, we will be able to prevent 100,000 asthma attacks in children, 2,100 heart attacks, and thousands of premature deaths. That will mean nearly 500,000 fewer missed days of school and work and will save $7 in health costs for every $1 required of new investment.

Over the long term, curbing climate change will make large, lasting, and meaningful differences—from reduced hunger and heat waves, to reducing the spread of infectious diseases or conflicts over scarce resources.

Cynics will argue that even with these limits we will not stop climate change, and that is true. They will point out that renewable energy technology is not yet ready to fully replace fossil fuels. They will say that America acting alone cannot solve the problem, and that is true. We need global action, especially from large developing nations such as China and India that are on pace to pollute the most going forward.

As an exercise in cynicism, they get a lot of things wrong. These rules alone, yes, will not halt our rising seas. But, then again, no one is claiming they will alone. But they are a crucial step, and we owe it to posterity, to our country, to our future to take what action we can to send a powerful signal to America's entrepreneurs and engineers, our innovators and inventors, that this is a challenge we intend to take on. By acting now, we can begin to birth the innovations that will be at the heart of our planet's clean energy future.

Innovation in America has never stood still. We have done incredible things that even a few years before we might not have predicted. Remember, just a few years ago, natural gas prices were volatile, unreliable, and solar power was too expensive for most households. Yet in just the last few years new technologies have flipped those on their head and we are seeing remarkable changes. Solar prices have fallen 60 percent in just the last 3 years, and natural gas is today cheaper than coal. There are dramatic changes in our energy future going on because of a huge resurgence in natural gas production in this country. We have every reason to believe that by focusing our greatest minds on this challenge, American ingenuity can change and even save the world.

If the United States is going to lead the 21st century, we have to be at the forefront of combating climate change. Although we know meeting this challenge will take global action, the United States needs to lead the way. This is our responsibility. We cannot expect other poor nations to act if a leading, wealthy nation such as the United States is not willing to take even the most minimal responsible actions. We are the second largest polluter of greenhouse gases on the planet, only just eclipsed by the Chinese in the last decade.

For more than a century our economic growth and our strong middle class—built on American industry and innovation—made us the envy of the world, but they have also contributed to putting our planet in a dangerous position.

As developing nations work to lift hundreds of millions of people out of desperate poverty, they are looking at us to show that it is possible. Also, a great but urgent opportunity here lies before us. We have a moral obligation to lead because others are looking at competing examples and are not waiting around.

China, our greatest economic competitor, now and into the future, is itself choking on the byproducts of coal and investing heavily in cleaner air and cleaner energy. The country that figures out how to prosper without deadly pollution is the country that will dominate the technologies that our world uses and depends on in the decades to come. Are we really going to miss out on this chance to be the country that makes the clean cars, the

clean powerplants, the clean technologies of the future? I hope not.

We in Congress have the opportunity and the obligation to pull together and to act responsibly as well. We can pass the bipartisan Shaheen-Portman energy efficiency bill today, create great jobs, and make it easy for families to spend less on energy and save money while doing it. We can put clean energy on a level playing field by passing the bipartisan Master Limited Partnership Parity Act, of which I am a cosponsor, to stop giving coal, oil, and natural gas a leg up without an even playing field for renewables and energy efficiency. We can invest in the research that will unlock the energy innovations of the future.

These are actions we could take today. There will be costs. But if we act now, they will be far outweighed by the benefits today and into the future. If we wait, these costs will only grow.

I understand this is a difficult issue politically for us to take on. Many of the most dire consequences of global warming are still into the future. As I know, as a person who struggles to make long-term, delayed decisions—whether it is investing for retirement or losing the weight my doctor keeps suggesting would help improve my long-term health—humans are not really good at taking the small but powerful steps today that over time will lead to a healthier, more secure future. Even if the costs are low, when the benefits are farther out, it is so hard for us to take action.

What will we say—what will we say—when our children ask, what did we do, when the science was clear, when the options were before us, and when we had the chance? Just as we rightly worry in this Chamber about the financial debts we are going to leave to future generations, leaving this debt, leaving the burdens of unaddressed, unresolved global warming and climate change to our children and future generations is a debt too deep for us not to address.

We are in danger—if we do not act—of leaving behind not only a worse off world but of leaving ourselves a future where we cannot look our children in the eye and say that we stepped up to the greatest global challenge of this century.

What will it mean when my own daughter, at some point in the future, goes to Glacier National Park with her future family? Will it even have glaciers? How will she explain to them how that amazing national park has changed? And what will she say about what this Senate and her own father did to take action? It is my hope, my prayer, that on that future trip they will reflect on how we found the will, how we found the determination, to act together to change the trajectory of our future and to save it for everyone's future.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

COLLEGE AFFORDABILITY

Mr. BOOKER. Madam President, I rise today to express my disappointment that earlier today this Chamber could not even proceed to the consideration of the Bank on Students Emergency Loan Refinancing Act. This would have allowed those with outstanding student loan debt to refinance at the lower interest rates currently offered to new borrowers. This is deeply disappointing to me, and it should be to the American public—that we could not even get on to the bill to debate it.

This is why it is particularly disappointing: Our Nation's young people and their families are burdened with extraordinary debt—$1.2 trillion of student loan debt. This exceeds the aggregate—the total—auto loan, credit card, and home equity debt balances in America, making student loans the second largest debt of U.S. households, following mortgages.

Today, the average student graduates from college with around $29,000 in loans. In New Jersey, that is up from an average of $27,600 in 2011 and $23,792 in 2010. More than 16 percent of my constituents now have student debt. That is over 1 million New Jerseyans who are weighed down by a significant financial obligation that limits the amount of money they are able to put back into the economy—in buying homes and in investing in their futures, in pursuing their American dream.

Reduced purchasing power due to high student loan debts not only holds back a family's day-to-day spending but it keeps them from making those large investments.

I believe it is irresponsible and shortsighted for us to think that we can saddle young people—the true engines of our economy—with this burden and maintain our position as the world's most powerful economy.

Historically, the United States has done things differently. We were the leader in expanding college opportunity. From the GI bill following World War II to Pell grants in 1980, we have taken bold steps to ensure that Americans have access to college regardless of their ability to pay their way entirely on their own. We created these programs because we understood that an educated workforce is essential to our Nations's economic competitiveness. The most valuable natural resource any nation on the planet has is the genius and mental acuity of its people. Without highly skilled workers, without trained minds, without that opportunity that comes with higher education, America simply will not be able to compete as well in the global economy.

The cost of college in America puts our young people at a disadvantage compared to their peers. We are not leading; we are lagging. These obstacles to a college education deny a level playing field. We are disadvantaging our young people in their fight to compete and lead against other nations that are doing so much more.

Take this important data point: More than 51 percent of the median income is the cost of college in the United States, while the cost of college in Germany is just 4.3 percent of that country's income. In Canada it is about 5 percent. In England it is about 6 percent. Compare that to us—51 percent of median income in the United States. It is less than 7 percent in Canada, in England, in Germany—our competitors.

We should be doing everything in our power to encourage forthcoming generations to pursue higher education so that we do not slide further in global rankings and compromise our ability to compete. Where we used to lead the globe in percentage of population with a college education, now we lag. We cannot be the leading economy if we are the lagging nation in education.

I commend my colleagues, including Senators HARKIN, REED, WARREN, and GILLIBRAND, who have been so active even before I came to this body in calling attention to this issue. I urge my colleagues to step up and be a part of preserving this grand American tradition of college access, which is so essential to the other grand tradition in our Nation of social mobility, that no matter where you are born, no matter what your economic status, no matter what your color or your creed, this is the Nation where, if you have grit and toughness, discipline and hard work, you can make it. We are a country that will remove those obstacles and allow genius to be made manifest.

I hope we can begin to get bills like this that are so common sense—this idea that we can refinance student debt—to the point where we can discuss the bills on the floor and they can escape the trap of the filibuster.

TRUCK SAFETY

Before yielding the floor, I wish to take this moment to express my deepest condolences to the family of victims involved in a tragic tractor trailer accident Saturday night on the New Jersey Turnpike. My thoughts and prayers go out to the several individuals who were injured in the crash. I obviously wish them a full recovery.

We owe many thanks to the emergency personnel who responded to this weekend's accident and countless others who worked tirelessly along our highways to keep them safe. During times like these, though, we must ask ourselves whether this tragedy and so many others in New Jersey and across our Nation along our highways could have been prevented with common sense. It is too early to tell, but I am grateful to the National Transportation Safety Board for investigating

this particular accident thoroughly. I eagerly await their findings, but in the meantime, it is worth reviewing what we do know.

Larger and heavier trucks cause greater damage when collisions occur. It is just physics. That is why there are rules governing truck size and weight limitations on our highways. I have concerns about any attempts to increase truck size and weight limits. I hope that sound data and science will inform our decisions, the decisions this body must make on that issue.

Another major highway problem—one that I know is affecting the lives of families from coast to coast—is the problem with driver fatigue. Studies show that fatigue contributes to 30 to 40 percent of all major accidents—all major truck accidents. Thirty to forty percent of truck accidents are contributed to by fatigue. When drivers do not get enough rest, when they are more tired, they are much more likely to get into an accident. That is why there are limitations in place on the number of hours truckdrivers may work in any given week. I am concerned about any efforts to weaken those rules, which would allow people to push the limit of human exhaustion even further and would therefore create an environment where more accidents are possible.

The bottom line is that truck accidents and the deaths and injuries caused by them are actually increasing in America. I look forward to working with my colleagues in the Senate to take a serious look at what we can do to improve the safety of our highways.

I yield the floor.

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

Mr. WYDEN. Madam President, I come to the floor today as we get ready to vote on the veterans bill to make several points and would like to begin by commending Senators SANDERS and MCCAIN. They have obviously acted quickly. They have acted responsibly. They are taking up some of the most extraordinary concerns that really have come to light in the last few weeks regarding the access our veterans have to medical care.

I think it would be fair to say that every single Senator—every Senator—is grateful for the immeasurable sacrifices veterans make for the Nation. These are men and women who give up years of their lives to serve our country and willingly head into harm's way. They suffer physical and mental wounds all too often. Many of the veterans of the wars in Iraq and Afghanistan—and I have seen this in my home State—have volunteered for three, four, and five tours of duty.

What is undisputable is this: The Senate understands that when our veterans come home, the health care services they receive must be second to none. I believe that strongly. I believe it is a concern widely shared here in the Senate. That is why the reports of long wait times and falsified records are so appalling.

The VA audit that came out this week showed, for example, how hard veterans in my home State of Oregon have been hit. More than 3,000 Oregon veterans could not be seen by a doctor within 90 days at the Portland VA facility, and nearly 3,500 faced the same wait times at the Roseberg VA facility. Many Oregon veterans who rely on the Boise and Walla Walla facilities got similar treatment. Moreover, an investigation is underway to determine how things deteriorated so rapidly. It is pretty obvious that these kinds of findings are inexcusable and they are unconscionable.

Veterans deserve the best. Senators SANDERS and MCCAIN deserve credit for working in a bipartisan way—a way that is too rare here in Washington, DC—to address this challenge. It is never easy to work in a bipartisan way. I commend them.

I wish to also raise today one part of the bill that I believe has to be resolved and can be resolved before the legislation gets to the President's desk. The legislation currently directs many of our veterans to Medicare's doctors and specialists. At first glance that might not raise questions, but I wanted to bring up the possibility of some unintended consequences.

Right now there is a mandated 2-percent cut on payments for Medicare services because of across-the-board sequestration. That is still in effect. However, that particular spending cut, that spending reduction, does not apply to treatment for veterans. So, in effect—and I know this was completely unintended—this could create an incentive for physicians—we already do not have enough of them caring for seniors who rely on Medicare—it could create an incentive for doctors to take the veteran patients over our Nation's seniors. I think no Senator wants that to happen. I have talked about this with Chairman SANDERS and with Senator MCCAIN, and they certainly do not want that false choice. I think it would be fair to say that no one wants to see seniors pitted against veterans. All Senators want the best possible care for both our older people and our veterans.

The problem, however—and all Senators are familiar with this—Medicare patients often are already waiting in line to see their doctors. In fact, many of the underperforming VA facilities are located in communities that have difficulty meeting the current demand for care. This is especially true in some medical fields that are absolutely crucial for our veterans, particularly primary care and mental health.

It is important to note that the other body—the House—has picked up on an idea that I and others have advanced in order to resolve this matter. So this is an opportunity for the Senate and the House, in a bipartisan way, to work together. I have talked to leaders of the veterans committee in the House. My sense is that we now have the House fully supportive of a way to resolve this issue and ensure that despite the fact that the veterans funds are not sequestered and the seniors funds—the Medicare funds—are, there would be a way to resolve this, and that would simply be to stipulate that any credentialed provider could contract with the VA to treat veterans. That way, in effect, we would ensure that both seniors and veterans would get the care they need. In effect, it would put the Senate and the other body on the same wavelength.

It is a simple fix. We just allow our veterans to meet with any licensed clinical provider, not just the Medicare provider.

In closing, I commend again Chairman SANDERS and Senator MCCAIN for first-rate work, accomplished at truly land-speed record timing.

As chairman of the Finance Committee, which has jurisdiction and a long history with respect to Medicare, I want them and our colleagues in the other body to know the Finance Committee is very anxious to work with all concerned to make sure the final version of this legislation—the bill we hope goes to the President's desk as soon as possible—addresses what is best for both veterans and seniors.

I am confident that by working together—Democrats and Republicans in the Senate and the House—we can achieve that resolution before the bill gets to the President's desk.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

STUDENT LOAN DEBT

Ms. CANTWELL. Madam President, I rise to express my disappointment in today's earlier vote, that we weren't able to pass the student refinancing legislation.

I thank my colleague Senator WARREN for sponsoring that bill and for my colleagues who did support it. I hope we will have a chance to bring up this legislation again, get bipartisan support, and get it passed.

We can agree education is the gateway to opportunity. I was first in my family to go to college and went to school with the help of financial aid, and I know how important it is to many in the State of Washington that we help them make education more affordable.

Student debt in this Nation quadrupled over the past 10 years, so the total amount of debt is $1.2 trillion. Many students in my State are anxious about this situation and they want to do something about it.

Over the past 4 years student debt has even surpassed credit card debt. So when we think about that, the fact that student debt is enough to pay every American's credit card balance and still have $450 billion left over tells us how much debt is being accumulated on behalf of students just to get an education, just to basically make their way in a changing economy.

We do live in an information age, and it means that everybody having a good

base education and being able to adapt—as new information comes along that changes industry—is going to be critically important.

The fact that student debt is now the second source of personal debt in America, only behind mortgages, puts a drag on our economy. Those who are suffering under this are real individuals.

We just had a roundtable in the State of Washington last weekend with some of the best and brightest at the University of Washington. These students talked about how they were trying to invest in their own skills so they could advance in their education, and many of the stories they told were not out of the ordinary, but I think it is something we don't think about.

In a lot of these cases, these individuals were talking about how they were trying to get an education. Other people in their family, their brothers and sisters, were trying to get an education, and their parents were also trying to upgrade their skills, because in an information age economy, that is what happens, everybody has to upgrade their skills.

So these students are trying to do everything. But I was truly moved by one student who said: I have a debt that seems to be the size of a mortgage for me, but I don't have a house that goes along with it.

He was trying to say: I am coming out of college with incredible debt and how am I going to even afford the basic things people look forward to—maybe not right after graduation but as they start their careers and start to move forward. These are individuals who contribute to our economy. They buy cars, they buy homes, everything. But this individual, a graduate of Central Washington University, told me he pays the same amount for rent as he does for student loans every month.

In Washington State the average student borrower owes more than $23,000 before they graduate. That is an increase of 22 percent over the last 5 years, $4,000 for the average student borrower at the University of Washington.

So over the next weeks thousands of students in Washington State will walk across and get their diploma, but when they accept this diploma and go into the world of opportunity, they will also be going with a lot of debt. We also heard from another student at the University of Washington, how at this point in her career, as she graduates, the debt will be almost $100,000. She wants to pursue a career, but when she thinks about how much she has to pay on that student loan, that is going to affect that. In fact, during her time at the University of Washington there were points at which she worked 60 hours a week. I don't know how anybody can continue their education and work 60 hours a week.

So these are students who want to be able to refinance and pay down. In this case, with somebody who has a 6-percent or 7-percent loan, this bill and legislation would allow them to refinance.

With the legislation, an undergraduate with $30,000 in student loans, for example, would save almost $5,000 over the life of their loan by a refinancing of that interest rate, if it was 6.8 percent, to the current direct undergraduate interest rate of 3.86. Those are real dollars to these individuals.

That means much needed help for 25 million borrowers across the country. It could save, on average, for all those borrowers, about $2,000 per loan. In my State it would mean relief for 451,000 students, just like the ones we spoke to last week.

The University of Washington in the Pacific Northwest took matters into its own hands and produced a report. The report showed that the typical University of Washington student would have to work 54 hours a week for a full year to pay for 1 year of student education.

I am so proud of these students. They did their own report and got it on the front page of the Seattle Times because it spells out what we have already known, that the days when students could raise the amount of money they needed to pay for education by doing summer jobs is gone.

The burden of debt and the amount of money owed is impacting students. There is no way they can work their way through college at 54 hours or 60 hours a week and be able to do their academic work.

Entrepreneurial activity among 20- to 34-year-olds is challenged. The Federal Reserve Bank of New York has found that for the first time people with student loan debt are less likely to buy a house than those without, so it is showing up in our economy.

If you think about it, if this is what a generation of Americans are going to be faced with for the next decade or two, then that is going to have a ripple effect through our economy for several years.

A recent study by the Brookings Institution found that student loan borrowers are 60 to 70 percent less likely to apply for graduate school than those without student debt. So again now we have another complexity.

I look at this issue and I look at the fact that we have a worldwide demand for 35,000 new airplanes. We need 20,000 new workers in the aerospace industry. We have demands for computer scientists, something like 300,000 a year. We only graduate 70,000.

I look at it and say: Why aren't we helping to finance everybody who wants to get an engineering degree and a computer science degree? Why aren't we figuring out a way to make that more affordable? Because in an information age economy, that is exactly what we need to do, make an investment in education, but we can't make an investment in education on the backs of these students when they are coming out of college with this much debt or trying to struggle even to learn these careers that are so vital to our economy and they have to choose between working and actually studying. We would rather they commit themselves to these careers and these educations so we can have the workforce of the future.

I know some of my colleagues on the other side of the aisle didn't support this legislation, but the Congressional Budget Office projects that the bill would actually reduce the deficit by about $14 billion over the next decade.

That is important because we want to see policies that are going to help our economy in the short run and in the long run, but they have to be fiscally responsible.

So I say to those critics who say: Oh, well, if we make the interest rate lower, then students are going to borrow more money, I don't think students are looking to borrow more to add to their debt.

I don't think students whom I talked to who had loans as high as $180,000 want to borrow more money just because we are going to reduce the interest rate. They want to refinance, reduce their obligation, and get back to studying.

There is much more we need to do to mitigate the cost of higher education. I know my colleagues and I are going to be working on that, but the Bank on Student Loans Emergency Refinancing Act was a very good step to help students and to focus them on their careers and education.

Again, I hope my colleagues on the other side of the aisle will look again at this issue and get back to it. We need to make sure college education is more affordable. It is time for us to extend the same benefits we do for businesses and mortgages to students so they can refinance and that 25 million students in America could refinance their student loans.

I thank Senator WARREN for bringing up this issue. I hope we will get back to it again.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. CANTWELL. I ask unanimous consent that the time in quorum be equally divided between both sides.

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

Ms. CANTWELL. 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. HATCH. I ask unanimous consent that the order for the quorum call be rescinded.

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

FEDERAL EMPLOYEE UNIONS

Mr. HATCH. Madam President, I rise to speak on a matter of great importance that seems to have slipped through the cracks of the public's consciousness. However, with the growing furor over the recent scandal at the Veterans' Administration, I expect more and more people will be made aware of it.

I don't think it is unreasonable to argue that most Americans would be outraged to learn the Federal Government pays tens of millions of dollars every year to pay hundreds, if not thousands, of government employees not to work. This practice used to be called featherbedding. ''The term 'featherbedding' originally referred to any person who is pampered, coddled, or excessively rewarded.''

It was later used to describe certain labor relations practices. According to Wikipedia:

The modern use of the term in the labor relations setting began in the United States railroad industry, which used feathered mattresses in sleeping cars. Railway labor unions, confronted with changing technology which led to widespread unemployment, sought to preserve jobs by negotiating contracts which required employers to compensate workers to do little or no work or which required complex and time-consuming work rules so as to generate a full day's work for an employee who otherwise would not remain employed.

Congress tried to put an end to the practice in the 1947 Taft-Hartley Act amendments, which defined and outlawed featherbedding. However, the U.S. Supreme Court has narrowly defined the terminology, leaving most practices undisturbed.

The featherbedding-like practice I am referring to today is most often called official time, wherein government employees—who are highly compensated, often including overtime pay—are paid to perform no work for the government, only work for the benefit of their unions. These ''employees'' are not union employees, nor are they paid by the union. Instead, they are union members paid by the taxpayers to work full time for the union while working for the Federal Government.

Of course, this practice also goes on in the private sector. However, in the private sector, the featherbedding comes off of the bottom line and is negotiated as a measure of ensuring labor peace and in exchange for other union concessions. In the Federal Government, where the bottom line is the taxpayer and where unions are not permitted to strike, this practice is a way for weak managers to use government funds to reward public sector union political supporters and financial contributors, passing the costs along to the unknowing taxpayer for services not rendered. In the private sector, official time is carefully monitored and controlled. In the Federal sector, managers generally look the other way.

According to the Office of Personnel Management, or OPM, during fiscal year 2011 unions represented 1,202,733 nonpostal Federal civil service bargaining unit employees—an increase of more than 17,000 employees compared to fiscal year 2010. In that same year agencies reported that bargaining unit employees spent nearly 3.4 million hours on official time—an increase of nearly 10 percent compared to the previous year. How much money are we talking about, and why should American taxpayers shoulder the entire burden if the official time is only for union work?

Some may wonder what this has to do with the VA scandal. I don't think it is a coincidence that the VA—which is plagued by incompetence, dishonesty, and bureaucratic ineptitude—utilizes the practice of official time more than any other Federal agency, according to OPM. In 2011 the VA reported paying out nearly 1 million hours in official time—an increase of more than 23 percent over the previous year. The cost of official time in 2011 amounted to nearly $43 million. That is $43 million paid out to VA ''employees'' to do union work full time. Wall Street Journal Editorial Board writer Kimberley Strassel noted a few weeks back:

> The VA boasts one of the largest federal workforces, and VA Secretary Eric Shinseki bragged in 2010 that two-thirds of it is unionized. That's a whopping 200,000 union members, represented by the likes of the American Federation of Government Employees and the Service Employees International Union.

I ask unanimous consent that the article be printed in the RECORD following my remarks.

Union supporters often lament that under Federal law Federal employee unions are relatively toothless, especially when compared to the very powerful State employee unions. However, as Ms. Strassel noted, given its size and influence, the VA union may be an exception to that rule.

Once again, two-thirds of the VA workforce is unionized, and the agency has paid more than $40 million in salaries to full-time union workers in a single year. That has to have an impact on the VA's efficiency. And that is for workers who don't even work—except for the union.

Obviously, the inefficiency of the VA has recently been the subject of a very high-profile public debate. However, the impact unions have had on the VA's operation was being talked about well before news of the recent scandal broke. For example, Senators PORTMAN and COBURN sent a letter to former VA Secretary Shinseki in 2013 noting that the vast majority of VA employees on official time were trained nurses, instrument technicians, pharmacists, dental assistants, or therapists. In other words, these were employees hired specifically to fulfill roles in direct support of veterans. Yet, instead of caring for veterans, processing claims, and helping to eliminate the horrendous backlog, these employees were being paid to do union work full time—all at the expense of taxpayers. On top of that, union-negotiated work rules over things such as seniority and job classification have contributed to the bureaucratic nightmare at the VA. In addition, the unions have been the most vocal opponents of any reform proposals that would give veterans access to outside health care.

While it may be overstating the unions' influence to assign to them the blame for the entire VA scandal, it is clear that these unions have at least contributed to the problems we are now seeing at the agency. They are at least partially to blame for the backlog in veterans' claims. They are at least partially to blame for the failed VA bureaucracy. They are at least partially to blame for the failure of reasonable attempts to reform the agency in the past, and it is almost impossible to reform it the way it is currently run.

I wish I could say this problem is isolated at the VA. Unfortunately, there is at least one other scandal-plagued agency with a similar union problem. I am talking, of course, about the IRS.

We are all pretty familiar with the IRS targeting scandal. By its own admission, the agency was targeting Tea Party groups in the runup to the elections in both 2010 and 2012.

Like the VA, the IRS consists of a heavily unionized workforce. About 66 percent of IRS employees belong to the National Treasury Employees Union, or NTEU.

It shouldn't surprise anyone to learn that the NTEU is extremely active in politics, having twice endorsed President Obama. During the 2010 election cycle, when the IRS first began targeting conservative groups, the NTEU raised over $600,000 through its PAC, almost all of which went to Democrats. In the next election, in 2012, the NTEU PAC raised more than $700,000, 94 percent of which went to Democrats. In other words, during the same campaign cycles in which the IRS was targeting conservative organizations—organizations that were critical of the President, his administration, and in many cases the IRS itself—for harassment and extra scrutiny, the union that represents nearly two-thirds of IRS employees was busy raising and donating well over $1 million to Democratic candidates. And we wonder why the IRS—which should not be partisan in any way, shape, or form—is filled with partisanship. We should not have unions at the IRS or at the VA. Is it any surprise that the agency found itself predisposed toward harming conservative organizations or their causes?

Of course, the IRS has its own issues with the practice of paying out official time. Indeed, as of 2011 there were at least 200 IRS employees working full time for their union—all at taxpayers' expense. In that same year, the agency paid out more than 625,000 hours of official time. The total cost of these union activities was roughly around $27 million. But that is only the beginning. That is $27 million in a single year paid

to ''employees'' of the Federal Government who did nothing but union work. That is simply preposterous.

As I said, if the American people understood that this type of fleecing of the taxpayers goes on every day, they would be outraged.

Current law allows most Federal employees to be represented by a union. There are, however, some exceptions—and good reasons for these exceptions. Most of these exceptions are for agencies that perform a national security function or other highly sensitive work. One would think the IRS would fit in that category. One would think the VA would fit in that category. For example, we don't allow employees at the FBI, the CIA, or the Secret Service to be unionized. There is good reason for that: We don't need partisan political activities in those agencies. But we don't need them in the IRS or the Veterans' Administration either. We also don't allow employees at the GAO or the Federal Labor Relations Authority to unionize.

In days to come, Congress is going to have to take a hard look at reforming both the Veterans' Administration and the IRS. One of the questions we are going to have to ask ourselves is whether these agencies, with their important and sensitive missions and their poor performance in the recent past, should be added to the list of agencies not permitted to unionize, not permitted to be partisan. And anybody who doesn't understand that doesn't understand anything about politics.

In addition, as we continually look for ways to improve the efficiency of our government, we will need to examine the overall practice of official time and determine whether it should be eliminated entirely. I, for one, don't believe taxpayers ought to be footing the bill for union work. I think the majority of the American people, if given an opportunity to fully understand this practice and the abuse it entails, would agree with me.

One thing is for sure: If what we have seen at the VA and the IRS is in any way representative of the influence unions have on government agencies, drastic changes are going to be necessary. How can any American citizen feel the IRS is above politics when it is run by a union? And we all know that unions support almost 100 percent one party over the other. How can we feel the VA is going to be handled right when it has a union representing it and determining all the workloads?

I have talked to the IRS Commissioners since I have been on the Finance Committee, and they admit that to try to correct or punish an IRS employee who is out of control and not doing what is right takes upward of a year if you are lucky. That is why there are all kinds of politics in these agencies and they act with impunity in advancing what really are liberal causes.

If there are any two agencies that should not have unions in them, one ought to be the IRS and the other ought to be the Veterans' Administration.

I was raised in the union movement. I learned a trade. I went through a formal apprenticeship program, and I became a journeyman. I am proud of that. I believe unions have a place in our society, but they have become more and more partisan. It is reported that 40 percent of union members are Republicans. Yet almost 100 percent of every dime that is given in politics is given to Democrats. So by any measure we have to say that these folks are partisan, which I think is their right. But should we have partisan control of agencies such as the IRS, which everybody has to deal with at one time or another in their life, and the Veterans' Administration, which is in dire jeopardy right now because of the way it is being run?

I have been very much trying to do a straightforward investigation of the IRS and these accusations that have been thrown at it, many of which are true. The more I get into it, the more I realize it is being run in a partisan way for one party when it should be run in a nonpartisan way—for neither party. I am going to do something about it, and I hope the American people pay attention to it because I think most people, including younger Members, would be outraged to know that there is partisanship at these agencies that is not just average partisanship. It is blatant partisanship. The more I get into it, the more I realize that is true.

Madam President, I ask unanimous consent to have printed in the RECORD the Wall Street Journal article that I previously referred to.

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

[From the Wall Street Journal, May 29, 2014]

BIG LABOR'S VA CHOKE HOLD

(By Kimberley A. Strassel)

We know with certainty that there is at least one person the Department of Veterans Affairs is serving well. That would be the president of local lodge 1798 of the National Federation of Federal Employees.

The Federal Labor Relations Authority, the agency that mediates federal labor disputes, earlier this month ruled in favor of this union president, in a dispute over whether she need bother to show up at her workplace—the Veterans Affairs Medical Center in Martinsburg, W.Va. According to FLRA documents, this particular VA employee is 100% ''official time''—D.C. parlance for federal employees who work every hour of every work day for their union, at the taxpayer's expense.

In April 2012, this, ahem, VA ''employee'' broke her ankle and declared that she now wanted to do her nonwork for the VA entirely from the comfort of her home. Veterans Affairs attempted a compromise: Perhaps she could, pretty please, come in two days a week? She refused, and complained to the FLRA that the VA was interfering with her right to act as a union official. The VA failed to respond to the complaint in the required time (perhaps too busy caring for actual veterans) and so the union boss summarily won her case.

The VA battle is only just starting, but any real reform inevitably ends with a fight over organized labor. Think of it as the federal version of Wisconsin, Indiana, Michigan and other states where elected officials have attempted to rein in the public-sector unions that have hijacked government agencies for their own purpose. Fixing the VA requires first breaking labor's grip, and the unions are already girding for that fight.

Federal labor unions are generally weak by comparison to state public-sector unions, though the VA might be an exception. The VA boasts one of the largest federal workforces and VA Secretary Eric Shinseki bragged in 2010 that two-thirds of it is unionized. That's a whopping 200,000 union members, represented by the likes of the American Federation of Government Employees and the Service Employees International Union. And this is government-run health care—something unions know a lot about from organizing health workers in the private sector. Compared with most D.C. unions (which organize for better parking spots) the VA houses a serious union shop.

The Bush administration worked to keep federal union excesses in check; Obama administration officials have viewed contract ''negotiations'' as a way to reward union allies. Federal unions can't bargain for wages or benefits, but the White House has made it up to them.

Manhattan Institute scholar Diana Furchtgott-Roth recently detailed Office of Personnel Management numbers obtained through a Freedom of Information Act request by Rep. Phil Gingrey (R., Ga.). On May 25, Ms. Furchtgott-Roth reported on MarketWatch that the VA in 2012 paid 258 employees to be 100 percent ''full-time,'' receiving full pay and benefits to do only union work. Seventeen had six-figure salaries, up to $132,000. According to the Office of Personnel Management, the VA paid for 988,000 hours of ''official'' time in fiscal 2011, a 23 percent increase from 2010.

Moreover, as Sens. Rob Portman (R., Ohio) and Tom Coburn (R., Okla.) noted in a 2013 letter to Mr. Shinseki, the vast majority of these ''official'' timers were nurses, instrument technicians pharmacists, dental assistants and therapists, who were being paid to do union work even as the VA tried to fill hundreds of jobs and paid overtime to other staff.

As for patient-case backlogs, the unions have helped in their creation. Contract-negotiated work rules over job classifications and duties and seniorities are central to the ''bureaucracy'' that fails veterans. More damaging has been the union hostility to any VA attempt to give veterans access to alternative sources of care—which the unions consider a direct job threat. The American Federation of Government Employees puts out regular press releases blasting any ''outsourcing'' of VA work to non-VA-union members.

The VA scandal is now putting an excruciating spotlight on the most politically sensitive agency in D.C., and the unions are worried about where this is headed. They watched in alarm as an overwhelming 390 House members—including 160 Democrats—voted on May 21 to give the VA more power to fire senior executives, a shot over the rank-and-file's bow. They watched in greater alarm as Mr. Shinseki said the VA would be letting more veterans seek care at private facilities in areas where the department's capacity is limited.

This is a first step toward a reform being drafted by Sens. Coburn, John McCain (R., Ariz.) and Richard Burr (R., N.C.), which would give veterans a card allowing them health services at facilities of their choosing. The union fear is that Democrats, in a tough election year, will be pressured toward reforms that break labor's VA stronghold.

Not surprisingly, Sen. Bernie Sanders (D., Vt.), chairman of the Veterans Affairs Committee, has promised his own ''reform.'' Odds

are it will echo the unions' call to simply throw more money at the problem. Any such bill should be viewed as Democrats once again putting the interests of their union allies ahead of veterans.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, last week our Nation commemorated the 70th anniversary of D-day. Leo Scheer of Huntington County, IN, is one of those courageous veterans who survived the outlying assault on the beaches of Normandy, and last month he made the trip to Washington, DC, through the Honor Flight Network to receive a hero's welcome from a grateful Nation.

My office had the honor of greeting Leo and this group of heroes upon their arrival to the World War II Memorial, and Leo made an unforgettable impression with his humility, demeanor, and strength of character. Leo is a member of what we have come to know as the ''greatest generation.'' They easily deserve that title, where duty comes as second nature, where braggadocio is not present, where simply standing up and serving your country in a time of crisis is responded to overwhelmingly without complaint and with true honor and dignity.

Sadly, there are a dwindling number of those not only who arrived on the shores of D-day in Normandy but those who served throughout the world's largest military conflict in history. While those great service men and women are still here to share their stories—at least a few—we must remember the sacred promise that we as a Nation made to them to give them the care they deserve when they come back home.

As a veteran myself, my hope is that our Nation will carry out this promise not only to our World War II vets but to all who have served in conflicts from that point forward—from Korea, Vietnam, Iraq, Afghanistan, and other places. We must live up to the promise for all who were called to serve and answered that call.

Regrettably, in recent months we have seen this promise broken and shattered. Just this week an internal audit by the Department of Veterans Affairs revealed that the department's problems have affected 76 percent of VA facilities. Nearly 100,000 veterans continue to wait for medical appointments. These are staggering figures.

In my home State of Indiana confirmed audit findings show that veterans endured unacceptably long wait times. Some Hoosier veterans never even received an appointment. This is unacceptable. That is why today I stand here to support the bipartisan Sanders-McCain veterans bill that would implement key changes to the existing VA health care system.

This is not a perfect bill, and there are parts of it that I wish were different. I hope that we can manage some needed changes as it moves over to the House of Representatives and then to conference. I hope the final bill will make our veterans proud and begin the process of reform that the VA so desperately needs.

Let me address three key reforms in this legislation that I think are essential to moving forward and the primary reason why I have agreed to support this. First, giving veterans more choices in care—perhaps the most important provision in this legislation—is allowing veterans who cannot be scheduled within a reasonable time the option to receive care from non-VA facilities or private sector facilities outside of the VA. This also applies to veterans that reside more than 40 miles away from a VA facility, many of them not in a condition to be able to secure the transportation they need for that care, so they don't have to endure long drives to get care. We must ensure that veterans receive timely care, and if the VA cannot provide it, then our veterans should be free to go elsewhere for care, including Medicare providers.

Second, the removal of bad actors—there are a lot of good people working at VA. Their hearts are in the right place. They are talented and provide good care and good service. I don't mean to demean their contributions to veterans' health care, but we do know that there have been mistakes, mismanagement, and there has been some outright fraud, it appears. We will have to prosecute that. This reform would authorize the Secretary of the VA to demote or fire senior executive service employees based on their performance. That is not present now, and if we are going to change the management it takes more than just asking the first top person to resign as has happened. We need to look at the management team and those that oversee those that are providing the care and what their responsibility is in that role. Passage here would shake up the leadership of the VA so those people can be held accountable for their actions.

The third provision I want to mention is providing more VA locations. It is clear that some of our veterans have to travel very long distances. Also it is clear that the facilities currently in place are short of help and there are not enough to address the needs of the many veterans that are entering the system. So this bill would establish 26 new VA medical facilities around the country. As I said, while this legislation is not perfect, it is an important start but it should not and will not be the end of our work to live up to our promises to veterans.

Ultimately, as I stated before to our body of Senators, the VA needs a change of culture. Too many bureaucrats view our veterans as a list of numbers rather than the heroes worthy of our very best care. We have to look at our veterans through a different lens, one that sees them clearly as defenders of our freedom and as the heroes they are.

We must continue to investigate and reform the culture within the VA and ensure that this crisis doesn't happen again. That is why I called for an independent investigation. This bill authorizes the process of beginning these independent evaluations. Also the committee has provided additional funding to specifically allow the inspector general to conduct an independent investigation into the VA, and I join my many colleagues to ask the Department of Justice to join in this investigation. Now, unfortunately, this culture of indifference at the VA is not new. For years veterans have faced excessively long waits for disability claims. When I returned to the Senate in 2011, these waits were over 600 days in Indianapolis. Veterans were waiting over 2 years to have their claims adjudicated. Once we shined a light on the problem, the situation improved somewhat, but our veterans still face waits that are far too long both for medical visits and to receive their disability benefits.

My staff in Indianapolis currently have over 550 active cases that we are working on for Hoosier veterans who are seeking help and have not gotten satisfactory responses from the VA. So they call us and say: Can you help? We do everything that we can to help expedite the process. In many cases these veterans are just trying to assess the benefits that they have rightfully earned and they just want an answer.

Reflecting on Leo Scheer's service to our Nation on D-day reminded me of the opportunity that I had to visit the beaches of Normandy while I was Ambassador to Germany. It was, to say the least, a powerful and extremely emotional experience standing on the bluffs overlooking the spread of beaches from Utah to Omaha, and it made me reflect on the countless lives lost in service to our Nation.

I was standing there on a perfectly calm day. The water was gently lapping on the shore. The beaches were empty. A soft warm breeze was blowing. The sun was shining—just a beautiful day—and I was overwhelmed by the violence that must have taken place that I could only have imagined. We have all seen the movie ''Saving Private Ryan,'' and I give Mr. Spielberg great credit for making that a very realistic picture of what happens. But I don't think Hollywood, or those of us who weren't there, could imagine the violence that was taking place on that beach when our troops went ashore. The silence was not there. There must have been a cacophony of noise with hundreds of ships offshore unloading our soldiers into landing vehicles. Many of them were shot down by the German bunkers up in the bluffs, built-in concrete fortifications—an almost impossible task. Many of them never even got out of their landing craft. When the doors opened, many were shot before they reached the water. The water was red with the blood from our soldiers who never

made it to the beach. The beach was littered with bodies of those who never made it to the edge of the cliff. And the sacrifice that was made in climbing those cliffs and getting to those German bunkers took many, many hundreds if not thousands of more lives.

So visiting the graves of soldiers afterwards, pausing to say a prayer of gratitude for their sacrifice leads us to this point where we have to understand what it is we are trying to provide and why we need to provide it. That is in a response to those who put their lives on the line and sacrificed those lives—and many ended up with lifelong disabilities—a commitment to those that we would take care of them when they came back.

They have come back and run into a government-run bureaucracy that has run amuck. If it proves anything, it proves that government just simply doesn't do big stuff very well, without confusion, without bureaucracy, without duplication, without excessive costs. It is not efficient and not effective, nowhere near what the private sector can offer. That is why there is the provision for veterans who cannot get care at the VA on a timely basis to have the opportunity to use our private system.

They deserve our utmost care. They served on the frontline, but when they go for benefit decisions and when they go for health care, they are not in the front of the line, they are at the back of the line, and that is not right.

We cannot let the sun set today, and I am glad we are not, because we are voting to move this legislation forward. In doing so we are going to make a statement that we are going to try to live up to that promise and do the best that we possibly can. As I said, as a veteran I expect my country to fulfill the promises to my fellow service men and women, and as a Senator I will seek to hold the Veterans' Administration accountable and to do everything I can to help in the reform of the system. That reform is so desperately needed.

The leader of the D-day effort, GEN Dwight D. Eisenhower called the invasion of Normandy ''a fight in which we would accept nothing less than full victory.'' It is in that spirit that I call upon my Senate colleagues to immediately take up and pass this legislation on behalf of our veterans and then to continue the work of changing the culture of the VA so that we don't have to come back years from now and repeat this process all over again.

Let's get it right this time. The fight to restore trust to our veterans is one we are waging, and to paraphrase General Eisenhower, we should accept nothing less than victory.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Texas.

IMMIGRATION

Mr. CORNYN. Mr. President, I thank my friend from Indiana for his remarks about our military service men and women and our obligation to provide them the care they have earned for their service. I look forward to voting, along with everyone in this Chamber, on this bipartisan legislation this afternoon, which represents the first step—not the last step but the first step—toward the systemic failures that have been disclosed as a result of the comprehensive VA audit.

I come to the floor to speak again about a growing humanitarian crisis in South Texas, the State I represent, where authorities are struggling with waves of unaccompanied minors—children—coming through Mexico into the United States. The numbers are pretty staggering. So far 47,000 minors have been detained at the southwestern border since October. The Department of Homeland Security and Border Patrol estimate that there could be as many as 60,000 unaccompanied minors, mostly from Central America. If we look at the map from Guatemala City to McAllen, TX, it is roughly 1,200 miles.

Unfortunately, this influx is a direct consequence of the perception that this administration will not enforce our immigration laws. Interviews with more than 200 of the migrants who comprise some of these individuals confirm their impression, which is reinforced by Central American news media outlets—primarily newspapers—that if children can get to the United States, they will have a free ticket and be able to stay.

We had a chance to question and discuss this humanitarian crisis with Secretary Johnson, the Secretary of Homeland Security, this morning before the Judiciary Committee, and to his credit, he has taken an all-hands-on-deck attitude, but the truth is the Federal Government's resources are overwhelmed by this humanitarian crisis.

By creating a powerful incentive for people to come to the United States illegally, we have effectively encouraged children and their parents to make a treacherous and threatening journey from Central America, one of the most dangerous parts of the world today, through Mexico—large swaths of Mexico are controlled by drug cartels—and then all the way into Texas.

Secretary Johnson conceded this morning that somehow we are schizophrenic about this issue. When we look at the victims of human trafficking and other people, we all agree we need to do more on a bipartisan basis to deal with this scourge of human trafficking, but the fact is that the transnational criminal organizations—trafficking people for economic reasons, such as for sex, drugs, and weapons—will do anything for money. They are criminals, and that is what they do.

Unfortunately, we have a lot of innocent children who are now being swept up in this humanitarian crisis, as I said, committed by their parents to take this trek across Mexico into the United States. We have no idea how many children start that journey and how many simply drop off along the way because they have been kidnapped, injured, murdered or perhaps they just become ill as a result of exposure and die during this long trek.

It is a journey that often begins in cities, towns, and villages scattered throughout Honduras, Guatemala, and El Salvador. The first major checkpoint is the Mexican border with Guatemala. It is about 500 miles long. Before arriving there, many families and children pass through regions of northern Guatemala that are controlled by the Zetas cartel, one of the most violent criminal organizations in the world.

When they reach Mexico, many illegal immigrants jump onto a network of freight trains known by the ominous nickname ''The Beast.''

I encourage anyone who is listening to me to go online and Google or Bing or use some other search engine and type in ''The Beast'' and read some of the horrific stories about transportation from southern Mexico up to northern Mexico on The Beast. NPR, National Public Radio, repeatedly reported The Beast train is ''just as likely to spit them out as it is to shepherd them safely to the border.''

Indeed, people riding on The Beast are frequently robbed, raped or killed by the drug traffickers and gang members who control the smuggling corridors. This is organized criminal activity by transnational criminal organizations. As one former Beast passenger told CNN, ''almost everyone gets assaulted.''

If there is anybody who thinks illegal immigration and trafficking involves some sort of benign experience of traveling from a country where people don't have an opportunity to a country where people do have an opportunity, that part is true, but what they don't tell you is the horrific, life-threatening, and sometimes life-destroying experience of getting to the United States because people are committing themselves to the tender mercies of some of the most violent criminal organizations on the planet.

In recent years, Mexican authorities have discovered mass graves containing the bodies of Central American migrants—those who did not make it to our southern border. Among those who are not murdered by the cartels, many passengers on The Beast simply fall off the train. For example, they try to jump on it while it is moving. If they are lucky, they might just end up with a few broken bones, but if they are not lucky, they might end up losing a limb or being crushed to death underneath its wheels.

In short, no one should be traveling to the United States this way and least of all young children, some of whom, according to published newspaper reports, are as young as 3 and 5 years old. Can any parent comprehend the idea of a 3- or 5-year-old coming unaccompanied or perhaps en masse with drug cartels and criminal organizations transporting them from their home country to the United States?

The Border Patrol reported that 180 convicted sex offenders have been arrested since October while coming across the southwestern border. Can you imagine this trip with convicted sex offenders mixed into the mass of humanity coming across the border?

Some children who ride The Beast are kidnapped or forced to become drug mules or forced into sexual slavery. In fact, some who make it all the way to Texas and north remain prisoners of organized crime after crossing the U.S. border.

I remember talking to one young woman. About 1 year ago I had the chance to visit with her. She came from Central America. She was brought by a coyote, they called him—a human smuggler—into Houston, TX. She had family in New Jersey, but that didn't work out, so she came back to Houston where she was essentially held as an indentured servant and prostituted and forced to turn over the proceeds of that money to the coyote—the smuggler.

When people operate in the shadows of the law, they have no protection of the law, and the people who are the most likely to get hurt are the immigrants themselves or certainly the immigrant community. We need to keep that in mind. We have to remember that Mexico's biggest and most violent drug cartels are heavily involved in this trafficking, as I mentioned earlier.

Time magazine reported last year: ''Cartels control most of Mexico's smuggling networks through which victims are moved, while they also take money from pimps and brothels operating in their territories.''

The cartels, gangs, and sex traffickers are only too happy to prey on the poor, vulnerable migrants, including children, transiting through their terrain. Experts believe the Mexican drug cartels may earn as much as $10 billion a year from sex trafficking and sex slavery alone. These are not nice people.

According to Amnesty International: ''Some human rights organizations and academics estimate that as many as six in 10 women and girl''—and one-quarter of these unaccompanied minors are girls—''migrants experience sexual violence during the journey'' through Mexico—6 out of 10.

A new CRS—Congressional Research Service—memo reports that based on apprehension data provided by Customs and Border Protection, ''there has been an increase in the number of [accompanied alien children] who are girls and the number of [unaccompanied alien children] who under the age of 13.''

They are not exactly able to defend themselves against the monstrosities they encounter along the way.

I hope it is clear to everyone listening and to the President and every other person of good will, that we should be doing everything possible to discourage people from risking their lives in the first place, and especially their children's lives, on such a dangerous journey.

Before I came to the Senate, I happened to be the Attorney General of Texas, and before that I had a career in law and the judiciary. It is standard criminal jurisprudence that not only should law enforcement enforce the laws in order to maintain the law, but the law serves another important function; that is, deterrence.

In other words, it stops people from doing things they know they should not do in the first place rather than just catching them after they do it. This is one of the elements that is missing and unfortunately was encouraged by the impression that you got a free ticket if all you had to do was get on the train and show up in South Texas. As I have said, this is very dangerous stuff, and it has backfired in unexpected ways.

Yesterday, I listed five simple suggestions to the President that he could take to start fixing the problem. I was glad to hear Secretary Johnson talk about some of the ad hoc measures he has begun to implement, but the truth is they are struggling to catch up.

I urged the President, No. 1, to publicly declare that his 2012 deferred action program will not apply to children currently arriving at the border. Let me stop there to say that this morning some of my colleagues on the Judiciary Committee could not resist the temptation to take a partisan shot. They said if the House had just passed immigration reform, this never would have happened.

My point is the President's deferred action program doesn't even apply to these children, so it is still against the law for them to enter. But they realize, as a practical matter, although the resources and capacity of the Federal Government are overwhelmed, there is no way we can turn them back, and they will have to be handled compassionately and in a humane sort of way.

It would help if, No. 1, the President would make clear he has not issued a free ticket to anyone who wants to enter the country illegally.

No. 2, I encouraged him to publicly discourage people from attempting the journey through Mexico, and it would help if our Mexican counterparts would do a better job—maybe with our help and assistance—securing their southern border, since that would stop a lot of people from coming from Central America through Mexico on this dangerous journey which I have tried to describe.

I also encouraged the President to enforce all of our immigration laws regardless of political needs or any frustration he might feel or anyone else might feel on the current stalemate in which we find ourselves. Sometimes these things take a little time.

My hope is, if not before, then by next year, Congress—the Senate and the House—can begin to move a series of smaller pieces of legislation that are more transparent, consensus based, and begin to repair the broken immigration system. I don't think anybody believes on the right or the left that the status quo is acceptable, and indeed it is dangerous to the people I have described.

So I mentioned the fourth item, which is to work with the Mexican Government to improve security at the border with Guatemala. I was recently in Juarez, Mexico, right across the river from El Paso, which used to be one of the most dangerous places on the planet because of all of the conflict between the drug cartels. Things are getting better. It is still pretty rough, but things are getting better thanks to strong leaders, such as the mayor, whom I met with there, and thanks to the assistance the U.S. Government is providing through the Merida Initiative to help train law enforcement and to provide equipment and the like. So we could step up our work with the Mexican Government to help them secure their own southern border, which would eliminate more than half of this migration from Central America.

Finally, I urge the President to take the step of making sure that Texas and other U.S. border States and communities have the resources they need to address the ongoing crisis.

Today I reiterate those calls, and I also call on the President to please act as soon as possible. Make no mistake. The actions we take and sometimes the actions we don't take have unintended consequences. But in the days and weeks ahead, there will be life-or-death consequences to an untold number of vulnerable children, perhaps in the misperception that they can come to the United States if they can just get here, without understanding the treacherous journey that will befall them. We are doing no one a service by allowing that.

Because the impression created by the President has resulted in this problem, at least in substantial part, I believe he has the unique authority and power to begin to fix it. But first he will have to send the message that I mentioned a moment ago, which is that there is no free ticket into the United States. We have to deal with the humanitarian crisis of these children and make sure they are safe, but then we need to get about the business of enforcing our laws and not just giving the impression that anybody and everybody who wants to come to the United States can come here.

Perhaps in a perfect world everybody could live in America. But the fact is that we need to have our immigration laws for our protection and for the protection of legal immigrants. We need to do everything we can to send a message that we are a caring country, but we are also a country that believes in the rule of law. We need to restore order out of this chaos, while dealing with the immediate humanitarian crisis of this wave of children that is overwhelming the capability of the Federal Government to deal with it. We need to do everything we can together to address all of these issues.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, the Senator from Texas just spoke on the floor about the number of children coming across the border into the United States, and the numbers are frightening, they are so large.

We had a hearing today with Jeh Johnson, who is the Secretary of the Department of Homeland Security. A lot of questions were asked, such as if actions by our government or statements by our President are luring these children into the United States. Let me make the record clear. There is nothing—nothing—about the President's Executive order involving those we call DREAMers—children brought to the United States—which would lead any of these families of the children to believe they could qualify to be treated as qualified for docket—that is, deferred deportation—because they would be eligible DREAMers. None—none—of these children would be eligible, period. So the suggestion that this Executive order has anything to do with luring these children to the United States is wrong.

Second, there is turmoil in Mexico and Central America. That is a fact. I am sure that is a factor in decisions being made by some to leave. But there is an issue that has been overlooked here time and again which needs to be addressed. There is a Pulitzer Prize-winning book entitled ''Enrique's Journey.'' The author is an L.A. Times writer named Sonia Nazario. She started following the paths of children—children—coming into the United States from Mexico and Central America and even South America. Here is what she found after her investigation: 48,000 children a year coming across the border into the United States, some as young as 7 years old, half of them without any escort. How do they get in? Well, many of them jump on freight trains. Can my colleagues imagine, 7-, 8-, 9-, 10-year-olds jumping on a freight train to come into the United States, trying to get here by themselves—half of them by themselves? Why? Seventy-five percent gave the same reason: To find my mother. To find my father.

That is what is bringing so many of them into the United States. What happened? Mother left that village in Mexico or somewhere in Central America and came to the United States. She works hard now and sends money home and occasionally will send toys at birthdays and Christmas and exchange photographs. And heartbroken children get on these trains and try to find them.

They found a 9-year-old boy walking around Los Angeles. They asked him why and where he was going. He said: Where is San Francisco? He was trying to find his mother.

That is the reality and the heartbreak of what is happening at our border when it comes to children, so many times over. The lucky ones make it. Many don't. A survey done by the University of Houston found over and over these kids on their way are starving, they are beaten, they are robbed, they are raped over and over. Some are pushed off of the train. Some die. Some are maimed. That is the reality.

What does it tell us? As we step back and look at this, what does it tell us? It tells us what we already know: Our immigration system in America is broken. It is flat-out broken. I know this, and everyone else does too. Twelve million people living amongst us, some of whom have been here for decades, worried about being deported tomorrow, with a household where the wife and mother may be a citizen, the children may all be citizens, but one person in the household is not—that is our broken immigration system.

Well, Congress, stop talking about it. Do something about it. So we did. We did. And the Presiding Officer was here. It was a little over a year ago. We put together a bipartisan coalition of Senators—four Democrats, four Republicans, and I was one of them—and we sat down and for months worked out comprehensive immigration reform to finally fix this broken immigration system and start to end some of the tragedies we know are happening to children and to their parents all across America. We worked on it for months.

It was a pretty interesting coalition. It included JOHN MCCAIN, a well-known Republican Senator from Arizona; LINDSEY GRAHAM, Republican Senator from South Carolina; MARCO RUBIO, a Republican Senator from Florida; JEFF FLAKE, a Republican Senator from Arizona; and on our side, CHUCK SCHUMER of New York, BOB MENENDEZ of New Jersey, MICHAEL BENNET of Colorado, and myself.

We worked on it for months, and we produced a comprehensive immigration reform bill that was endorsed by virtually every major labor organization and the U.S. Chamber of Commerce. We go through the list of virtually every religion in America, and major religions endorsed it. It was an amazing bipartisan product, and I was proud to be a part of it and even more proud when the day came that we passed it on the floor of the Senate with 68 votes—Republicans and Democrats. We did it.

What happened to it? We sent it to the U.S. House of Representatives, where it has languished for over a year. For over a year they have refused to call this bill.

Now Senators who come to the floor, who voted against the reform, who don't acknowledge the obvious—that the Republican House will not even call this bill for debate and a vote—and who criticize the current immigration system in America, aren't telling us the whole story. The whole story is that we need to fix this system top to bottom—yes, a path to citizenship but a path to citizenship that eliminates those with serious criminal records—we don't want them—makes those who want to enter this path pay a fine and learn English and make sure as well that they are paying their taxes to our country. Then we will put them on a path to citizenship, where they can be at the back of the line. Under our bill, it would take a person 13 years before they become a citizen. All that time they are paying their fines, they are learning English, they are doing what they are supposed to do, and they are subject to regular questioning as to any problems that might be in their lives that we should know about. That is what the bill does.

So when I hear people come to the floor and say this immigration system is broken, I agree completely. It is a tragedy to think thousands of children are crossing the border in search of their parents, as young as 7, 8, 9, 10 years old, and teenagers, being preyed upon.

I just had in my office the Ambassador of Ecuador to the United States of America. We talked about this issue. She told me the story of a 12-year-old girl whose mother and father were in New York, and this heartbroken girl decided she had to at any cost be reunited with them. She jumped on one of those trains, and she was apprehended by Mexican authorities. The parents found out about it and tried to find her. They put her in an orphanage. She was going through the Mexican legal system. The next thing: It was announced that this 12-year-old girl had committed suicide—questionable but still a tragedy. And this Ambassador from Ecuador said: I can't tell you what that did to our country. It broke our hearts to think that little girl was just trying to find her mom and dad.

We can do better. We can be better. All of the excuses in the world don't count when it comes to this issue because we are a nation of immigrants, my friends, all of us. We may have to go back several generations—in my case, not very far. My mother was an immigrant to this country. I am lucky to be standing on the floor of the Senate representing a great State such as Illinois. That is my story. That is my family's story. That is America's story. That is who we all are.

Why can't we, in our generation, embrace the reality of immigration and fix this broken system, make sure we have security on the border to stop, as much as we physically can, the flow of illegal immigration, and make sure those who are here are reporting to our government so we know who they are, where they are, and where they work? All of these things will make us a better and stronger nation.

Let me tell my colleagues something else about these immigrant folks, and I speak with some authority. The first wave of immigrants to this country, by and large, take the toughest, hardest jobs available—anything—and they will work hard on those jobs. But they are also looking over their shoulder at their kids and they are saying to their kids: We expect more from you. We

want you to stay in school. We want you to succeed.

That dynamic of the hard-working immigrant and the first-generation American, striving to prove they can succeed, gives our country the energy it needs. It gives our economy the energy it needs.

I see my friend has come to the floor, Senator MCCAIN, and I mentioned his name earlier in a positive way because we worked together so closely on immigration reform. He has a special challenge I don't have. Yes, we have many undocumented in Illinois, but being a border State, Arizona has tougher challenges than most. We tried in our bill to be sensitive to both States and all States in what we were putting together.

So I wanted to come to the floor and say a word about children coming across the border. I see two of my colleagues here, and I will yield the floor in just a second.

We need to acknowledge the obvious. These children are vulnerable. They are being exploited. Many of them are being hurt. Some are being raped. Others are being killed. And that has to come to an end. To bring it to an end in a sensible, thoughtful, American way, we ought to pass comprehensive immigration reform. No more excuses in the U.S. House of Representatives. Call the bill. For goodness' sake, call the bill. Debate it. Vote on it. I will accept whatever comes, but what I won't accept is ignoring these problems, blaming them on someone else, and putting off to some time in the future the reality of the responsibility we should face today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, as the son of an Air Force master sergeant and a member of the Senate Committee on Veterans' Affairs, I take very seriously my responsibility to represent the interests of those who have served our country in uniform. When it comes to our Nation's veterans, their commitment to country is without question, and our country's commitment to them should be the same.

Put simply, our veterans deserve better. That is why I am pleased to see that we have come together to address this crisis in the Senate. These men and women have served and sacrificed on behalf of a grateful nation. We need to ensure that they are getting the high-quality services they have earned. Our veterans deserve a system that proves their care is our top priority.

Unfortunately, the VA is struggling to meet the health demands for our veterans. The VA inspector general is currently investigating misconduct throughout the VA health system. In order to ensure accountability, we have to give the VA the ability to fire and demote senior executive service employees who are responsible for these types of abuses.

Under current law, senior VA employees are nearly untouchable. That means the very people responsible for hiding the true extent of wait times, for instance, and other abuses cannot be fired. That is incredible when you think about it.

We cannot tolerate bad actors who abuse their power and put our veterans in danger. That is why a key component of this bill gives the Secretary of Veterans Affairs the authority to fire or demote senior VA employees for poor performance.

Accountability is the goal here. However, that goes beyond individual employees. The Department itself needs to be held accountable for its shortcomings. So it is time we shine a light on the VA.

This bill would also establish an electronic waiting list that would be made available to veterans on the Department's Web site so everyone can see the average waiting time for an appointment at each VA medical center for specific types of care and services. New wait time goals would also be published on the Department's Web site and in the Federal Register within 90 days of the bill's enactment.

Earlier this week we saw an audit which revealed that veterans seeking care for the first time waited an average of 60 days in the Little Rock VA hospital and 52 days in the Fayetteville hospital. Clearly, these results need to be improved and indicate the failure of the VA to meet its goal of seeing new patients within 14 days.

I am committed to ensuring that the VA uses every available option it has to deliver on its mission for all veterans who have earned this care. And if it cannot, this bill gives our veterans the ability to seek that care elsewhere.

The bill we are considering today would establish a 2-year program that allows veterans who have been unable to obtain care from the VA for providing service to seek care from private providers. This option would also be provided to those who live more than 40 miles from a VA facility, including a community-based outpatient clinic. The government would be obligated to reimburse the non-VA health care provider for the services provided to the veteran.

Wait times and secret lists are not the only problem within the VA health system. We are learning now that quality-of-care issues on a range of critical care outcomes, including mortality and infection rates, are willingly being ignored by senior VA management.

We need to restore faith in the VA health care system, and that begins with accountability and following through with our promises.

The crisis surrounding the VA health care system shows an immediate need to improve timely access to medical care for our veterans. The VA needs to correct the systemic problems that are preventing our veterans from accessing the high-quality health care services offered.

I am pleased we are taking action on this important issue, and I encourage my colleagues to support this legislation before us because we need to improve the health services our veterans earned and deserve.

The PRESIDING OFFICER. The Chair welcomes the Senator from Arkansas back to the floor.

Mr. BOOZMAN. I thank the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today to say that this compromise is really an excellent example of what Congress can do when we work together to put our veterans first and work toward substantive solutions to the challenges they face.

Passing this legislation this afternoon is a critical step toward addressing some of the immediate accountability and transparency concerns that are plaguing the VA and fixing its deep-seated structural and cultural challenges. Each new report seems to paint a more serious and more disturbing picture of the VA's systemwide failure to provide timely access to care for our Nation's heroes. I am especially concerned by the number of facilities that serve Washington State veterans that have been flagged for further review and investigation. The VA has promised to get to the bottom of this, and I expect them to do so immediately.

However, these new reports are not only consistent with what I hear so often from veterans and VA employees but also with what the inspector general and GAO have been reporting on for more than a decade. These are not new problems, and Congress must continue to take action on them while addressing the inevitable issues that will be uncovered as ongoing investigations and reviews are completed.

I expect this Chamber to come together, as the House did yesterday—twice, in fact—to move this bill forward so we can work on our differences with the House and send this legislation to the President's desk as soon as possible.

As we all know, there are serious problems at the VA that will not be solved through legislation alone or by simply replacing the Secretary. However, I am very hopeful these steps that are in this legislation will spark long-overdue change—from the top down—in order to ensure that our veterans are given the care and support they expect and deserve.

So I wanted to come today to commend the Senator from Arizona and the Senator from Vermont for their commitment to bipartisanship and putting the needs of our veterans first. This is an important compromise, and I urge our colleagues to continue the bipartisan collaboration that made this bill possible. Let's get it passed and in place so these reforms can begin to get started. And then we must keep working to address the management, resource, and personnel shortcomings that we all know exist at the VA.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I stand in strong support of the veterans bill we are about to vote on as well. I commend everyone who worked on it on both sides of the aisle, certainly including Senator MCCAIN, who was here a minute ago, Senator SANDERS, who is on the floor, and Senator BURR, who is the ranking Republican member of the committee.

I am strongly supporting it, mostly with three key provisions in mind—one I have been working on since well before this scandal and this crisis that has engulfed the VA broke; that is, to dislodge, to get moving on crucial expanded VA outpatient clinics in 18 States around the country, including Louisiana. Mr. President, 26 clinics; 2 of those are in Louisiana, in Lafayette and Lake Charles. Those should have been built by now. They have been on the books, they have been in the VA plan for years. Through what the VA readily admits was a bureaucratic glitch—a complete screw-up at the VA—they were delayed for a significant period of time.

There was another glitch in terms of the so-called scoring of these clinics. That required legislation, which the House passed. But that legislation, which I was spearheading in the Senate, has been balled up in the Senate.

Finally, the corrective legislation, to get moving, to get these clinics done—including in Lafayette and Lake Charles, LA—is in this bill. So I have been committed to that for months—since well before this scandal erupted.

The other two provisions I want to highlight in this bill do go directly to this scandal. One is the need to give veterans choice when they are locked into a dysfunctional system. So for the first time ever we are mandating the unparalleled choice that if a veteran is either over 40 miles from a VA facility or he or she cannot get care—an appointment—in a reasonable timeframe, then that veteran can go to a Medicare provider or another provider who is delineated in the bill to get the care he or she needs in a timely way. That is a really important reform to expand choice and really competition that I think will make the VA system better and offer veterans, when need be, important care outside the strict VA system.

The third provision I wish to highlight is to give the leadership of the VA the tools it needs to clean house, to get rid of incompetence or, worse, to fire people who clearly merit that in the cases we have been reading about in the last several months.

We have had so many protections heaped on the civil service system over 100-plus years that it has become virtually impossible to fire or demote or punish someone who is deserving of that because of incompetence or worse. We need to change that because unless and until we do, bureaucracies such as the VA will remain broken. This bill has important provisions in that regard.

Those are the three top reasons I will be strongly supporting the bill.

I thank the Chair.

Mr. MARKEY. Mr. President, Massachusetts is the Bay State, but we are also the ''Brave State.'' But being first in freedom is not enough if we don't put our veterans, their families, and the families of the fallen first as well.

There are more than 388,000 veterans in Massachusetts. But too many of our bravest return home unable to find a job. They suffer from homelessness, mental health, and substance abuse. Too often, they end their lives in suicide. Twenty-two veterans kill themselves every day.

This March, not one servicemember died in action in Afghanistan or Iraq, but almost 700 veterans took their own lives. Of the 8,500 Massachusetts National Guard, six of them have committed suicide in the last year and a half.

We need to treat these unseen wounds, and give our veterans a better life, where they are employed, appreciated, and supported.

We have a sacred obligation to honor and care for our service men and women for their bravery and sacrifice.

On the battlefield, the military pledges to leave no soldier behind. As a nation, we must ensure that when warriors return home, we leave no veteran behind.

In recent years, we have provided historic budget increases for veterans, expanded access to VA health care, improved health services for all veterans, and modernized benefits earned by America's servicemembers.

But what is clear today is that hasn't been enough. The problems at the VA are unacceptable and they dishonor our veterans and their families who have sacrificed so much.

Anyone who contributed to the careless treatment of our veterans should be held fully accountable, and I mean anyone.

And so our work must continue. We must address the emerging needs of veterans, as well as those needs that have lingered for years.

Our returning veterans, and those who served in previous wars, always should get the best services, including medical care.

Unfortunately, the U.S. Department of Veterans Affairs, VA, is facing a crisis. The Department of Veterans Affairs inspector general reports showed that thousands of veterans have been trying to see a doctor but were never on the VA list to see a doctor. These veterans were forgotten and lost in the scheduling process. VA leadership significantly understated the time new patients waited for their primary care appointment in their performance appraisals in part because that affected their bonuses and salary increases. Mr. President, 57,000 veterans have been waiting 90 days or more for their first VA appointment. Mr. President, 64,000 veterans have fallen through the cracks and have never received an appointment after enrollment.

These deficiencies at the VA are unacceptable.

What is clear is that we need a full-scale reform of how the VA does business. Too many men and women are falling through the cracks. We need to fully fund the VA and modernize the agency and its facilities to appropriately address the new needs of returning soldiers and their families.

All veterans are heroes, but sometimes heroes need help.

The Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014 allows the immediate firing of incompetent high-level officials who broke the trust of our veterans by leaving them behind. It also includes appropriate provisions to prevent the abuse of these new powers.

The bill allows VA to lease 26 new medical facilities that would expand access to care, including $4.8 million for the VA Worcester community-based Outpatient Clinic.

It authorizes the hiring of new medical personnel for hospitals and clinics that are facing a shortage of doctors and other health professionals.

It would allow veterans living more than 40 miles from a VA hospital or clinic to go to a private doctor.

It develops an independent commission to update the VA's scheduling appointments process and another to help spur the construction of new VA facilities.

It would allow all recently separated veterans taking advantage of the post-9/11 GI bill to get instate tuition at public colleges and universities. Finally, it would extend post-9/11 GI bill education benefits to surviving spouses of veterans who have died in the line of duty.

This bill is an important first step to dealing with the crisis at the VA. However, more needs to be done. We need to make sure the Massachusetts VA hospitals in Brockton, West Roxbury, Jamaica Plain, Bedford, and Northampton can continue to provide the care that our veterans deserve, including the latest in health care for traumatic brain injury, post-traumatic stress disorder, and other injuries.

Mr. CARDIN. Mr. President, I rise today on behalf of the 470,000 Maryland veterans in order to thank my colleagues for making veterans health care a priority by passing S. 2450, the Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014. I specifically applaud the chairman of the Veterans' Affairs Committee, Senator SANDERS, and Senator JOHN MCCAIN for developing this bipartisan agreement and demonstrating to the Nation that the Congress can work together to meet our greatest challenges.

I want to thank President Obama and Acting Secretary Gibson for taking preliminary action and holding senior Department of Veterans Affairs, VA,

leadership accountable. Now the hard work begins of renewing and meeting our commitments to our veterans, who have sacrificed so much for our Nation. I support this bill's efforts to provide immediate authority to refer veterans to non-VA care and its provisions addressing commonsense long-term reform. Much of the treatment our veterans need is already provided in world-class facilities that are closer to their homes than the nearest VA Hospital, and they stand ready to support them today.

I am concerned that the expedited firing provision for Senior Executive Service employees creates a separate process for VA staff employee. Let me be clear: Anyone guilty of fraud, malfeasance or criminal negligence must be held accountable. But current law and Office of Personnel Management policy provide measures to address such acts. Federal employees deserve the appropriate due process.

This bill is an exceptional step in the right direction and will begin to address some of the concerns we all have with respect to the VA, beginning with access to care. But there is still much work to do to help our veterans return to civilian life after they have served. A mere thank you is of little comfort to a veteran who cannot find meaningful employment, who is struggling to provide for his or her family or who is dealing with post-traumatic stress. Their sacrifices are often made in stressful, frustrating, and dangerous conditions. Yet these brave men and women do not shy away from committing themselves to serving our country.

Disability claims at the VA are continuing to take far too long to be processed, and the backlog is denying support to veterans who are in critical need due to service-related injuries. I will continue to push for an amendment that will make the Fully Developed Claims Program permanent. The Fully Developed Claims Program is an optional new initiative that offers veterans and survivors faster decisions from the VA on compensation, pension, and survivor benefit claims. Veterans and survivors must simply submit all relevant records in their possession and those records which are easily obtainable, such as private medical records, at the time they make their claim and certify that they have no further evidence to submit. Then the VA can review and process the claims more quickly. This program is realizing much improved processing time due to the extraordinary partnership with numerous Veterans Service Organizations, but I propose we make a guarantee to our veterans that if they utilize this program, the VA will provide their final rating in an expedited manner or they will receive a provisional rating at 180 days. This is the level of commitment from Congress that the American people expect and our veterans deserve.

A true marker of our Nation's worth is our willingness to serve those who have served us. As we continue to wind down our commitments in Afghanistan after 13 years of war, we need to gear up our commitment to our veterans. Our veterans deserve every possible tool we can provide to help ease their transition to civilian life. I am committed to making sure that our veterans receive the services and benefits they have earned and the support they were promised and deserve. The United States is the strongest Nation in the world because of our veterans, and we owe them and their families our gratitude and our respect and, most important, our support.

Mrs. MCCASKILL. Mr. President, today I rise in strong support of S. 2450, a bill I have proudly cosponsored that would make critically needed reforms to the Department of Veterans Affairs. As we all know, revelations from whistleblowers, reports from the Government Accountability Office, an internal review by the VA, and an interim report from the VA's inspector general, an independent watchdog, have all revealed problems within the VA that have caused the system to fail many of our veterans. This is simply unacceptable.

As the daughter of a World War II veteran, I understand the extraordinary debt we owe to the men and women who have served this Nation in defense of our freedoms. I thank my colleagues, Senator SANDERS and Senator MCCAIN, for working to forge a bipartisan bill to address some of the most serious shortcomings in the VA health care system that have been identified in recent weeks. The bill would provide for greater transparency at the VA by requiring an independent assessment of the scheduling system used at every VA medical center, along with the staffing levels and workloads at each facility. It would also task the VA inspector general to identify on an annual basis the health provider occupations with the largest staffing shortages, which will give both the VA and Congress a better understanding of the Department's needs. In order to address what has been identified as a shortage in health care providers within the VA, the bill would expand opportunities for veterans to seek care outside of the VA system, including allowing veterans who qualify to seek care at Department of Defense health facilities. The bill would also empower the Secretary of Veterans Affairs to immediately hold senior VA officials accountable if they have failed to do their jobs.

The credibility of the VA has taken a serious blow, and it will take years for the Department to regain the trust it has lost among veterans and among the American people. My strong support for this legislation is based on my belief that it will make critical and fundamental changes to the VA that will result in significant improvements to the quality of care our veterans receive and their ability to access that care. The VA is facing significant challenges, but with the passage of this legislation the Senate is taking an important step in helping to restore trust in a system that has provided tremendous care for generations of veterans. Our Nation's veterans deserve no less.

Mrs. FEINSTEIN. Mr. President, I rise today to state my strong support for the legislation on the floor that addresses the current healthcare crisis facing our nation's veterans. This bill, the Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014, is the product of excellent bipartisan work done by Senator SANDERS and Senator MCCAIN. I want to thank both of my colleagues for their efforts on drafting this legislation and finding a path to bring it to the Senate floor today. I believe their legislation will give our veterans access to the healthcare they deserve and that it will invest in the Department of Veterans Affairs' health care system.

While Senator SANDERS' and MCCAIN's legislation contains many good measures that will improve the healthcare our veterans receive at the Department of Veterans Affairs, VA, I would like to highlight three provisions in the bill that I believe are especially important for Congress to pass.

First, I am strongly supportive that the legislation contains a provision to allow the Secretary of the Department of Veterans Affairs to immediately terminate senior executives for poor performance. It is my opinion that the current scandal was largely a result of ineffective and disgraceful mismanagement. As a first step, the Department must be able to terminate any managers who directed or pressured staff to falsify or cover up wait times for veterans seeking health care. It is time for a new culture of management in the VA, and I look forward to providing this authority to the Department.

Second, I am grateful the legislation provides the authority for the VA to quickly hire new clinical staff, such as physicians and nurses, when there is a shortage of medical providers within the VA. The legislation allows the VA to use any unobligated funds at the end of each fiscal year to do such hiring. The audit released by the Department of Veterans Affairs this week clearly indicated that many medical facilities had a shortage of clinical providers. The legislation on the floor also authorizes the VA to enter into medical leases the Department has requested in previous years, but that Congress has not funded. These include four community outpatient clinics in California, which are in San Diego, Chico, Chula Vista, and Redding. Thus, I am confident the authority to hire new clinical staff and the authority to enter into much needed medical leases are critical measures that Congress must pass if we expect the VA to meet the growing demand of medical care our Nation's veterans need and deserve.

I am also glad the legislation the Senate is considering contains measures to beef up how VA hospitals are

evaluated for the quality of health care they provide, and that this information will be made public for veterans. The legislation contains a provision that would require the Department of Health and Human Services to complete evaluations of VA hospitals and to post this information publically. It also requires the Government Accountability Office to look at the metrics the VA is using to evaluate patient care and hospital quality. Finally, the bill will require the VA to publish its appointment wait times, which will increase the transparency of how quickly our veterans can access health care. Thus, I want to thank both Senator SANDERS and Senator MCCAIN for including such important provisions that will improve accountability, transparency, and health care quality at the VA.

Recently, the Department of Veterans Affairs released the results of its nation-wide Access Audit detailing the breadth of its struggle to responsibly manage waiting lists for care at its medical facilities across the country. The allegations of false record-keeping and other inappropriate scheduling practices were further substantiated. The audit made it clear that many staff members—13 percent interviewed nationally—were instructed to use inappropriate scheduling actions by their supervisors. The audit also revealed that at least one scheduler at 76 percent of all VA facilities indicated they received direction to enter inaccurate or misleading appointment data. The result is that some veterans were forced to wait an egregious amount of time for medical appointments, and surely many of these veterans suffered negative health effects as a result of these delays.

After the press reports of secret wait lists at the Phoenix VA Medical Center, I wrote a letter to the VA's acting inspector general urging him to expand the scope of his investigation in order to determine if similar problems were occurring elsewhere. On May 28, 2014, the VA's Office of the Inspector General released an interim report of the ongoing review at the Phoenix VA Health Care System. This independent review verified that deliberate action was taking to falsify wait times and to keep some veterans—1,700 in Phoenix—off official wait lists. In response to this report, on June 2, I wrote to Acting Secretary Sloan Gibson requesting an immediate review of medical appointment wait times at all California VA medical facilities, and that the VA take action to expedite appointments for veterans in my State waiting an excessive amount of time to receive health care.

California is home to 8 major Department of Veterans Affairs, VA, health care systems which include 66 medical centers and outpatient clinics. According to the latest data from the U.S. Census Bureau, of the nearly 22 million veterans in the United States, nine percent, or roughly 2 million, live in California; a figure greater than that of any other State. California's large population of veterans, many of which are concentrated in southern California, creates a substantial demand for medical care at California's VA Medical Centers.

The VA's Access Audit, released this week, validated the national extent of lengthy wait times and potential falsification of appointment records. It also makes it clear that California is not exempt from the recent VA scandal. The data collected shows that over 20,000 veterans in California are having to wait more than 30 days for a medical appointment. Nearly 3,000 are waiting more than 90 days for their appointment. Furthermore, nearly 7,000 California veterans are on electronic wait lists who have not been able to schedule any appointment. This lack of urgency to provide care to our Nation's veterans is not only appalling, it is also irresponsible.

In addition, I am deeply troubled that the recent audit identified that five VA health care facilities in my State had some evidence of falsifying or hiding wait times. They are the Livermore Medical Center, the Yuba City Outpatient Clinic, the Sepulveda Ambulatory Care Center, the Escondido Outpatient Clinic, and the Imperial Valley Outpatient Clinic. The VA recommended the Office of the Inspector General conduct investigations at these facilities in order to determine if any fraudulent or criminal activity occurred, and I eagerly await the results of these investigations.

It is clear to me that excessive wait times for medical appointments negatively impacts the health of our veterans. So, fixing the VA is not only about fixing the systemic management problems that led to a cover-up of appointment wait times at certain VA facilities across the Nation. The fix also must be about improving the VA's ability to provide high caliber health care to all of our Nation's veterans.

The VA must radically alter how it manages health care. It is my opinion that the VA's performance should be tied to the health outcomes of our veterans. The VA has played number games with appointment wait times in order to evaluate their performance for too long, and that must end today. I hope the new leadership at the Department will work to develop better measures of performance that are based on how well our veterans do in terms of health and wellbeing as a result of the care they receive at the VA.

For example, the VA should strive to reduce preventable drug resistant infections acquired in medical facilities. Deadly drug resistant infections are linked to poor infection control and the overuse of antibiotics in hospitals. These infections, like Methicillin Resistant Staphylococcus aureus, MRSA, and Clostridium difficile are deadly, difficult to treat, and largely preventable. VA hospitals that provide high quality medical care, that use antibiotics prudently, and that practice good hygiene will have lower rates of these infections, faster recovery times for hospitalized patients, and reduced health care costs. VA hospitals that have clear data that they use antibiotics appropriately, have fewer deadly hospital acquired infections, and have veterans who can be discharged faster should be noticed for their performance. I truly believe that a greater focus on health care quality and outcomes is critical for improving the VA's health care system.

The delays in access to health care and the culture of cover-ups that emerged within the Department of Veterans Affairs are absolutely unacceptable. Our Nation's veterans served and sacrificed for our country, and they deserve better. I truly believe the legislation introduced by Senators SANDERS and MCCAIN is the solution our veterans need and deserve. This is not a partisan issue, this is an issue of doing what is right by those who defended our freedom.

Thus, I urge my colleagues to vote for this bill.

Ms. MIKULSKI. Mr. President, I come to the floor today in support of S. 2450, the Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014.

The preliminary VA inspector general's report of delayed care at the Phoenix Hospital uncovered serious and systemic failures in our VA system. The internal audit by the Veterans Health Administration confirmed these delays. These problems have dragged on long enough and must be addressed and corrected. I believe we must keep the promises we have made to our veterans. We can do this by giving them the same quality of service they gave us, and by providing them with the care they deserve. That is why I support this bill.

This bill contains a number of provisions that will improve veterans access to care when they need it the most by:

Sending care into the community and ensuring veterans do not have to wait more than 14 days to see a doctor or physician;

expeditiously hiring new doctors, nurses and other health care providers in locations that have shortages;

requiring the VA to upgrade their electronic scheduling software;

authorizing the VA to enter into 27 major medical leases that will increase access to care for thousands of veterans who currently have to travel long distances to get the care they need;

requiring the President to create a commission to evaluate access issues in the VA Health Care system;

and, creating a commission on capital planning for VA medical facilities to look at the processes to ensure our veterans are being treated in safe facilities.

There is also a provision that would allow the Secretary of the VA to terminate VA senior executives for poor performance. This provision would also require the Secretary to provide Congress a justification for any removal

within 30 days. I also support giving SES employees the ability to appeal to the Merit System Protection Board within 7 days of termination, providing them the protections from retaliation and discrimination they deserve.

In addition to supporting this bill, as the chairwoman of the Senate Appropriations Committee, I have put money in the Federal checkbook to improve the veterans health care system so that wounded and disabled warriors get the care and benefits they need. I have worked to ensure veterans suffering from post-traumatic stress disorder, PTSD, or a traumatic brain injury, TBI receive better diagnosis and treatment through the Defense Department and the VA.

I have also led the charge to reduce the backlog in processing veterans disability claims. I brought Secretary Shinseki to Baltimore to create a sense of urgency to end the backlog by 2015. I used my power as chairwoman of the Appropriations Committee to convene a hearing with the top brass in the military and members of the committee to identify challenges and get moving on solutions. I cut across agencies to break down smokestacks and developed a 10-point checklist for change enacted as part of the FY–2014 omnibus appropriations bill. This plan includes better funding, better technology, better training and better oversight of the VA.

The Veteran's Administration needs a new attitude from the bottom up in every facility across the Nation. It is time to turn the VA around. Veterans who have fought on the front lines should not have to stand in line for the care they have earned and deserve.

This legislation is a significant step in the right direction, and I urge my colleagues to support it.

Mr. MCCAIN. Mr. President, parliamentary inquiry: How much time is on both sides?

The PRESIDING OFFICER. The Republican side has 6 minutes, the Democrats just under 13 minutes.

Mr. MCCAIN. Mr. President, I ask unanimous consent for the Senator from Alabama to have 6 minutes, and I ask unanimous consent for 4 additional minutes for this side, following the Senator from Vermont.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the work of my colleagues on this legislation. They have accomplished some very good things. We need legislation to pass to help our veterans. The needs are real, and recent revelations of substantially substandard care—and too often no care at all—at our VA medical centers are shocking. There is and has been a long-term problem with the management of that agency. It is heartbreaking. It is an embarrassment. We owe our veterans better care than they have been given.

One of the keys to improve that care is improving accountability, ensuring money is being properly spent, not simply wasted by government bureaucrats. The money needs to get to our veterans.

Our national debt now is $17 trillion. It is growing rapidly. We cannot be lighthearted or cavalier about our responsibility to follow our agreement to honor the budget limitations we have. There are a lot of budgetary freedoms we have and a lot of ability we have and duties we have to set priorities in our spending. Veterans clearly are a priority. I fought hard against the recent push to cut veterans pensions and led an effort to restore those pensions payments.

In this case we are dealing with an issue of bureaucratic accountability. What happens so often is that in the crush and press of business, we are unable to reach agreements on finding money somewhere else in this monstrous bureaucracy and government of ours, and we simply break the budget and add to the debt. Our veterans deserve better than that.

I am the ranking Republican on the Budget Committee. We wrestle with these issues—the chairman of the committee, Senator MURRAY—and the numbers from the Congressional Budget Office indicate that this legislation, as drafted, violates the Budget Act.

Indeed, the entire bill, the way the language is written, has been declared an ''emergency'' which allows its authors to avoid finding the efficiencies and the accountabilities needed to stay within the Federal budget limits both parties agreed to. There is plenty of wasteful spending to be cut elsewhere in government, and much we can do to increase accountability at the VA.

Even more concerning is the new open-ended entitlement legislation in the bill. The bill would authorize emergency spending but sets no limits on that spending. Section 801 says ''such sums as necessary.'' Well, how much is necessary? This is an important conversation to have, to wrestle with, and to develop solutions. But by simply not developing these solutions, we invite more of the same kind of accountability problems we have seen that brought us here.

I feel strongly that we have to do the right thing for our veterans, but history suggests a blank check for the bureaucracy, an unlimited entitlement program, will not have the desired results—indeed, may even yield the opposite results from what we hope to achieve.

We need to resist the temptation to create more entitlements and more entitlements, which is one of the reasons we are heading recklessly toward fiscal crisis, as our own Congressional Budget Office has indicated, and instead focus on creating reforms and solutions that improve that quality of service and the effectiveness that is delivered. Isn't that our job? Isn't that what our veterans deserve from us—the very best we can give them? As many hours as it takes for us to get this right, instead of simply avoiding the difficult issues we must tackle to solve this calamity long-term?

There are also 3 years of emergency spending under the legislation, which I think is an unwise precedent for us to set. Again: it leads to the kind of unaccountability, the lack of oversight that helped create this crisis in the first place. We should designate—maybe if we have to do this—2014 money this year where the crisis is. We have already appropriated money. If we need some more, that could be perhaps justified as emergency spending, but a 3-year bill goes beyond what I think is proper. It fails to establish the oversight that Congress has a solemn duty to deliver. We can't just write a blank check and think it will solve these problems. We have to ask the tougher, deeper questions about the changes needed in Washington to do right by our veterans. Details matter. Every line of legislation matters. We need to get this right.

The Appropriations Committee has already reported out the 2015 VA–HUD bill. It is already on the floor and could be here as early as next week. The Senate could easily attach a bipartisan amendment to that that provides the spending called for in this bill with offsets, cuts, efficiencies, and reductions in other spending to pay for it. There are places we could do this.

So I have to tell you, there are some good things in the bill. I think there are. It improves the situation. I like the idea of giving veterans more choice to go to the doctor who is close to them. It is something Senator MCCAIN and Senator SANDERS have agreed on. I think that is progress, very much so, but I have to say I cannot suggest to my colleagues that the budget violation now before us should be waived. It should not. Ignoring this requirement will not help our veterans in the long run, but will lead to the same kind of problems we are confronting today. We should adhere to the agreement we reached on spending by finding offsets. If we don't adhere to our spending limits, other programs will crowd out the budget for veterans and mean we have less money in the future not more, to fund these programs. If we ignore our debt, we do a disservice to our veterans. Unfortunately, the bill does not do what the law we agreed to requires. It is not paid for. We all agree veterans are our priority. So then is it not our duty to them to fulfill this priority by reducing wasteful spending elsewhere so that money can be spent on veterans instead? Can we not deliver for these veterans that most basic level of responsibility on our part as lawmakers?

Finally, colleagues, a vote to sustain the budget point of order is a vote that tells the committee to find appropriate money for the bill and does not kill the bill. It does not knock down the bill. It allows it to continue to be alive and a piece of legislation before us. It would just require us to fix the funding. It would require us to fix the bill. So that

is what we should be doing. That is why I feel I must raise the budget point of order.

In summary, the bill has mandatory spending that violates the limits we have agreed to in the Budget Act, and the bill also abuses the emergency designation to circumvent the requirement for offsets and the need for accountability.

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

Mr. SESSIONS. Mr. President, I raise a point of order against the emergency designation provision contained in Section 802(b) of H.R. 3230, the vehicle for S. 2450, the Veterans' Access to Care Through Choice Act, pursuant to section 403(E)(1) of the fiscal year 2010 budget resolution, S. Con. Res. 13.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I am going to yield to Senator MCCAIN in a moment, but before I do that, pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolutions and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to waive all applicable sections of those acts and applicable budget resolutions for purposes of the pending bill, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCAIN. Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Arizona has 4 minutes, the Senator from Vermont has 10 minutes.

Mr. MCCAIN. Does the Senator from Vermont want to go ahead?

Mr. SANDERS. I am happy, if the Senator from Arizona needs more time at the end of his 4, for him go right ahead.

Mr. MCCAIN. Mr. President, I wish to thank a lot of people, including the staffs of the committees, Senator SANDERS' staff, Dahlia Melendez and Travis Murphy; Senator BURR's staff, Natasha Hickman, Maureen O'Neill, Anna Abram, and Victoria Lee; Senator COBURN's staff, Jabari White; my own staff, Elizabeth Lopez, Jeremy Hayes, and Joe Donoghue, and all the hard work that has gone into this legislation.

I think it is well known to my colleagues that this is an unprecedented piece of legislation in that for the first time it is going to provide our veterans with a choice. There are many other provisions I would like to discuss also but have been, and I am sure my colleague from Vermont will be addressing those.

There are, according to a recent VA audit, over 57,000 veterans who have been waiting for an appointment for over 3 months to see a physician at the VA. Over 63,000 veterans over the past 10 years have never been able to get an appointment at all. There are allegations in the Phoenix VA hospital that 40 veterans have died.

Today, June 11, the Federal Bureau of Investigation has opened a criminal investigation into allegedly misleading scheduling practices at the Department of Veterans Affairs that may have concealed how long veterans had to wait for appointments to see a doctor. ''Our Phoenix office has opened a criminal investigation,'' FBI Director James Comey said in response to a lawmaker's question at a hearing Wednesday.

If that is not an emergency, I do not know what is. If it is not an emergency that the very lives of the men and women who have served our country with honor and distinction are being either jeopardized or allegations of absolutely being lost through malpractice and malfeasance, if that is not an emergency, I have never seen one before this body.

I urge my colleagues to vote this for what it is, this budget point of order. This is an emergency. If it is not an emergency that we have neglected the brave men and women who have served this country and keep us free, than I do not know what an emergency is.

Hard work has been done on this legislation, hard work and a lot of compromises. I am happy to see that the majority of the veterans service organizations are now in support of it. Is it a perfect piece of legislation? No. Is it exactly what I wanted? No. Is it exactly what the Senator from Vermont wanted? Absolutely not. But this is an emergency. I tell my colleagues, if it is not an emergency of how we care for those who have served on the field of battle, then nothing else is before this body.

It breaks our hearts. It breaks American's hearts when they hear and see these stories of those brave men and women and the neglect they have suffered, the lack of a fulfillment of an obligation we made to them. I hope we will vote against this budget point of order. I hope we will vote unanimously, 100 to 0, to pass this legislation, send it to the House, go to conference, get it to the President's desk, and start healing the wounds that have been inflicted on these men and women.

There is no way we can ever compensate for those who have gone without the treatment they have earned, but at least we can expeditiously fix this problem to the best of our ability. Is this the ultimate and final solution to those problems that have been uncovered? No, but it is a beginning. It is not the end of the beginning, it is a beginning. There will be more proposals before us. There will be more efforts to fix this gaping wound in America's conscience.

I urge my colleagues to vote to waive the budget point of order. This is an emergency. I urge my colleagues to vote for the bill. Again, I thank everyone for their involvement, especially Senator BURR and Senator COBURN.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Let me just thank Senator MCCAIN for his very hard and bold work on this issue. He stood and came forward when we needed someone to do so. I think we have made real progress in a bipartisan way.

As Senator MCCAIN just said, and I agree with him, if this is not an emergency, I am not quite clear what an emergency is.

During the last 4 years some 2 million new veterans have come into the VA system. Many of them have come in with very difficult medical problems, PTSD, TBI. We have an aging veteran population. Taking care of older people is complex and expensive. The simple truth is that in many parts of this country—not all parts I suspect, but in a number of places in this country—we simply do not have the number of doctors, nurses, and other medical staff to accommodate the needs of our veterans. I have been told, unofficially at least, that at the very minimum there is a need for 700 new physicians in the VA. I am told that is the floor, that the reality may be higher than that.

I have been told that in Phoenix alone there is a need for hundreds of new providers in order to address the problems in that one large facility. Further, this legislation says to veterans that if there are long wait times, if they cannot get into a facility in a reasonable time, they can go outside of the VA. That is what this bill says.

You know what. That is going to cost money. That will cost money. This legislation also says that if they live 40 miles or more from a VA facility, they have the option of going to a private provider. That benefit is going to cost money. The bottom line is that if we are going to do what in my view we should do; that is, to make sure every facility in the VA has adequate staffing—doctors, nurses, other medical personnel—and to make sure there is available funding to pay for those veterans who will now get care outside of the VA—right now the VA is spending about $4.8 billion a year in contract fees. There is no question in my mind that number is going to go up, but that is what we are voting on now.

If you want to provide timely care to veterans, if you agree they should go outside of the VA, it is going to cost money. If we are going to do that and the other things in this bill, that legislation needs to be passed as written, and we must waive the point of order brought up by Senator SESSIONS.

Lastly, I remind my colleagues that when Congress voted to go to war in Afghanistan and Iraq, it did so with emergency funding. Those wars will, it is estimated, cost between $3 and $6 trillion by the time we take care of the last veteran. If we can spend that kind of money to go to war on an emergency basis, surely we can spend one-tenth of 1 percent of that amount to take care of the men and women who fought those wars.

What we have done, as Senator MCCAIN has indicated, is developed a compromise. I am sure he is not happy

with everything in the bill. I am not happy with everything in the bill as well. I did want to also remind Senators about a few of the other provisions that are in this bill that are important and I think do have bipartisan support.

This bill allows for 26 major medical facility leases, which means improved and expanded care for veterans in 27 States and Puerto Rico. This bill provides for the expedited hiring of VA doctors and nurses and $500 million targeted to hire those providers with unobligated funds. As I mentioned earlier, this bill allows for veterans to go outside of the VA when there are waiting lines and when they live 40 miles from a facility. This bill also deals with an issue where there is widespread support both in the House and the Senate; that is, the need to address instate tuition for all veterans at public colleges and universities.

It also provides that surviving spouses of those who die in the line of duty will be eligible for the post-9/11 GI bill. This bill also importantly establishes commissions to provide help to the VA in terms of improving scheduling capabilities—God knows they certainly need that help—and also for capital planning.

Lastly—and we need to reiterate this point—this bill gives the Secretary of the VA the authority to immediately fire incompetent employees and those who have falsified or manipulated data in terms of waiting periods.

Our legislation differs from the House in that in order to prevent, in my view, the politicization of the VA or eliminate all due process, it provides for a very expedited appeals process.

The House of Representatives passed legislation yesterday which covers a lot of the same ground the Sanders-McCain bill covers, and I am absolutely confident that working with Chairman MILLER and Ranking Member MICHAUD we can bridge the differences and send the President a bill that he can sign in the very near future.

Finally and lastly, I want to say to the 300,000 employees who work at the VA that the overwhelming majority of those people are hard-working, honest, serious people. For many of them, taking care of veterans is not a job; it is a mission. Many of them are, in fact, veterans themselves. These people understand the sacrifices the veterans have made to protect our country, and they are doing the best that they can to support our veterans.

I hope we pass this bill. I hope we pass a waiver for the budget point of order. I hope we get a conference committee moving immediately, and I hope we get a bill to the President as soon as possible.

Furthermore, as Senator MCCAIN has just mentioned, I don't think this is the end of the discussion regarding the needs of veterans. I hope very much that in our committee and on the floor we can begin to address some of the other very serious issues facing the veterans' community.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The senior Senator from Arizona.

Mr. MCCAIN. I ask unanimous consent for 5 minutes for Dr. COBURN.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. COBURN. I thank the chairman of the Veterans' Affairs Committee for working with Senator MCCAIN to get a bill.

I support Senator SESSIONS and the budget points of order on this bill. I take exception to some of the statements by my colleague from Vermont.

As reported yesterday, if you look at the patient list for many of the primary care doctors in the VA, they are half of what the average practicing physician outside the VA is. When you drill down on those, many of them have patients that have been deceased for years. About 10 to 15 percent of their patient list has never been to the VA, or they came once from a different State or were transferred from somewhere else. What you actually see is the patient load in the private sector is about 2½ times what the patient load is in the VA.

I have no doubt we need to increase the number of physicians in the VA, but we also need to increase markedly the amount of output that those physicians perform.

The other thing that is important in this bill is the transparency—which I don't believe has been mentioned—that will actually allow veterans to know the quality outcomes of where they are being treated and the credentials of those who are treating them. Those are important factors for care.

Our veterans deserve the best care. I agree with the chairman of the Veterans' Affairs Committee that the vast majority of our VA employees are hard-working employees, but there are some who aren't.

Our lack of oversight and the lack of management expertise at the VA has now exploded into issues that are going to continue to be exploded. We hear every day new whistleblowers coming forward on the problems in the VA.

It is not only scheduling; it is a lack of truthfulness in a lot of other areas. It is a lot of inaccuracy in terms of outcome.

I agree with the chairman. This is just the beginning. But if, in fact, somebody puts their life on the line for us, we certainly, at a minimum, ought to make sure that we don't just have words that say we are going to give you the health care if you are an injured returning war veteran, but that we actually give that care, and that it meets the standard of care we want for anybody in our family. This is just the start.

The other thing that I would say, in agreement with Senator SESSIONS, there are ways to pay for this bill.

On the clinics, we drill down on one clinic—and I am going to go spend just a minute talking about it. It is a clinic that will triple in size, but with an average expected increase in veteran population of 5 percent and visits of less than 7 percent over the next 20 years. So it is going to go from 50,000 to 190,000 square feet.

We are going to spend $188 million for that facility and pay $40 a square foot per year for it on a rate of increase of 4 percent in part of the lease. We can rent the same space in Tulsa at $15 a foot and spend less money than we pay for the engineering cost for this to have a clinic just as good or better.

So the planning and the management of the VA on these clinics is suspect, and I plan on drilling down on every one of those before this bill comes to conference and give our conferees the information based on that. Because we are going to spend emergency money, as the chairman would like to do on this, we ought to make sure there isn't a penny that is wasted.

So we can do it. We can do it better, we can do it for less money, and we can do it in the confines of what we are actually going to see.

The final thing is I would say again to my colleague from Vermont, I appreciate his willingness to compromise on the issues. His heart is dedicated to veterans, and I understand that. Our philosophies are different on how we get there, but his commitment is nonetheless real and felt, and I thank him.

I yield the floor.

Mr. SANDERS. I yield back the remainder of the time.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Oregon (Mr. MERKLEY) 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 Kansas (Mr. MORAN), and the Senator from South Carolina (Mr. SCOTT).

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

The yeas and nays resulted—yeas 75, nays 19, as follows:

[Rollcall Vote No. 186 Leg.]

YEAS—75

Alexander	Booker	Cardin
Ayotte	Boozman	Carper
Baldwin	Boxer	Casey
Begich	Brown	Chambliss
Bennet	Burr	Collins
Blumenthal	Cantwell	Coons

Cornyn	Johnson (SD)	Reed
Donnelly	Kaine	Reid
Durbin	King	Rockefeller
Feinstein	Kirk	Rubio
Fischer	Klobuchar	Sanders
Franken	Landrieu	Schatz
Gillibrand	Leahy	Schumer
Grassley	Levin	Shaheen
Hagan	Manchin	Stabenow
Harkin	Markey	Tester
Hatch	McCain	Toomey
Heinrich	McConnell	Udall (CO)
Heitkamp	Menendez	Udall (NM)
Heller	Mikulski	Vitter
Hirono	Murkowski	Walsh
Hoeven	Murphy	Warner
Inhofe	Murray	Warren
Isakson	Nelson	Whitehouse
Johanns	Pryor	Wyden

NAYS—19

Barrasso	Enzi	Roberts
Blunt	Flake	Sessions
Coats	Johnson (WI)	Shelby
Coburn	Lee	Thune
Corker	Paul	Wicker
Crapo	Portman	
Cruz	Risch	

NOT VOTING—6

Cochran	McCaskill	Moran
Graham	Merkley	Scott

The PRESIDING OFFICER. On this vote the yeas are 75, the nays are 19.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to. The point of order falls.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall it pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN) and the Senator from Kansas (Mr. MORAN).

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

The result was announced—yeas 93, nays 3, as follows:

[Rollcall Vote No. 187 Leg.]

YEAS—93

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

NAYS—3

Corker	Johnson (WI)	Sessions

NOT VOTING—4

Cochran	Merkley
McCaskill	Moran

The bill (H.R. 3230), as amended, was passed.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. I ask unanimous consent that the title amendment to H.R. 3230, which is at the desk, be agreed to.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Reserving the right to object, let me inquire of the Senator if it is his intent to speak on that tonight.

Mr. TESTER. In a moment I am going to ask unanimous consent to go into morning business, and I am going to speak on the veterans bill.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. If the Senator from Montana would yield for a question, is there any kind of order established regarding whom would be recognized at this point?

The PRESIDING OFFICER. There is not.

Mr. LEVIN. The Senator from Oklahoma and I thought we would be recognized 1 hour ago. We understood the exigency that there would be some delay.

If we could establish an order—apparently Senator GRASSLEY is waiting to be recognized as well.

May I ask the Senator from Montana how long he would be speaking? Would it be in order?

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. How long am I speaking?

Mr. LEVIN. Yes.

Mr. TESTER. About 7 minutes.

Through the Chair to the Senator from Michigan, it was my understanding that I was going to speak, the Senator would have his colloquy with Senator INHOFE, and then Senator GRASSLEY would speak.

Mr. LEVIN. I thank the Senator.

Mr. GRASSLEY. May I ask the Senator a question.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. How much time is the colloquy going to take?

Mr. LEVIN. I would say about 7 or 8 minutes.

Mr. INHOFE. I think I had the floor, and I was objecting to the UC.

Let me just share that we would—we could—do ours probably in about 12 minutes, and then we could have more time tomorrow, if that would work out.

I withdraw my objection.

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

The amendment (No. 3237) was agreed to, as follows:

Amend the title so as to read:

''To improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.''

The PRESIDING OFFICER. The Senator from Montana.

MORNING BUSINESS

Mr. TESTER. 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, with the time previously agreed to.

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

The Senator from Montana.

VETERANS HEALTH CARE

Mr. TESTER. I rise to speak about the care this Nation provides to veterans—care that they have earned, the care that we owe them, the care that we promised them, and the care that we should never stop working to improve.

I joined the Senate Veterans' Affairs Committee when I came to the Senate in January of 2007. Soon thereafter I launched a listening tour around the great State of Montana to hear what veterans thought about the health care they receive.

Montana has the second-most veterans per capita. We serve our country at some of the highest rates in the Nation. We are home to a large Native-American population that serves more often than any other minority in this country.

In 2007, the surge in Iraq was in full swing. Veterans had many concerns on their minds. But in rural Montana I heard over and over from the veterans about how the mileage reimbursement that disabled veterans receive to see their doctor at the VA was far too low. In fact, it was at 11 cents a mile, hardly enough to even pay for the gas, much less the tires, the oil, and the automobile itself.

That number matters in a State where folks have to drive a couple hundred miles across the State to see their doctor.

So when I came back to Washington I worked with then-Senator Byrd to raise that reimbursement rate for the first time in decades. Now more veterans can afford to see their doctor, and that is how a representative of government should work—identify a problem, write a bill to fix it, work with colleagues, hear their concerns, and pass a solution into law. That is what we have done here today.

Today's bill is a good bill that gets at some of the VA's most pressing problems. Today's bill addresses many of the transparency, accountability, and access-to-care issues that are plaguing

the VA. By getting rid of incentives to falsify wait times and make it easier to remove bad managers, we will hold more folks accountable for the care veterans receive. By making it easier to hire medical professionals and allowing more veterans to seek care from outside providers, we will reduce the bottleneck that forces veterans to wait too long for care.

I want to be clear about one issue. Once veterans get in the door at the VA, they receive incredibly good health care. As a member of the Senate Veterans' Affairs Committee, I continue to travel around Montana to talk to veterans. I speak to veterans' groups around the country as well.

They tell me that VA care is some of the best in the Nation. I have had wives, husbands, daughters, and sons seek me out to tell me what VA is doing right. Additionally, 9 out of 10 veterans report they are happy with the care they receive at the VA. That is important to remember.

It isn't all bad news, but the fact is that while the war in Afghanistan is winding down, and the war in Iraq has come to a close, the struggle for many service men and women continues here at home.

We went to war after 9/11 to fight against terror, to fight for the freedoms that we value in this country, but we didn't think far enough down the road. We didn't think about how we could care for our fighting men and women when they returned from battle.

When I joined the Veterans' Affairs Committee, the VA was starting to recover from years of neglect. In 2007, as Americans fought in the streets of Baghdad, Congress had to pass an emergency budget bill to keep the lights on in the VA. Imagine that—fighting two wars, but we didn't properly fund the department that cares for our troops when they come home.

With better planning and advance appropriations, we have come a long way, but attention spans and new cycles are short.

The bill we passed today is a good start, but it can't be the end of the story. Moving forward, we must make sure that we have all the facts because you can't fix a problem if you don't understand it.

That is why I have already worked with my colleagues to help pass legislation out of committee that will free up more resources for the inspector general's office of the VA to do its job and to make reports from the VA inspector general public and transparent.

The bill also prohibits the payment of bonuses to VA medical directors and senior VA employees until investigations are complete and reforms are made. Our message is clear; that is, that veterans come first.

In the 7 years since I held that first veterans listening session across Montana, since then we have worked with veterans groups to open new veterans centers and community-based out-patient clinics across the State of Montana.

I have helped more veterans get transportation to get to their doctor appointments, and I have helped lead the way to expand the use of telehealth for rural veterans. We did this while working with the VA secretaries from both parties by working across the aisle to write commonsense legislation that meets the needs of veterans and their families. Not only should improving veterans care be an unrelenting focus for this body but it must be a nonpartisan one.

Improving mental health care for veterans is not a partisan issue. Improving veterans' ability to get a good job is not a partisan issue. Making sure that veterans get the care they have earned, the care that we promised them when they signed up to fight should never be a partisan issue.

Let's keep working together to honor the sacrifices made by our fighting men and women, as well as the families who anxiously wait for them back home.

On Saturday morning I will be in Anaconda, MT, kicking off my latest veterans listening tour to get more ideas about how we can improve the services and care for veterans.

I know that many of my colleagues are holding similar sessions in their States, and I look forward to hearing what ideas they bring back so that we can work together to improve veterans health care.

If this bill is the end of this Congress's work on veterans issues, it will be disappointing to me and it will be disappointing to the veterans out there who put their lives on the line to defend our freedom.

We have more work to do, and I hope it doesn't require another crisis to get it done.

I wish to thank BERNIE SANDERS for his great work on this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. LEVIN. Before the Memorial Day recess, the Armed Services Committee voted 25 to 1 to favorably report out S. 2410, the National Defense Authorization Act for Fiscal Year 2015.

The bill is on the calendar, and both it and the committee report have been filed and are available online and in print.

As the chairman and ranking member of the Armed Services Committee, Senator INHOFE and I hope to bring the bill to the Senate floor as soon as the Senate schedule allows. I have talked with the majority leader about it, and he says he is going to do his best, but there are a number of things that we can do to be helpful on this effort.

Neither of us wants to be in the position that we were in last year when Senators were unable to take up the bill and vote on any amendments to this important legislation because of how close it was to the end of the session when it was brought up.

Both of us are on the floor today urging Senators who are considering amendments to the bill to file them before the July recess.

We would then be in a position—both of us, with our staffs—to work with Senators to clear as many amendments as possible for inclusion in a manager's package and to begin identifying relevant amendments that would be likely to be contested.

Now, we believe if we can develop a list of a few relevant amendments that would require votes to start with when we first take up the bill, it would help us in getting to the floor. I believe that is the case, given the circumstances the Senate is in.

We have an awful lot of work ahead of us. We don't have a long time to do it. If we were able to put together a proposal to the leaders, that we have not only the bill, which is obviously on the calendar we have worked on a bipartisan basis to pass with the 25-vote majority—which is minus 1 vote in the Senate—it would be our belief this would have greater practical appeal to our leaders.

We think this approach would enable us to reach unanimous consent as to an initial set of relevant amendments to be considered so we could then move forward expeditiously when the Senate returns to the bill. I hope our colleagues will help us in this matter.

I think it is in everybody's interest and it is in the national security interest that we have a bill before us. We have to pass a bill in order to go to conference with the House or else we are put in the same kind of position we were in last year, where we simply present what amounted to a conference report before a bill had ever been truly debated and sent. We and our staff, working with colleagues, put together what amounted to a conference report, which was not a conference report in technical terms but was in effect the work product of both the Senate and the House and our committees by process of negotiation.

So our colleagues can be very helpful in getting this bill to the floor, meeting the concerns of our Nation and doing what we should be doing for our troops and our families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I first say and express my appreciation to Chairman LEVIN. We hear a lot of talk about bipartisanship and people getting along. That is usually just talk. In this case, it is real.

We have a committee of Democrats and Republicans concerned about defending our Nation with totally inadequate resources. Chairman LEVIN has responded every time we have had some kind of a controversial matter come up. Then our staff—Peter Levine

is the staff director for the majority and John Bonsell is the staff director for the minority—I have yet to call them when issues come up that we haven't been able to get this done, and this is kind of unusual. This doesn't happen in the Senate in very many committees.

I believe, and have always said, the NDAA is the most important bill of the year, keeping in mind we have actually passed one for 52 consecutive years. This is something that has to be done.

We adopted the National Defense Authorization Act on May 22, as the chairman said, 25 to 1, which doesn't happen very often around here. It contains a lot of vital work we have to do and it is within the budget caps.

I think it supports the training of the troops, the maintenance and modernization, research and development, and the pay and benefits. These are tough issues to negotiate, but we have done that, and we have it ready for more action.

What we don't want is what happened last year. Last year we had a lot of amendments. We on the Republican side were wanting to have all these amendments. I think we are entitled to amendments. We did a count last year of how many amendments were on the average bill. It was something like 140 amendments. We didn't have nearly that many requests, but we were able to get them in.

If we start now, we can do that. So I wish to tell my Republican colleagues that I don't want them to come back and start complaining later on, if we don't start getting amendments now so we can hash them out, find out what is acceptable, and find out where the opposition would be. But we don't want to wait until the end of the year.

It got so close last year, as we were approaching December 31, and we all know that if we don't have a Defense authorization bill by that time, hazard pay is at risk, reenlistment bonuses won't be paid. Stop and think about the cost. Right now, if we were to hire a person in training to be an F–22 pilot, the cost is $9 million. However, the retention bonus for over a 9-year period could be $225,000. Look at the economics of it. We don't want that to happen.

Last year we were able to get a bill. It is the first time I have ever participated in a ''big four'' meeting. Actually, three of us sat down because we had one no-show. So three of us put together a bill in a period of time, tried to consider all the amendments, and most people were pretty satisfied with it, but that is not the way it is supposed to happen.

We are going to have a lot of amendments. We always do. The only way we are going to be able to do this is to get this out on the floor. I think it needs to be passed before the end of the fiscal year. So I invite my friends on both sides of the aisle to bring down their amendments.

Let me again say how appreciative I am personally of having worked with CARL LEVIN in this process and with the staff, who have been so easy to work with, and so competent and professional.

Mr. LEVIN. If the Senator will yield.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I thank Senator GRASSLEY for his patience.

Senator INHOFE and his staff worked extraordinarily well with us on this side of the aisle. It is a bipartisan bill. It is a bipartisan committee. Senator INHOFE has helped in a very important way to maintain this bipartisan tradition of our committee. I thank him for the remarks, and I thank him and his staff.

I hope our colleagues will listen to what we both are urging them to do. Let us take a look at the amendments now, instead of waiting and waiting and waiting. Because if we look at amendments now, we increase our chances of getting this bill to the floor earlier rather than later.

I thank the Presiding Officer and my friend from Oklahoma.

Mr. INHOFE. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

IMMIGRATION

Mr. GRASSLEY. Mr. President, I come to the floor to address two issues, a shorter issue on immigration and a longer issue on the student loan program, particularly in reference to legislation offered earlier this morning.

On immigration, this morning, Secretary Johnson appeared before the Judiciary Committee. We had a chance to ask a number of questions related to the administration's release of 36,000 criminal aliens, for what reasons the Department voluntarily did release them—especially convicted murderers—and what they are doing to track down and keep track of where these people are. I didn't get answers, but the Secretary committed to respond in writing about the matter, and I thank him ahead of time for doing that.

I also asked about data on countries that refuse to cooperate in taking back their nationals. Today I am introducing a bill with Senator INHOFE to fix this situation and allow the government to detain foreign nationals who pose a threat to our homeland. I have a longer statement on that issue.

Finally, I mention that the Secretary of Homeland Security answered a lot of questions related to unaccompanied children coming to the United States, mostly from Central America, and entering our southern border.

I agree we do have a humanitarian problem. These are vulnerable children whose lives are on the line. They are escorted by strangers for the most part, away from their families in some cases, and each of these young people probably not understanding what lies ahead.

When in custody, our government makes an attempt to reunite them with their families. However, sometimes the government is handing them over to nonrelatives, which concerns me because of the potential of placing them in the hands of pimps and traffickers.

As I said this morning in the committee, these children are being lured into these dire circumstances by false promises. That is evident from the interviews being done with the children.

Already, border agents and intelligence analysts have been interviewing the youth to understand why they are migrating at this particular time. Today I received a document that summarizes the findings of these interviewers. The document, while it does not have any author or official seal, was apparently done to summarize the interviews of individuals crossing the border along the McAllen, Rio Grande City, and Weslaco stations.

Two hundred thirty subjects were interviewed from several countries. An overwhelming majority said they were coming to the United States to take advantage of the new U.S. law that grants a free pass to unaccompanied children and female adults traveling with minors. That so-called free pass refers to a Notice to Appear document issued and then saying they are released on their own recognizance pending a hearing.

There is no new law. There is a new bill that passed the Senate 1 year ago but not through the House of Representatives, and it may never be. So there is no new law granting a free pass to unaccompanied children and female adults traveling with minors.

Specifically, this report states:

> A high percentage of the subjects interviewed stated their family members in the U.S. urged them to travel immediately, because the United States Government was only issuing immigration [free passes] until the end of June 2014.

The report states that:

> The issue of free passes was the main reason provided by 95 percent, plus or minus, of the interviewed subjects.

So while I understand there are a lot of factors involved, we cannot ignore the fact that these children are coming or are being forced here because of a belief on their part that they will never be deported.

We can say that is thanks to the Obama administration because this administration has refused to be serious about immigration enforcement. The President needs to send a signal right away, if he wants to stop this catastrophe from happening, that the laws will be enforced.

Instead of reviewing deportation policies and suggesting ways to remove fewer people, the President should task Secretary Johnson with finding ways to actually enforce the laws we have on the books.

We must send a very strong signal that there is no benefit and no avenue

for them to remain in the United States. We must do this so the children are not lured into dire situations in the future. Even before they cross the border into the United States, they are probably already in circumstances we would consider a dire situation.

STUDENT LOAN DEBT

Mr. GRASSLEY. In fiscal year 2014, the U.S. Department of Education will make about $112 billion in Federal direct loans to students. The Federal Government already holds more than $1 trillion in student loan debt. So that makes the U.S. Department of Education one of the country's largest lenders. Total student loan debt in the United States is now second only to mortgage debt, and about 90 percent of all student loans happen to be issued by the Federal Government.

When elected officials say we have a student loan crisis because too many students owe more than they can afford to repay, we have to keep in mind who it was and is that made those loans to students in the first place.

It was, in fact, Uncle Sam.

What is one of the first things a Federal regulator looks at when a private bank issues a loan? They look at whether the bank has confirmed the ability of the borrower to repay. Federal student loans are given out without a credit check or any analysis of the student's ability to repay the loans in the first place.

The fastest growing category of student loans is Federal unsubsidized student loans, which are given out regardless of need. That means that students across this country get an award letter from their college saying they are eligible for thousands of dollars in Federal loans, even though in many cases they may not need all of those loans to cover their tuition and other costs. Colleges are required to offer the full amount of Federal student loans for which the student is eligible even if a financial aid counselor at that university knows that a student is borrowing more than the student needs and even if that counselor realizes they will have trouble repaying. If a private bank followed these same tactics and gave out loans on these terms, that bank would be accused of predatory lending. These easy-money policies may even be helping fuel tuition increases, which then obviously makes the problem even worse. A Federal government trying to help a student and at the same time maybe giving incentives to increase tuition actually is not helping that student in the long run.

Between Federal student loan policies that effectively encourage overborrowing and the lack of good jobs for college graduates in this current economy, it is no wonder that so many college graduates find themselves in over their heads with student loan debt.

Unfortunately, for all the concerns we have heard expressed on the Senate floor about excessive student loan debt, my colleagues on the other side of the aisle decided to play election-year politics with this issue rather than tackle any of the root causes of the problem. In fact, when it comes to economic growth and job creation, the first rule ought to be do no harm. By including yet another massive tax increase, the bill the Senate declined to take up would have only added to the list of tax and regulatory burdens currently choking our economy.

We should be intensely focused on removing burdens to economic growth and as a result have some job creation. Instead, the policies we see from the other side of the aisle seem to be based on the old European model of accepting anemic economic growth and trying to make up for it with debt-financed government handouts for as long as possible.

I just referred to an old European model because many countries in Europe have already rejected this failed approach and instead have sought to reform entitlements, cut spending, and reduce taxes—measures we ought to be taking right here in the United States. Our goal should be to expand opportunities for young people and the middle class and not add them to the welfare state.

Incidentally, the President's recent so-called Executive action on student loans shows that he shares the same outlook of assuming a stagnant economy for the foreseeable future. He is talking about making people who graduated years ago retroactively eligible for programs enacted in 2010 that allow students to lower their monthly payments if they have a lower income. First of all, that happens to be a very transparent admission that many students who graduated near the beginning of President Obama's first term in office still don't have good-paying jobs halfway through the second term. What he doesn't tell you is that when you lower your student loan payments, you will pay off your loan more slowly and obviously accumulate more interest. In other words, you will eventually end up paying a lot more to Uncle Sam than you otherwise would have. When banks were offering adjustable-rate or interest-only mortgages, they were criticized for taking advantage of borrowers who would be faced with bigger payments down the road.

The pay-as-you-earn program may be useful tools short term for those in distress, but it will cost every one of them in the long term; that is, assuming you ever get a job that pays well. However, the second part of the program says that if you still haven't found a job that pays well enough to pay off your loan after 10 years, your loan will be forgiven if you work for the government or a nonprofit or after 20 years if you work in the private sector, which apparently is considered less worthwhile. And who foots the bill when these people get their loans forgiven? The American taxpayer will pay for those people's college loans.

Creighton University Professor Ernie Goss has analyzed the President's plan and thinks it is a poor use of taxpayer funds. This is what he said:

> A lot of these men and women that are out there working don't have kids in college, won't have kids in college, and it's a big transfer of income to those of us who have university educations or particularly those of us who are in university education.

So increasing Federal subsidies for colleges at the expense of the American taxpayers who work hard to pay for their own bills just encourages colleges to keep increasing tuition.

Furthermore, expanding a program designed to help student loan borrowers who still cannot afford their student loan payments 10 or 20 years after graduation looks a lot like planning for further economic stagnation typical of the last 4 or 5 years rather than focusing on improving economic growth and resultant job creation.

The political messaging bill the Senate declined to take up today would also do nothing to address the problems of students borrowing more than they will be able to afford to repay in the first place. I have a bill that will help with that problem.

The Higher Education Act already contains a requirement for colleges to provide counseling to new borrowers of Federal student loans; however, the current disclosures in the law do not do enough to ensure that students understand what kind of debt they will face after graduation. My bill, which I have entitled ''Know Before You Owe Federal Student Loan Act,'' strengthens the current student loan counseling requirements by making the counseling an annual requirement before new loans are disbursed rather than just for first-time borrowers.

My bill adds several key components to the information institutions of higher education are required to share with students as part of loan counseling. Perhaps most significantly, colleges would have to provide an estimate of a student's loan debt-to-income ratio upon graduation. This would be based on the starting wages for that student's program of study and the estimated student loan debt the student will likely take out to complete the program. That way, students will have a very real picture of the student loan payments they will face and whether they will be able to afford those payments with their likely future income.

Students will also be provided with information about the higher risk of default if they have a projected loan debt-to-income ratio greater than 12 percent. They will be told that they should borrow only the minimum amount necessary to cover expenses and that they do not have to accept the full amount of the loans offered.

Students will also be given options for reducing borrowing through scholarships, reduced expenses, work-study or other work opportunities.

Because adding an extra year of study can significantly increase student loan debt, an explanation will be

provided about the importance of graduating on time to avoid additional borrowing and the impact of adding an additional year of study to the total indebtedness.

Finally, the bill requires that a student manually enter either in writing or through electronic means the exact dollar amount of the Federal direct loan funding the student desires to borrow. The current process almost makes borrowing the maximum amount the default option. If you want to borrow less than you need to borrow, you have to ask for less. Students may wrongly assume that the Federal Government has determined this is the appropriate amount for them to borrow when in fact the government doesn't know anything about that student's situation. Surely the Federal Government would not lend them more than they can afford to repay, right? No, that is wrong. This provision will ensure that students make a conscious decision about how much they borrow rather than simply accepting the total amount of Federal student loans for which they are eligible.

I should add that good college financial aid counselors can and do advise students not to borrow more than they need, but the process itself needs to be reformed to give them the proper tools.

In fact, the reforms I have outlined were inspired by efforts already underway in my home State of Iowa. Grand View University in Des Moines, IA, has a financial empowerment plan where students and families construct a comprehensive 4-year financing plan. Under this plan, borrowing is based on the student's future earning potential in the student's field of study. The 4-year plan also helps ensure students graduate on time, and tuition is capped at 2 percent a year over those 4 years.

Iowa Student Loan—our State-based nonprofit lender—also has a program called Student Loan Game Plan, which is an online, interactive resource that calculates a student's likely debt-to-income ratio. It walks students through how their borrowing will affect their lifestyle in the future and what actions they can take now to reduce their borrowing. As a result, in the past year over 15 percent of the students who participated decreased the amount they had planned to borrow by an average of $2,536, saving Iowa students over $1 million in additional loan debt.

Finally, my own alma mater, the University of Northern Iowa, has a program called the Live Like a Student Program. This involves a number of resources to help students learn to manage their finances better, including 3-week courses, one-on-one counseling, and workshops.

We often tell prospective college students that they will earn on average $1 million more during a lifetime. It is true that college generally is a good investment; however, when a student's academic dreams become a nightmare—and usually upon graduation that happens because they borrowed more from the Federal Government than they can afford to repay on their starting salary—they understandably feel that they have been had. And by whom? Their own government.

The Federal Government, as the lender making these loans, has a responsibility to at least ensure that students know what they are getting themselves into before they get in over their heads. This legislation I described that will be introduced will do that.

I would urge my colleagues to take a look at that piece of legislation. I would ask them to support it and join as a cosponsor so collectively we can help prevent more students from drowning in Federal student loan debt.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

VETERANS HEALTH CARE

Mr. WHITEHOUSE. Mr. President, I very much appreciate the efforts of Senator MCCAIN and Senator SANDERS to get the VA health care bill through the Senate. However, I was somewhat disappointed with how abrupt and abbreviated the amendment process was; to wit, there was none. As a result, I think some very good amendments never had a chance to be considered. One of those amendments was mine, and I would like to discuss it briefly because I think it is something the Senate should pursue.

I will note that everybody I spoke to about it—Republicans and Democrats alike—liked the amendment and thought it made sense. So I will describe it.

A little background: Some time ago, as we entered the computer age, we figured out that there were better ways to maintain health records than in cardboard file folders stuffed away in file drawers. One of the leaders in solving that problem—lost information buried in file folders—was the Veterans' Administration. They developed one of the best electronic health records in the country. For years they were leaders in the technology of electronic health records. To this day, the VA electronic health record system is one of which they can be proud.

It has one flaw, and that flaw is that it is limited to Veterans' Administration medical facilities and Veterans' Administration medical providers. If a veteran in Rhode Island is walking through Providence and trying to cross the plaza in Kennedy Square and gets hit by a vehicle and rushed to the Rhode Island Hospital emergency room, the Rhode Island Hospital emergency room has no access to that veteran's electronic health record.

At the same time a number of States have really stepped up not only to have electronic health records but to have a hub that exchanges the information in an electronic health record. So when you go to get an MRI or go to see a specialist or are taken to an emergency room or have a lab test, the results of that encounter are loaded automatically into your electronic health record. That can only work if you have the whole system pulling together, and some States are doing that.

Now you have the difficult situation where there are States that are building an information network for health records and the Veterans' Administration, which has one of the best electronic health records in the country, is not participating in that local effort to tie the medical system together for the benefit of local folks. That is an oversight that needs to be corrected, and my amendment would encourage and support the Veterans' Administration in taking its electronic health records and connecting them to the information exchanges that are growing.

In Rhode Island it is called Current Care. It is run by the Rhode Island Quality Institute. It does a phenomenal job. We are reaching out to veterans to do it voluntarily, but it has been a real chore to work with the Veterans' Administration to move this along. It has taken an enormous amount of time despite the goodwill of the people involved. There has not been much in the way of resources available. We have had to go to private and nonprofit and charitable sources to try to fund this. That doesn't make sense.

This bill is particularly important—where we are providing more out-of-network access for veterans and more ability for veterans to go to doctors that will not be in the electronic health network record—because it would allow the very good electronic health record of the Veterans' Administration to connect with these emerging electronic health records information networks. It is simply leaving veterans behind to leave them out under these circumstances.

I hope I will have a chance to move this legislation on some other vehicle, but I have to say, as important as this bill was, it was disappointing that a piece of legislation as simple as mine—an amendment that would have enjoyed extraordinary bipartisan support and probably would have been agreed to on a voice vote—never had a chance to see the light of day because, as I said, of the abbreviation and abruptness, to put it mildly, of the amendment process.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish to begin by thanking a number of my colleagues, most especially our good friends who are very active Members of this body, Senators SANDERS and MCCAIN, for acting in a very bipartisan and courageous way to enable us to reach a compromise and vote on a truly historic step forward—as we did recently—to begin to bring an end to this crisis in our health care system and the VA.

I also thank my colleague from Rhode Island for his amendment, and I

hope it has some support in some form—as it and other amendments deserve as well—because as commendable as the bill is, it certainly does not solve all of the problems in the VA health care system, let alone the VA.

Let's recognize that the disability claims backlog persists. The bureaucratic rigmarole and sclerotic bureaucracy of the VA in many parts of the country continue to plague our veterans, and we need to recognize that top to bottom the VA needs an overhaul in its culture as well as its management. But this bill represents a good faith and effective way to respond initially—the beginning of a solution to a health care crisis that is decades long in the building. The delays in the VA health care system are well known and longstanding.

I spend a lot of time, as a member of the Veterans' Affairs Committee as well the Armed Services Committee, listening to veterans. I have a veterans advisory council that gives me extraordinarily insightful and important advice. I make a point of visiting the VA health care facilities all around Connecticut, and I spend a lot of time in places where veterans gather, such as the Veterans of Foreign Wars, the American Legion, and others. Listening to them is a major source of information for me in forming my judgment about what should be done with the VA health care system. What I hear from them—most commonly—is that the health care is good, but it takes too long to get it. The doctors, nurses, and health care providers do very good work, but it takes too long to see them. The delays are what our veterans find most troubling about this system.

What we have seen—disclosed first by CNN and then by others—is not only delays but false record keeping to disguise those delays and falsification of documents and lists to hide a failure to meet deadlines—in fact, to provide timely care. That kind of falsification of records and destruction of documents, and, in effect, cooking the books and then covering it up goes beyond simply delaying health care. It is, in effect, a form of fraud. We have taken a first step here to meet the immediate needs and help end the delays.

This bill will enable veterans to seek private health care at private facilities or private clinics or private hospitals if they have to wait too long or live too far away to make use of the VA facility.

It also increases resources—a longer-term effort to provide more doctors and fill the 400 vacancies that exist right now. Those resources are vitally necessary, not only to provide more providers but also to rebuild, renovate, and construct new health care facilities.

In providing more resources, this bill will also aid 26 VA facilities, such as the Errera clinic and facility in West Haven.

It also imposes accountability. It makes sure that officials in the VA who are incompetent or corrupt can be fired more easily and that bonuses or promotions can be stopped for those officials who betrayed a trust. It also shows that what is necessary here is more money and better management—not one or the other. Both together are necessary to really serve our veterans with the health care they deserve, which is first class, world class health care and nothing less. That is what our Nation's heroes truly deserve, and more and more of them will be making use of that health care—2 million more over the past 5 years and millions more over the next 5 years. That burden is not something to be addressed at the margins. It has to be addressed head-on and fully and generously because that is the promise we made to our veterans—first class, world class health care, and nothing less.

I will close by saying that accountability means something more than just firing corrupt or incompetent officials. It means holding them responsible for criminal culpability when they cook the books, falsify records, make false statements, and in effect lie to the American people as well as to their superiors in the VA. That will require a criminal investigation by the Department of Justice, which is the only law enforcement agency that has the resources, expertise, and authority to conduct a prompt and effective criminal investigation on the scope and scale that is required.

There are more than 50 locations where evidence of criminal culpability has been found. Thirteen percent of VA schedulers have indicated to the auditors that they were coerced or threatened into adopting, in effect, improper practices. Another 8 percent kept secret or unofficial lists, and many at those facilities and others may have cooked the books. I am not jumping to conclusions. I am not rushing to judgment. That is why an investigation is necessary and appropriate.

Only the Department of Justice can convene a grand jury. Only the Department of Justice has the FBI resources. The VA inspector general has 165 investigators for the whole country, and that is not enough. That is simply not sufficient for this investigation.

The VA is overwhelmed and overworked in its health care facilities, caseloads, and the needs that VA clients and patients are bringing to these facilities. The VA does some things very well when it comes to amputees, post-traumatic stress, traumatic brain injury, and many kinds of injuries associated with the battlefield. Combat medicine is more advanced than it has ever been before, and the VA is part of a very progressive effort to increase and to deliver health care more efficiently to that population.

But the population of veterans who have fought in the longest wars in our history—although they may be a smaller part of our population than ever before in our wars—has been through multiple deployments, and they deserve the kind of intensive and comprehensive health care that the VA has committed to provide, and that will take more resources.

This bill is a beginning. It is only a downpayment on what we owe our Nation's finest and bravest. We owe them the best that we can provide in health care and nothing less. That is part of what we promised, and that promise must be fulfilled. Thanks to the action of this body today we have begun on that path.

I urge the House of Representatives to adopt this measure and to help us fulfill that promise. I hope they will do it soon.

Thank you, Mr. President.

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

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

The assistant legislative 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.

WORLD REFUGEE DAY

Mr. REID. Mr. President, I rise today in recognition of World Refugee Day on June 20. On December 4, 2000, the United Nations General Assembly decided to designate June 20 as World Refugee Day. Each year on this day, we have an opportunity to honor the women, men, and children who have faced such extreme persecution, conflict, and violence that they have been forced to flee their homes and their communities. I am as saddened by their losses as I am impressed by the strength, courage, and resilience demonstrated by their commitment to protecting their families and building new communities around the world.

There are more than 45 million refugees and internally displaced persons globally. With so many people unable to return to their homes, I am proud to be part of a nation that was built on the basic principle that all men and women were created equal and that all people have basic rights, no matter where they come from. Since 1975, our great Nation has welcomed more than 3 million refugees, and we continue to allow thousands of refugees to permanently relocate here every year. The United States is also the world's largest donor to the Office of the United Nations High Commissioner for Refugees.

Today, we recognize that every minute, eight people leave everything behind to escape war, persecution, or terror. We recognize that nearly half of all refugees are younger than 18 years old. We recognize that, even after fleeing from conflict and persecution, refugees continue to face numerous challenges, from providing food for their families to persevering through homesickness and loss. We recognize that we are a nation that shares our home with those who cannot return to their own.

STUDENT LOAN DEBT

Ms. MIKULSKI. Mr. President, I am proud to rise today to support the Bank on Students Emergency Loan Refinancing Act. This bill would allow eligible students refinance their Federal loans, transfer private loans into Federal loans with better interest rates, and eliminates tax loopholes for millionaires and billionaires. This bill would help more than 25 million students in the United States, including 481,000 student borrowers in Maryland.

Middle-class families and their children deserve a fair shot at higher education. Students deserve fair, affordable loans to help them get the education they need to succeed, and the working women of America deserve a fair shot at fair pay with equal pay for equal work. Right now, millions of American students are graduating from college and universities, but as they are handed their diplomas, they are being handed a lifetime of debt. The average student debt for 2012 college graduates was $29,400, and for the first time in U.S. history, student loan debt topped credit card debt at $1 trillion. When you are fresh out of college and paying living expenses and investing in a 401(k), these loans add up and become burdensome.

This especially affects young women struggling to pay debts against a wage gap. College-educated women earn just 82 cents for every dollar a man makes, but they don't get an 18 percent wage gap discount on their student loans. How can we expect women to achieve their dream when they are burdened with crippling debt and fighting against a wage gap that continues to grow over time?

Recently, a Maryland woman wrote to me. She is a single mother and was on welfare for 9 months after giving birth to her son but said she did not want to become a statistic. She pursued higher education so she could improve her life. She got a bachelor's degree and a master's degree and graduated in the top 5 percent of her class. While attending school, she worked full time and raised her son. She enrolled in an income-based loan program and despite paying more than requested each month, her interest rate has increased. She cannot care for her son and pay off $63,000 in student loans without assistance in refinancing her loans.

The women of America want more. Women make up almost half of the workforce and 40 percent are the sole breadwinners for families but still only make 77 cents for every dollar a man makes. African-American women earn 62 cents and Hispanic women earn 54 cents. Even if they have the same grades, degree, and job title, women are consistently paid less in their first job out of college. On average, women will lose more than $431,000 over their lifetimes because of the wage gap. This doesn't just affect student loans; It affects their contributions to Social Security, pensions, and retirement security.

I am so proud of America's women. We have accomplished so much. We have gone to space, become CEOs of Fortune 500 Companies and even made it into the U.S. Senate. Today, women are graduating from higher education in record numbers. It is time to help them get a fair shot at achieving their dreams. That starts with equal pay.

Getting a college education is the core of the American dream. I am fighting to make sure that every student has access to that dream. Let's work together to make sure that when students graduate, their first mortgage isn't their student debt. Carrying the burden of student loans drags down young people's financial future, making it harder to buy a home, start a family, or save for retirement. I support Senator WARREN's bill because it reduces debt and fights for American families. It lowers interest rates, giving everyone a fair shot at repaying their loans for a more secure financial future because women deserve a fair shot at getting equal pay for equal work.

I have said this often, but we in this country enjoy many freedoms: the freedom of speech, the freedom of the press, the freedom of religion. But there is an implicit freedom our constitution doesn't lay out in writing, but its promise has excited the passions, hopes, and dreams of people in this country since its founding. The freedom to take whatever talents God has given you, to fill whatever passion is in your heart, to learn so you can earn and make a contribution—the freedom to achieve.

When I was a young girl at a Catholic all-girls school, my Mom and Dad made it clear they wanted me to go to college. But right around graduation my family was going through a rough time because my Dad's grocery store had suffered a terrible fire. I offered to put off college and work at the grocery store until the business got back on its feet. My Dad said, ''Barb, you have to go. Your mother and I will find a way, because no matter what happens to you, no one can ever take that degree away from you. The best way I can protect you is to make sure you can earn a living all of your life.'' My father gave me the freedom to achieve. And this legislation will give millions of Americans that same freedom without adding a dime to the deficit.

Senator WARREN's legislation should be passed in a swift, expeditious, and uncluttered way. It gives our students access to the American dream. It gives our young people access to the freedom to achieve, to be able to follow their talents, and to be able to achieve higher education in whatever field they will be able to serve this country.

While our work isn't done when it comes to ensuring access to affordable higher education, this bill helps us get there. While these bills will fix the problem today, I will continue to work with my colleagues to figure out a longer-term solution.

Mr. JOHNSON of South Dakota. Mr. President, I wish to discuss the Bank on Students Emergency Loan Refinancing Act (S. 2432). Student loans in this country are at an unprecedented $1.2 trillion and now exceed credit card debt as the largest consumer debt market after mortgages. Unfortunately, unlike mortgages, student borrowers are unable to take advantage of the low interest rate environment and many borrowers are stuck in high fixed-rate loans for 20 or more years. This means that these borrowers must delay, or put off permanently, other financial decisions such as buying a home, saving for retirement, or starting a small business. This is not just a ''young American'' issue—recent data shows that individuals of every demographic have increasing student debt burden, and the impact of those with student debt being unable to fully participate in the economy will affect all Americans for years to come.

This issue is particularly important to me, as South Dakota has the highest proportion in the country of residents with student loan debt. That is why I have signed on to co-sponsor Senator WARREN's bill to refinance student loans, and why, as chairman of the Banking Committee, which has jurisdiction over student loans made by private lenders, I will work to consider all actions that can be taken to address both existing and future student debt.

RELEASE OF CRIMINAL ALIENS

Mr. GRASSLEY. Mr. President, in the last few weeks, startling data from the Obama Administration has revealed that the Department of Homeland Security has released over 36,000 aliens with criminal convictions into the United States.

According to responses to some Members of Congress, Secretary Johnson has acknowledged that 36,007 convicted criminal aliens were released from Immigration and Customs Enforcement custody in fiscal year 2013. Many of these aliens had multiple convictions. In fact, among the 36,007 aliens released, they had nearly 88,000 convictions.

Data prepared by ICE, and reported by the Center for Immigration Studies, shows that among the criminally convicted aliens released into American communities were: 193 homicide convictions, including one willful killing of a public official with a gun, 426 sexual assault convictions, 303 kidnapping convictions, 1,075 aggravated assault convictions, 1,160 stolen vehicle convictions, 9,187 dangerous drug convictions, and 16,070 drunk or drugged driving convictions.

I have repeatedly said that this administration has failed the American public by refusing to enforce the laws on the books. This administration has turned a blind eye to those who have broken the law and have irresponsibly exercised their executive authority to find a way to allow people here unlawfully to remain in the country.

In failing to enforce the immigration laws, the administration has betrayed its responsibility to protect the public safety of the American people.

President Obama's administration has continually stated that they are focused on enforcement against the worst of the worst convicted criminals. Yet they are releasing thousands of aliens every year with serious and, in many cases, violent criminal convictions.

ICE has responded to criticism by declaring that many of the individuals released were under supervisory restrictions. These restrictions range from bond to ankle bracelets to a periodic telephone call to a designated ICE phone line. Some individuals, however, are issued an order of recognizance and therefore are under no supervision at all.

Is the American public supposed to feel safer because the same administration that released violent criminals into our communities claims to be monitoring them? Is the American public supposed to trust these aliens convicted of crimes and are here unlawfully to follow the terms of their release?

Despite requests, ICE has failed to specify the nature of the release conditions placed upon these violent criminal aliens. In the interest of public safety, we should all demand to know the release conditions of those aliens released who have been convicted of violent crimes.

The administration is also claiming that many of the individuals they released in 2013 were due to the 2001 U.S. Supreme Court decision in Zadvydas v. Davis. This decision limited the Federal Government's ability to detain aliens who have been ordered removed.

This case sets the pitiful precedent that aliens subject to final orders of removal, including ones convicted of a crime, cannot be held longer than 6 months and will be released in the United States if their home country refuses to take them back or their home country simply delays the U.S. government's request for a travel document. Other countries know that—because of the ruling in Zadvydas—they can simply run out the clock on issuing travel documents for the criminally convicted individual. Therefore, we have aliens, with no legal right to be in the United States, unwanted by their own country, being released into the country by our own administration.

This Supreme Court decision has had a detrimental effect on our ability to obtain travel documents from foreign countries and effectuate removal orders. Many countries refuse to take back their criminal aliens, leaving us no choice but to release them into our own communities.

This precedent needs to be corrected. The administration has relied upon the ruling in Zadvydas to release thousands of criminally convicted aliens. However, they have refused to help fix it. In fact, the Senate immigration reform bill that they supported does not include a fix to the 2001 Supreme Court decision. They have not asked Congress to extend the length of time they are allowed to detain foreign nationals with final orders of removal.

That is why I am cosponsoring the ''Keeping Our Communities Safe Act'' being introduced today by the Senator from Oklahoma. His bill would close the legal loophole that requires ICE to release dangerous criminals onto the streets of America. It would allow ICE to detain non-removable immigrants beyond six months if the alien is a national security threat or is a threat to the safety of the community and has a past violent crime conviction.

In addition to hiding behind the Supreme Court decision, the administration has refused to use the tools at its disposal to get countries to cooperate. Federal law allows the Secretary of State to discontinue granting visas to all residents of a country that refuses or unreasonably delays taking back its aliens facing deportation from the United States.

Secretary Johnson, at a House Judiciary 2 weeks ago, acknowledged that in his capacity as Secretary, his department has never asked the Department of State to use this authority. This visa sanction authority has only been invoked one time, in 2011 against Guayana, within 2 months Guayana issued travel documents for 112 of 113 aliens ordered removed from the United States to Guayana. This tactic has been proven effective and Secretary Johnson should be employing this measure.

Of the 36,000 persons released in 2013, ICE claims that 3,652 were due to the 2001 Supreme Court decision. So, only a small portion of those released were mandatorily released under Zadvydas.

While thousands of criminally convicted aliens have been released into the United States, both at ICE's discretion and due to bad Supreme Court precedent, President Obama has called for a reduction of immigration detention capacity by 10 percent.

The simplicity of this idea seriously calls into question this administration's management capabilities. The fact that thousands of people are being released from detention clearly suggests that ICE needs more beds, not less, in order to avoid releasing more criminally convicted aliens into America.

This administration is knowingly putting the safety of the American people at risk. Releasing violent criminals into the American population should cause great doubt about this administration's ability to enforce current immigration laws.

ICE needs to provide the American people with more information about the criminal aliens it releases. ICE needs to tell the American people what terms of release are given to what criminal offenses. ICE needs to tell the American people what types of criminal offenses it deems appropriate to release at their own discretion.

ICE needs to tell the American people how many of these criminally convicted aliens comply with the terms of their release. ICE needs to tell the American people how many of these criminally convicted aliens commit further crimes after being released. ICE needs to tell the American people how many of these criminally convicted aliens who are released become fugitives.

This administration tells us to trust them. They say they are removing more people than ever before. They claim the immigration bill passed by this body will solve our problems. Yet they have failed us and the American people. They continue to turn a blind eye to lawbreakers and refuse to take this matter seriously.

There should be more outrage about the news coming from this administration. Releasing 36,000 criminal aliens is a serious matter and one that better be fixed soon for the sake of the American public.

LAUCK NOMINATION

Mr. WARNER. Mr. President, I wish to speak in support of a fellow Virginian as President Obama's nominee to the U.S. District Court for the Eastern District of Virginia, Judge Hannah Lauck. When confirmed, Hannah will become the first woman judge on the Federal trial bench in Richmond, VA.

Hannah is exceptionally well qualified to carry out the duties and responsibilities of a Federal district judge.

Hannah earned her bachelor's degree, magna cum laude, in 1986 from Wellesley College, where she was also elected to Phi Beta Kappa.

She went on to receive her J.D. from Yale Law School in 1991. While in law school she directed the Homelessness Clinic and served on the board of the Initiative for Public Interest Law.

Hannah began her legal career in the Eastern District of Virginia serving as a clerk for Judge James Spencer. Judge Spencer—a Reagan appointee to the bench—is extremely well-regarded in Richmond for his legal acumen, honest nature, and service to the community and will be taking senior status this year.

Coming full circle, Hannah has now been selected to fill the seat of Judge Spencer, her mentor and for whom she clerked right out of law school.

From 1994 to 2004, she served as an assistant U.S. attorney in the Eastern District of Virginia where she handled both civil defense matters as well as criminal prosecutions.

Following a brief stint in the private sector, Hannah became a U.S. Magistrate judge in the Eastern District of Virginia, where she has served since 2005.

As a magistrate judge, she helped begin one of the first Federal reentry courts, which is designed to reduce recidivism of individuals released from prison who have serious addictions. These reentry courts are crucial to our

efforts to reduce prison overcrowding and ensure we are helping people who have made mistakes in life become productive members of society.

She is also an active member of her community where she has helped train the next generation of legal experts. For many years, she has taught at the University of Richmond T.C. Williams School of Law.

Hannah serves on the board of the Federal Bar Association and is an active member and former board member of the Richmond Bar Association and the Metropolitan Richmond Women's Bar Association.

She comes highly recommended by the Virginia State Bar, the Virginia Bar Association, has been recognized as one of Virginia's leaders in the Law and has received the strong support of many of her legal colleagues.

Hannah has an exemplary record as a prosecutor and a magistrate judge and all of her peers praise her character and integrity. I am pleased to strongly support her nomination to the Federal bench and thank all of you for joining me in supporting her nomination. This body, and our Nation, will all be well served by her presence on this court.

ADDITIONAL STATEMENTS

MADISON COUNTY, IOWA

• Mr. HARKIN. Mr. President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State, and it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Madison County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Madison County worth over $831,434 and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $3.5 million to the local economy.

Of course, one of my favorite memories of working together is the community's hard work to secure funding made available in various farm bill programs and particularly Madison County Memorial Hospital's purchase of a mammography machine. I lost two sisters to breast cancer and know the devastating toll it takes on those who have it and their families and communities. That is why I have championed prevention and wellness throughout my career, especially early detection. I have also dramatically increased funding for cancer research at the National Institutes of Health and established the Department of Defense's breast cancer research program. I applaud your community's dedication to early detection of breast cancer. Ensuring Iowans have access to quality, affordable health care is critical—particularly for those in rural areas, who may find this care out of reach. I am pleased that the hospital is equipped with the equipment and facilities to care for Madison County residents and promote wellness in the area.

Among the highlights:

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Madison County has received $631,434 in Harkin grants. Similarly, schools in Madison County have received funds that I designated for Iowa Star Schools for technology totaling $20,000.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Madison County has received more than $596,024 from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as, for instance, the methamphetamine epidemic. Since 2001, Madison County's fire departments have received over $456,845 for firefighter safety and operations equipment.

Disability rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living, and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Madison County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Madison County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Madison County, to fulfill their own dreams and initiatives. Of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.•

STORY COUNTY, IOWA

• Mr. HARKIN. Mr. President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State, and it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of

my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Story County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Story County worth over $750 million and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $200 million to the local economy.

Of course, I have many favorite memories of working together including dozens of projects worth more than $200 million at Iowa State University like the Community Vitality Center that supports Iowa's small and medium-sized communities, funding $468 million toward construction and programming for a state-of-the-art national animal disease laboratory and jail-based meth treatment for non-violent offenders provided by the Story County Sherriff's Department.

Among the highlights:

Investing in Iowa's economic development through targeted community projects: In Central Iowa, we have worked together to grow the economy by making targeted investments in important economic development projects including improved roads and bridges, modernized sewer and water systems, and better housing options for residents of Story County. In many cases, I have secured Federal funding that has leveraged local investments and served as a catalyst for a whole ripple effect of positive, creative changes. For example, working with mayors, city council members, and local economic development officials in Story County, I have fought for more than $55 million for innovate businesses in Ames such as Etrema Products, Bioprotection Systems, Advanced Analytical, and Powerfilm, helping to create jobs and expand economic opportunities.

Main Street Iowa: One of the greatest challenges we face—in Iowa and all across America—is preserving the character and vitality of our small towns and rural communities. This isn't just about economics. It is also about maintaining our identity as Iowans. Main Street Iowa helps preserve Iowa's heart and soul by providing funds to revitalize downtown business districts. This program has allowed towns like Story City to use that money to leverage other investments to jumpstart change and renewal. I am so pleased that Story County has earned $221,000 through this program. These grants build much more than buildings; they build up the spirit and morale of people in our small towns and local communities.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Story County has received $535,488 in Harkin grants.

Disaster mitigation and prevention: In 1993, when historic floods ripped through Iowa, it became clear to me that the national emergency response infrastructure was woefully inadequate to meet the needs of Iowans in flood-ravaged communities. I went to work dramatically expanding the Federal Emergency Management Agency's hazard mitigation program, which helps communities reduce the loss of life and property due to natural disasters and enables mitigation measures to be implemented during the immediate recovery period. Disaster relief means more than helping people and businesses get back on their feet after a disaster; it means doing our best to prevent the same predictable flood or other catastrophe from recurring in the future. The hazard mitigation program that I helped create in 1993 provided critical support to Iowa communities impacted by the devastating floods of 2008. Story County has received over $2.4 million to remediate and prevent widespread destruction from natural disasters.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Story County has received more than $87 million from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as, for instance, the methamphetamine epidemic. Since 2001, Story County's fire departments have received over $2 million for firefighter safety and operations equipment and more than $470,000 in Byrne Justice Assistance Grant funding.

Disability rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living, and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Story County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Story County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Story County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

RECOGNIZING RON SPEARS

● Mr. HELLER. Mr. President, today I wish to recognize artist Ron Spears for sharing his talents to create the Nevada Statehood Forever Stamp, almost 150 years following Nevada's entrance into the war-torn union.

This year commemorates a very special year in Nevada's history during which we celebrate 150 years of statehood. From those days of bitter conflict, Nevada forged a State dedicated to preserving liberty and bettering America. Our dramatic entrance is why our State calls itself Battle Born and why Nevadans, over the past 150 years, have been entrepreneurial, fiercely independent, and as diverse as our terrain. It is an honor to recognize the

artist who painted and captured the essence of the Nevada statehood in the Forever Stamp.

A resident of Reno, NV, Ron Spears is a university professor with a master's in fine art. His career is decorated with many different projects, ranging from illustrations on casino games, book covers, magazine articles, and even illustrations for Magic: The Gathering, Dungeons and Dragons, Harry Potter Card Game, Upper Deck, Blizzard Entertainment, and others. Now, Ron can add the Nevada Statehood Forever Stamp to his long list of works of art. His contribution to our State's history is something to be both commended and applauded. Ron's creativity glows from this stamp commemorating Nevada's sesquicentennial.

The brilliance and the vision that Ron discovered on his 2-year travels throughout this great State exemplifies the very inspiration that was born on October 31, 1864. Just beyond the neon lights of the Las Vegas Strip sits the stunning red rocks and bright blue skies that set the stage for a destination that is hard to miss, the Valley of Fire, Nevada's oldest State park. The magnificent formations of sandstone and dunes are what make this park a truly unique and brilliant place, one that I am glad was captured for our stamp. To say that I was struck by Ron's workmanship and vision would be an understatement.

I am truly proud that we are able to showcase this incredible achievement that I am sure will serve as a model for other artists and pioneers, right here in Nevada. Today I ask my colleagues and residents of the Silver State to join me in recognizing Ron for this great achievement and honor.●

TRIBUTE TO MR. JOEY LEE

● Mrs. SHAHEEN. Mr. President, today I honor Joseph ''Joey'' Lee for his outstanding achievements as a teacher at Pinkerton Academy in Derry, NH. Mr. Lee is the New Hampshire Department of Education's Granite State Teacher of the Year for 2014, selected from a field of 36 nominees.

Mr. Lee is also New Hampshire's candidate for the National Teacher of the Year award, the Nation's oldest and most prestigious program focused on excellence in teaching.

In May, Mr. Lee visited Washington, DC, to meet President Obama and discuss education initiatives with representatives from the Department of Education.

Born in Hooksett and a graduate of Plymouth State University, Mr. Lee has taught at Pinkerton Academy for 6 years. A social studies teacher, he currently teaches cultural geography while also coaching golf, directing the hockey program and co-advising the China Exchange Program.

Mr. Lee has a talent for connecting with students, recognizing their unique strengths and challenges and adapting his teaching style to their needs. He is passionate about applying classroom content to real-life situations.

The New Hampshire Department of Education recognized Mr. Lee for his conviction and passion for teaching, his energy in the classroom and his commitment to his students. I congratulate Mr. Lee on the honor of being the Granite State Teacher of the Year.●

TRIBUTE TO BILL LONERGAN

● Mrs. SHAHEEN. Mr. President, I wish to recognize Bill Lonergan for his exemplary leadership as assistant principal of Pinkerton Academy in Derry, NH. Bill was named Assistant Principal of the Year by the New Hampshire Association of School Principals for commitment to helping students succeed.

A 1980 graduate of Pinkerton Academy, Mr. Lonergan first returned to the school as a student teacher in the English department. He soon became a full-time member of the staff, both teaching and serving as associate dean of students. In total, he has worked at Pinkerton for 21 years.

Mr. Lonergan developed Pinkerton's ''Freshman Academy'' program, working with parents, teachers and students to ease the transition from area middle schools to the high school level. The program, which is among Mr. Lonergan's many accomplishments, is personalized to each student's strengths and interests, and has improved academic performance and integration into the Pinkerton community.

Mr. Lonergan's vision and dedication have made a difference for countless students. I am pleased to recognize his contributions to Pinkerton Academy, and congratulate him on being named Assistant Principal of the Year.●

REMEMBERING HANK LAURICELLA

● MR. VITTER. Mr. President, today I wish to honor the memory of Hank Lauricella, a beloved community leader from Harahan, LA, who tragically passed away in March of this year. Hank was born in 1930 and would have turned 84 on October 19.

I was truly honored to serve with Hank in the Louisiana Legislature, albeit in different bodies. In all of my many dealings with Hank, he was a pure class act and a truly dedicated public servant. Hank was never a show horse out to grab media or other attention. He was a workhorse who got important, concrete things done, particularly in the area of economic development and transportation infrastructure.

Hank was born in Harahan, LA, and attended Holy Cross High School. Following his time at Holy Cross High School, Hank attended the University of Tennessee, where he received his bachelors of science in business administration. While at Tennessee, Hank was a standout athlete who gained immense national recognition. He was a member of the 1951 national championship team at the University of Tennessee and was first runner-up for the Heisman Trophy. In 1981, Hank was appropriately elected to the College Football Hall of Fame.

Following his college career and a year playing professional football with the Dallas Texans, Hank served as a first lieutenant in the U.S. Army from 1953 to 1955, with 1 year of his service in Korea. After his service in the Army, Hank returned to Louisiana where he joined the family business, John L. Lauricella and Sons, now known as Lauricella Land Company. In that role, Hank was instrumental in providing strong leadership in guiding the company as they transitioned from residential to commercial real estate development.

For over 30 years, Hank served the Jefferson Parish community and indeed all of Louisiana in both the State House and the State Senate. During his time in the State legislature, Hank made economic development one of his top priorities. Hank promoted legislation that benefited the Louisiana Superdome, the Morial Convention Center, Louis Armstrong International Airport, the Port of New Orleans, and the Pontchartrain Center. Hank also served as an effective leader in many other roles. He was an original member of the Superdome Stadium Commission and played an instrumental role in the construction of the Superdome. Hank served on the boards for the Port of New Orleans, the World Trade Center of New Orleans, the Jefferson Business Council, and he served as the first chairman of the Board of the Jefferson Community Foundation.

Hank Lauricella was a man of many talents and interests. Not only was Hank a superior athlete, he also had a passion for gardening and cooking. He loved to cook using the tomatoes, basil, and rosemary that he grew in his own garden.

Of course Hank is lovingly remembered by his wife of 61 years, Betty, his four sons and one daughter, and his fifteen grandchildren. But well beyond that, Hank is remembered as a great friend and true public servant by the entire extended community which he served so ably.

I am so pleased to join them in continuing to remember and honor Hank Lauricella, a man who provided a great example of leadership through his service to others and his community.●

MESSAGE FROM THE HOUSE

At 10:15 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4810. An act to direct the Secretary of Veterans Affairs to enter into contracts for the provision of hospital care and medical services at non-Department of Veterans Affairs facilities for Department of Veterans Affairs patients with extended waiting times

for appointments at Department facilities, and for other purposes.

MEASURES REFERRED

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

H.R. 4810. An act to direct the Secretary of Veterans Affairs to enter into contracts for the provision of hospital care and medical services at non-Department of Veterans Affairs facilities for Department of Veterans Affairs patients with extended waiting times for appointments at Department facilities, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following resolution was read, and placed on the calendar:

S. Res. 470. A resolution amending Senate Resolution 400 (94th Congress) to clarify the responsibility of committees of the Senate in the provision of the advice and consent of the Senate to nominations to positions in the intelligence community.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–6086. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Belarus; to the Committee on Finance.

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. ROCKEFELLER:

S. 2461. A bill to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; to the Committee on Finance.

By Mr. THUNE (for himself and Mr. GRASSLEY):

S. 2462. A bill to amend the Internal Revenue Code of 1986 to exempt certain educational institutions from the employer health insurance mandate; to the Committee on Finance.

By Mr. INHOFE (for himself, Mr. GRASSLEY, Mr. SESSIONS, Mr. VITTER, and Mr. CRUZ):

S. 2463. A bill to amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON of South Dakota (for himself, Mr. HOEVEN, Mr. BENNET, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HEITKAMP, Mr. INHOFE, Mr. JOHANNS, Mr. MORAN, Mr. PORTMAN, Mr. SCHUMER, Mr. THUNE, Mr. UDALL of New Mexico, and Mr. WHITEHOUSE):

S. 2464. A bill to adopt the bison as the national mammal of the United States; to the Committee on the Judiciary.

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

S. 2465. A bill to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico; to the Committee on Indian Affairs.

By Mr. CARDIN (for himself and Mr. RISCH):

S. 2466. A bill to amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries among the many forms of violations of the right to religious freedom; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PORTMAN (for himself, Ms. AYOTTE, Mr. CHAMBLISS, Mr. COCHRAN, Mr. CORNYN, Mr. GRASSLEY, Mr. HATCH, Mr. HOEVEN, Mr. INHOFE, Mr. KIRK, Mr. PAUL, Mr. ROBERTS, Mr. SESSIONS, and Mr. THUNE):

S. Res. 469. A resolution expressing the sense of the Senate on the May 31, 2014, transfer of five detainees from the detention facility at United States Naval Station, Guantanamo Bay, Cuba; to the Committee on Armed Services.

By Mrs. FEINSTEIN:

S. Res. 470. A resolution amending Senate Resolution 400 (94th Congress) to clarify the responsibility of committees of the Senate in the provision of the advice and consent of the Senate to nominations to positions in the intelligence community; placed on the calendar.

By Ms. COLLINS (for herself, Mr. KING, Mr. CORNYN, Mr. REID, Mr. MCCONNELL, Mr. LEAHY, Mr. PORTMAN, Mr. BLUNT, Mr. RUBIO, Ms. AYOTTE, Mr. HATCH, Mr. CHAMBLISS, Mr. THUNE, Mrs. SHAHEEN, Mr. ISAKSON, Mr. TOOMEY, Mr. HARKIN, Mr. BOOZMAN, Mr. HELLER, Mr. WICKER, Mrs. FISCHER, Mr. ALEXANDER, Mr. SESSIONS, Mr. COATS, Mr. CORKER, Mr. COBURN, Mr. HOEVEN, Mr. ENZI, Mr. GRASSLEY, Mr. BARRASSO, Mr. INHOFE, Mr. CRAPO, Mr. RISCH, Mr. BURR, Mr. LEE, Mr. CRUZ, Mr. ROBERTS, Mr. FLAKE, Mr. VITTER, Mr. JOHANNS, Mr. FRANKEN, Mr. MCCAIN, Mr. PAUL, Mrs. MURRAY, Mr. SCOTT, Mr. COCHRAN, Mr. SHELBY, Mr. DURBIN, and Mr. KIRK):

S. Res. 471. A resolution honoring former President George H.W. Bush on the occasion of his 90th birthday and Barbara Bush on the occasion of her 89th birthday and extending the best wishes of the Senate to former President Bush and Mrs. Bush; considered and agreed to.

By Mr. SESSIONS (for himself, Mr. UDALL of Colorado, Mr. INHOFE, Mr. REED, Mr. MCCAIN, Mrs. FISCHER, and Mr. LEAHY):

S. Res. 472. A resolution honoring Dr. James Schlesinger, former Secretary of Defense, Secretary of Energy, and Director of Central Intelligence; considered and agreed to.

By Ms. AYOTTE:

S. Con. Res. 37. A concurrent resolution authorizing the use of the rotunda of the United States Capitol in commemoration of the Shimon Peres Congressional Gold Medal ceremony; considered and agreed to.

ADDITIONAL COSPONSORS

S. 313

At the request of Mr. CASEY, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 919

At the request of Ms. CANTWELL, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of 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. 1011

At the request of Mr. JOHANNS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1011, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 1033

At the request of Mr. HARKIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1033, a bill to authorize a grant program to promote physical education, activity, and fitness and nutrition, and to ensure healthy students, and for other purposes.

S. 1040

At the request of Mr. PORTMAN, the names of the Senator from North Carolina (Mr. BURR), the Senator from Nebraska (Mrs. FISCHER), the Senator from South Dakota (Mr. THUNE), the Senator from North Dakota (Mr. HOEVEN), the Senator from Alabama (Mr. SESSIONS) and the Senator from Louisiana (Mr. VITTER) 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. 1406

At the request of Ms. AYOTTE, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1431

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

S. 1690

At the request of Mr. LEAHY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1690, a bill to reauthorize the Second Chance Act of 2007.

S. 1733

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1733, a bill to stop exploitation through trafficking.

S. 1790

At the request of Mr. COONS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1790, a bill to modernize laws, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes.

S. 1799

At the request of Mr. COONS, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1799, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 1837

At the request of Ms. WARREN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1837, a bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions.

S. 1957

At the request of Mr. BENNET, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1957, a bill to establish the American Infrastructure Fund, to provide bond guarantees and make loans to States, local governments, and infrastructure providers for investments in certain infrastructure projects, and to provide equity investments in such projects, and for other purposes.

S. 2176

At the request of Mr. WARNER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2176, a bill to revise reporting requirements under the Patient Protection and Affordable Care Act to preserve the privacy of individuals, and for other purposes.

S. 2188

At the request of Mr. TESTER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of 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.

S. 2281

At the request of Mr. KAINE, his name was added as a cosponsor of S. 2281, a bill to amend the Higher Education Act of 1965 to make technical improvements to the Net Price Calculator system so that prospective students may have a more accurate understanding of the true cost of college.

S. 2282

At the request of Mr. INHOFE, his name was added as a cosponsor of S. 2282, a bill to prohibit the provision of performance awards to employees of the Internal Revenue Service who owe back taxes.

S. 2307

At the request of Mrs. BOXER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2307, a bill to prevent international violence against women, and for other purposes.

S. 2340

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2340, a bill to amend the Higher Education Act of 1965 to require the Secretary to provide for the use of data from the second preceding tax year to carry out the simplification of applications for the estimation and determination of financial aid eligibility, to increase the income threshold to qualify for zero expected family contribution, and for other purposes.

S. 2346

At the request of Mr. COONS, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 2346, a bill to amend the National Trails System Act to include national discovery trails, and to designate the American Discovery Trail, and for other purposes.

S. 2360

At the request of Mr. LEVIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2360, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations.

S. 2429

At the request of Mr. WARNER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2429, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payment of interest on certain refinanced student loans.

S. 2434

At the request of Mr. FRANKEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2434, a bill to amend the Internal Revenue Code of 1986 to ensure that working families have access to affordable health insurance coverage.

S. 2450

At the request of Mr. MCCAIN, the names of the Senator from Arizona (Mr. FLAKE), the Senator from North Dakota (Mr. HOEVEN), the Senator from Illinois (Mr. KIRK), the Senator from Colorado (Mr. UDALL), the Senator from Kansas (Mr. MORAN), the Senator from Mississippi (Mr. WICKER), the Senator from Missouri (Mr. BLUNT), the Senator from Nevada (Mr. HELLER), the Senator from Idaho (Mr. CRAPO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 2450, a bill to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.

At the request of Mr. SANDERS, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Minnesota (Mr. FRANKEN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Colorado (Mr. BENNET), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Montana (Mr. TESTER), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 2450, supra.

At the request of Mr. TOOMEY, his name was added as a cosponsor of S. 2450, supra.

At the request of Mr. VITTER, his name was added as a cosponsor of S. 2450, supra.

S. 2451

At the request of Mr. INHOFE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2451, a bill to support the local decisionmaking functions of local educational agencies by limiting the authority of the Secretary of Education to issue regulations, rules, grant conditions, and guidance materials, and for other purposes.

S. 2460

At the request of Mr. MENENDEZ, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 2460, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require additional disclosures and protections for students and cosigners with respect to student loans, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE (for himself, Mr. GRASSLEY, Mr. SESSIONS, Mr. VITTER, and Mr. CRUZ):

S. 2463. A bill to amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes; to the Committee on the Judiciary.

Mr. INHOFE. Mr. President, a year ago this month I stood before you during the Senate's debate on immigration to offer an amendment that would prevent convicted criminal aliens from being released back into our communities. Unfortunately, my amendment never came up for a vote despite the fact that this is an issue that should concern us all.

This problem arises from a couple of Supreme Court decisions in 2001 and 2005, which held that immigrants who have been ordered removed cannot be detained for more than 6 months. Even though an alien is an aggravated felon or has committed a crime of violence, they must be released back into society if no other country will accept them.

By releasing these criminals back into our communities we are allowing

them to commit even more crimes against Americans. For example, a Vietnamese immigrant, Binh Thai Luc, was ordered deported after serving time in prison for armed robbery and assault. Due to the Supreme Court decision in Zadvydas v. Davis, Luc was released from U.S. Immigration and Customs Enforcement, ICE, custody when Vietnam refused to admit him. He is now facing charges for the murder of 5 people in San Francisco in March of 2012. Five people would be alive today if our law enforcement officials had not been handcuffed by the Supreme Court.

From 2008–2012, nearly 17,000 immigrants with orders of removal were released back into our communities. Just last month, we learned that this number has more than doubled in one year. In 2013 alone, more than 36,000 criminally convicted aliens were released by ICE because their home countries had yet to take them back.

That is an astonishing number, especially when you look at what crimes these offenders have committed. These 36,000 criminals have been convicted of more than 87,000 crimes, including: 193 homicide convictions; 426 sexual assault convictions; 1,075 aggravated assault convictions; and 16,070 DUI convictions.

These are convictions, not allegations. Convicted murderers, sex offenders, and other violent felons that have been ordered removed from our country are now free to live among us.

Today, in light of these revelations, I am reintroducing my amendment as a standalone bill along with Senators GRASSLEY, VITTER, CRUZ, and SESSIONS. S. 2463, the Keep Our Communities Safe Act of 2014, amends the Immigration and Naturalization Act to allow the Department of Homeland Security to detain non-removable immigrants beyond 6 months in specific situations. These situations include circumstances when an alien's release would threaten national security, have serious adverse foreign policy consequences, or would threaten the safety of the community and the alien either is an aggravated felon or has committed a crime of violence.

Some organizations, such as the ACLU, believe this bill amounts to indefinite detention in violation of a criminal's due process rights. However, in addition to the specified circumstances of continued detention mentioned earlier, this bill requires the Secretary of the Department of Homeland Security to recertify that a person is a threat every 6 months. Furthermore, an alien can submit evidence for a review of his detention and aliens will still have access to our federal courts, giving judges a say in the process.

I would like to commend my friend, Congressman LAMAR SMITH from Texas, for his good work on this in the House and I ask that both the Senate and the House take up consideration of the Keep Our Communities Safe Act to protect our fellow Americans from these violent offenders.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 469—EXPRESSING THE SENSE OF THE SENATE ON THE MAY 31, 2014, TRANSFER OF FIVE DETAINEES FROM THE DETENTION FACILITY AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

Mr. PORTMAN (for himself, Ms. AYOTTE, Mr. CHAMBLISS, Mr. COCHRAN, Mr. CORNYN, Mr. GRASSLEY, Mr. HATCH, Mr. HOEVEN, Mr. INHOFE, Mr. KIRK, Mr. PAUL, Mr. ROBERTS, Mr. SESSIONS, and Mr. THUNE) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 469

Whereas in enacting the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66), Congress provided the executive branch with clear guidance and requirements for transferring or releasing individuals from the detention facility at United States Naval Station, Guantanamo Bay, Cuba;

Whereas the National Defense Authorization Act for Fiscal Year 2014 states the Secretary of Defense may transfer an individual detained at United States Naval Station, Guantanamo Bay, Cuba, if the Secretary determines, following a review conducted in accordance with the requirements of section 1023 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 801 note) and Executive Order No. 13567, that the individual is no longer a threat to the United States, or the individual is ordered released by a United States court, or such an individual can be transferred if the Secretary determines that actions have been or are planned to be taken which will substantially mitigate the risk of the individual engaging or re-engaging in any terrorist activity or other hostile activity that threatens the United States or United States persons or interests and the transfer is in the national security interest of the United States;

Whereas the National Defense Authorization Act for Fiscal Year 2014 states that the Secretary of Defense must notify the appropriate committees of Congress of such a determination not later than 30 days before the transfer or release of the individual concerned from United States Naval Station, Guantanamo Bay, Cuba;

Whereas the National Defense Authorization Act for Fiscal Year 2014 states that such a notification must include a detailed statement of the basis for the transfer or release, an explanation of why the transfer or release is in the national security interests of the United States, a description of any actions taken to mitigate the risks of reengagement by the individual to be transferred or released, a copy of any Periodic Review Board findings relating to the individual, and a description of the evaluation conducted pursuant to factors that must be considered prior to such a transfer or release;

Whereas the Consolidated Appropriations Act, 2014 (Public Law 113–76) states that none of the funds appropriated or otherwise made available in that Act may be used to transfer covered individuals detained at United States Naval Station Guantanamo Bay, Cuba, except in accordance with the National Defense Authorization Act for Fiscal Year 2014;

Whereas on May 31, 2014, detainees Khairullah Khairkhwa, Abdul Haq Wasiq, Mohammed Fazl, Noorullah Noori, and Mohammed Nabi Omari were transferred from United States Naval Station, Guantanamo Bay, Cuba, to Qatar; and

Whereas the appropriate committees of Congress were not notified of the transfers as required by the National Defense Authorization Act for Fiscal Year 2014 prior to the transfers: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the transfers of detainees Khairullah Khairkhwa, Abdul Haq Wasiq, Mohammed Fazl, Noorullah Noori, and Mohammed Nabi Omari from United States Naval Station, Guantanamo Bay, Cuba, to Qatar on May 31, 2014, violated the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66) and the Consolidated Appropriations Act, 2014 (Public Law 113–76); and

(2) Congress should—

(A) investigate the actions taken by President Obama and his administration that led to the unlawful transfer of such detainees, including an evaluation of other options considered to reach the desired common defense policy outcome of the President; and

(B) determine the impact of the transfer of such detainees on the common defense of the United States and measures that should be taken to mitigate any negative consequences.

SENATE RESOLUTION 470—AMENDING SENATE RESOLUTION 400 (94TH CONGRESS) TO CLARIFY THE RESPONSIBILITY OF COMMITTEES OF THE SENATE IN THE PROVISION OF THE ADVICE AND CONSENT OF THE SENATE TO NOMINATIONS TO POSITIONS IN THE INTELLIGENCE COMMUNITY

Mrs. FEINSTEIN submitted the following resolution; which was placed on the calendar:

S. RES. 470

Resolved,

SECTION 1. RESPONSIBILITY OF COMMITTEES IN ADVICE AND CONSENT OF SENATE TO INTELLIGENCE APPOINTMENTS.

Section 17 of Senate Resolution 400 agreed to May 19, 1976 (94th Congress) is amended to read as follows:

''SEC. 17. (a)(1) Except as provided in subsections (b) and (c), the Select Committee shall have jurisdiction to review, hold hearings, and report the nominations of civilian individuals for positions in the intelligence community for which appointments are made by the President, by and with the advice and consent of the Senate.

''(2) Except as provided in subsections (b) and (c), other committees with jurisdiction over the department or agency of the Executive Branch which contain a position referred to in paragraph (1) may hold hearings and interviews with individuals nominated for such position, but only the Select Committee shall report such nomination.

''(3) In this subsection, the term 'intelligence community' means an element of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(b)(1) With respect to the confirmation of the Assistant Attorney General for National Security, or any successor position, the nomination of any individual by the President to serve in such position shall be referred to the Committee on the Judiciary and, if and when reported, to the Select Committee for not to

exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

''(2) If, upon the expiration of the period described in paragraph (1), the Select Committee has not reported the nomination, such nomination shall be automatically discharged from the Select Committee and placed on the Executive Calendar.

''(c)(1) With respect to the confirmation of appointment to the position of Director of the National Security Agency, Inspector General of the National Security Agency, Director of the National Reconnaissance Office, or Inspector General of the National Reconnaissance Office, or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is a member of the Armed Forces on active duty, shall be referred to the Committee on Armed Services and, if and when reported, to the Select Committee for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

''(2) With respect to the confirmation of appointment to the position of Director of the National Security Agency, Inspector General of the National Security Agency, Director of the National Reconnaissance Office, or Inspector General or the National Reconnaissance Office, or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is not a member of the Armed Forces on active duty, shall be referred to the Select Committee and, if and when reported, to the Committee on Armed Services for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Committee on Armed Services shall have an additional 5 calendar days after the Senate reconvenes to report the nomination.

''(3) If, upon the expiration of the period of sequential referral described in paragraphs (1) and (2), the committee to which the nomination was sequentially referred has not reported the nomination, the nomination shall be automatically discharged from that committee and placed on the Executive Calendar.''.

SENATE RESOLUTION 471—HONORING FORMER PRESIDENT GEORGE H.W. BUSH ON THE OCCASION OF HIS 90TH BIRTHDAY AND BARBARA BUSH ON THE OCCASION OF HER 89TH BIRTHDAY AND EXTENDING THE BEST WISHES OF THE SENATE TO FORMER PRESIDENT BUSH AND MRS. BUSH

Ms. COLLINS (for herself, Mr. KING, Mr. CORNYN, Mr. REID of Nevada, Mr. MCCONNELL, Mr. LEAHY, Mr. PORTMAN, Mr. BLUNT, Mr. RUBIO, Ms. AYOTTE, Mr. HATCH, Mr. CHAMBLISS, Mr. THUNE, Mrs. SHAHEEN, Mr. ISAKSON, Mr. TOOMEY, Mr. HARKIN, Mr. BOOZMAN, Mr. HELLER, Mr. WICKER, Mrs. FISCHER, Mr. ALEXANDER, Mr. SESSIONS, Mr. COATS, Mr. CORKER, Mr. COBURN, Mr. HOEVEN, Mr. ENZI, Mr. GRASSLEY, Mr. BARRASSO, Mr. INHOFE, Mr. CRAPO, Mr. RISCH, Mr. BURR, Mr. LEE, Mr. CRUZ, Mr. ROBERTS, Mr. FLAKE, Mr. VITTER, Mr. JOHANNS, Mr. FRANKEN, Mr. MCCAIN, Mr. PAUL, Mrs. MURRAY, Mr. SCOTT, Mr. COCHRAN, Mr. SHELBY, Mr. DURBIN, and Mr. KIRK) submitted the following resolution; which was considered and agreed to:

S. RES. 471

Whereas George Herbert Walker Bush was born in Milton, Massachusetts, on June 12, 1924;

Whereas on his 18th birthday, George H.W. Bush enlisted in the Armed Forces of the United States;

Whereas George H.W. Bush was the youngest pilot in the United States Navy when he received his wings;

Whereas George H.W. Bush flew 58 combat missions during World War II, including a mission over the Pacific as a torpedo bomber pilot during which he was shot down by Japanese antiaircraft fire and later rescued from the water by a United States submarine, the U.S.S. Finback;

Whereas George H.W. Bush was awarded the Distinguished Flying Cross and three Air Medals for his service during World War II;

Whereas George H.W. Bush was honorably released from active duty in 1945, achieving the rank of Lieutenant;

Whereas in January 1945, George H.W. Bush married Barbara Pierce;

Whereas George H.W. Bush graduated from Yale University, where he was captain of the baseball team and excelled in academics;

Whereas in 1966, George H.W. Bush was elected to the House of Representatives, where he served with integrity for two terms;

Whereas in 1970, President Richard Nixon appointed George H.W. Bush to be the United States Ambassador to the United Nations, a post he held for two years after confirmation by the Senate;

Whereas in 1974, President Gerald R. Ford appointed George H.W. Bush as chief of the United States Liaison Office in the People's Republic of China, where his efforts helped foster the development of positive relations between the United States and the People's Republic of China;

Whereas from January 1976 to January 1977, George H.W. Bush served as the Director of Central Intelligence, and the Central Intelligence Agency headquarters was later designated the George Bush Center for Intelligence in his honor;

Whereas from 1981 to 1989, George H.W. Bush served as the 43rd Vice President of the United States;

Whereas George H.W. Bush was elected the 41st President of the United States in 1988;

Whereas George H.W. Bush directed the negotiation of and signed the Treaty on the Reduction and Limitation of Strategic Offensive Arms, signed at Moscow July 31, 1991 and entered into force December 5, 1994 (the Strategic Arms Reduction Treaty of 1991 (START I)), which required the United States and the Soviet Union to reduce their nuclear arsenals by ⅓;

Whereas during his Presidency, George H.W. Bush signed into law the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and Public Law 101-549 (commonly known as the ''Clean Air Act Amendments of 1990'') (42 U.S.C. 7401 et seq.);

Whereas since leaving office, George H.W. Bush has been an international ambassador of United States goodwill and a strong supporter of the George Bush School of Government and Public Service at Texas A&M University, which was named for the former President in 1997;

Whereas George H.W. Bush was awarded the Presidential Medal of Freedom in 2011;

Whereas, on June 8, 2014, former First Lady Barbara Bush, George H.W. Bush's wife of 69 years, who has dedicated herself to promoting family literacy and improving the lives of the people of the United States through learning, celebrated her 89th birthday; and

Whereas, on June 12, 2014, George H.W. Bush celebrates his 90th birthday: Now, therefore, be it

Resolved, That the Senate—

(1) honors former President George H.W. Bush on the occasion of his 90th birthday; and

(2) extends the congratulations and best wishes of the Senate to former President Bush and Barbara Bush.

SENATE RESOLUTION 472—HONORING DR. JAMES SCHLESINGER, FORMER SECRETARY OF DEFENSE, SECRETARY OF ENERGY, AND DIRECTOR OF CENTRAL INTELLIGENCE

Mr. SESSIONS (for himself, Mr. UDALL of Colorado, Mr. INHOFE, Mr. REED of Rhode Island, Mr. MCCAIN, Mrs. FISCHER, and Mr. LEAHY) submitted the following resolution; which was considered and agreed to:

S. RES. 472

Whereas the Honorable Dr. James Rodney Schlesinger was born in New York City, New York, on February 15, 1929, and died in Baltimore, Maryland, on March 27, 2014, at the age of 85;

Whereas Dr. Schlesinger married Rachel Line Mellinger in 1954 and remained her devoted husband until her death in 1995;

Whereas Dr. Schlesinger is survived by his 8 children, Cora Schlesinger, Charles Schlesinger, Ann Schlesinger, William Schlesinger, Emily Schlesinger, Thomas Schlesinger, Clara Schlesinger, and James Schlesinger, Jr., and 11 grandchildren;

Whereas, in 1950, Dr. Schlesinger graduated summa cum laude from Harvard University, where he was elected Phi Beta Kappa and awarded the Frederick Sheldon Travel Fellowship;

Whereas Dr. Schlesinger subsequently earned master's and doctoral degrees in economics from Harvard University;

Whereas Dr. Schlesinger was a generous patron of the arts, and was instrumental in establishing the Rachel M. Schlesinger Concert Hall and Arts Center in Alexandria, Virginia;

Whereas Dr. Schlesinger was a generous sponsor of higher education, serving on the International Council at the Belfer Center for Science and International Affairs of Harvard University, endowing the Julius Schlesinger Professorship of Operations Management at New York University Stern School of Business and the James R. Schlesinger Distinguished Professorship at the Miller Center of Public Affairs at the University of Virginia, and sponsoring an ongoing music scholarship at Harvard College in honor of his beloved wife;

Whereas Dr. Schlesinger was a distinguished statesman-scholar of great integrity, intellect, and insight who dedicated his life to protecting the security and liberty of the United States and the people of the United States throughout a highly-decorated and distinguished career that spanned 7 decades;

Whereas Dr. Schlesinger's intellectual contributions to the fields of economics and national security include serving as professor of economics at the University of Virginia from 1955 until 1963, serving at the RAND Corporation from 1963 until 1969, including a term as the director of strategic studies, and

authoring numerous important scholarly publications, such as The Political Economy of National Security: A Study of the Economic Aspect of the Contemporary Power Struggle (1960), Defense Planning and Budgeting: The Issue of Centralized Control (1968), American Security and Energy Policy (1980), America at Century's End (1989), and, most recently, Minimum Deterrence: Examining the Evidence (2013);

Whereas Dr. Schlesinger's service in the Federal Government began in 1969, when he took a lead role on defense matters as the assistant director and acting deputy director of the United States Bureau of the Budget;

Whereas Dr. Schlesinger served as a member and chairman of the Atomic Energy Commission (AEC) from 1971 until 1973, working tirelessly to implement extensive organizational and management changes to strengthen the regulatory performance of the Commission;

Whereas, as Director of Central Intelligence in 1973, Dr. Schlesinger focused on the agency's adherence to its legislative charter;

Whereas Dr. Schlesinger was confirmed as the Secretary of Defense in 1973 at age 44, a position he held until 1975;

Whereas, during his tenure as Secretary of Defense, Dr. Schlesinger contributed to the national security of the United States by authoring the ''Schlesinger Doctrine'', which instituted important reforms strengthening the flexibility and credibility of the United States nuclear deterrent to prevent war, reassure the allies of the United States, and protect the liberties of all people of the United States, and by taking action, including overseeing the successful development of the A-10 close-air support aircraft and the F-16 fighter aircraft, to ensure that the United States maintained ''essential equivalence'' with the Soviet Union's conventional military forces and surging nuclear capabilities;

Whereas Dr. Schlesinger was highly regarded by the uniformed services, and led the Department of Defense with great skill and prescience through numerous challenges, including the 1973 Yom Kippur War, in which he was key to the United States airlift that, according to Israeli Prime Minister Golda Meir, ''meant life for our people'', the 1974 Cyprus Crisis, the closing phase of the Indochina conflict, and the 1975 *Mayaguez* incident, in which his actions helped save the lives of United States citizens held by the Khmer Rouge, the withdrawal of the United States Armed Forces from Vietnam, and cuts to the budget of the Department of Defense;

Whereas, in light of his realistic views of the power and intentions of the Soviet Union, Dr. Schlesinger was invited to China as a private citizen in 1975 at the personal request of Mao Zedong, Chairman of the Chinese Communist Party, and upon Mao's death, was the only foreigner invited by the Chinese leadership to lay a wreath at Mao's bier;

Whereas, in 1976, during a difficult period of oil embargoes and fuel shortages, President-elect Jimmy Carter invited Dr. Schlesinger to serve as his special advisor on energy to establish a national energy policy and create the charter for the Department of Energy;

Whereas President Carter appointed Dr. Schlesinger as the first Secretary of Energy in 1977, and in this role Dr. Schlesinger successfully initiated new conservation standards, the gradual deregulation of oil and natural gas industries, and the unification of United States policies with respect to energy and national security;

Whereas following his return to private life in 1979, Dr. Schlesinger continued to work tirelessly in a wide array of public service and civic positions, including as a member of President Ronald Reagan's Commission on Strategic Forces, a member of Virginia Governor Charles Robb's Commission on Virginia's Future, chairman of the board of trustees for the Mitre Corporation, a member of the Defense Policy Board and co-chair of studies for the Defense Science Board, chairman of the National Space-Based Positioning, Navigation and Timing (PNT) Board, a director of the Sandia National Corporation, a trustee of the Atlantic Council, a trustee of the Nixon Center, a trustee of the Henry M. Jackson Foundation, and an original member of the Secretary of State's International Security Advisory Board;

Whereas, in the recent past, Dr. Schlesinger was appointed by President George W. Bush to the Homeland Security Advisory Board, invited by Secretary of Defense Robert Gates to lead the Schlesinger Task Force to recommend measures to ensure the highest levels of competence and control of the nuclear forces of the United States, and invited by Congress to serve as the Vice Chairman of the Congressional Commission on the Strategic Posture of the United States, which produced the 2009 study ''America's Strategic Posture'' that served as the blueprint for the 2010 Nuclear Posture Review of the Department of Defense;

Whereas in addition to Dr. Schlesinger's earned doctorate from Harvard University, he was awarded 13 honorary doctorates, and was the recipient of numerous prestigious medals and awards, including the National Security Medal (presented by President Carter), the Defense Science Board's Eugene G. Fubini Award, the United States Army Association's George Catlett Marshall Medal, the Air Force Association's H. H. Arnold Award, the Navy League's National Meritorious Citation, the Society of Experimental Test Pilots' James H. Doolittle Award, the Military Order of World Wars' Distinguished Service Medal, the Air Force Association's Lifetime Achievement Award, and the Henry M. Jackson Foundation's Henry M. Jackson Award for Distinguished Public Service; and

Whereas Dr. Schlesinger's monumental contributions to the security and liberty of the United States and Western civilization, and to the betterment of his local community, should serve as an example to all people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) has heard with profound sorrow and deep regret the announcement of the death of the Honorable Dr. James R. Schlesinger, former Secretary of Defense, Secretary of Energy, and Director of Central Intelligence;

(2) honors the legacy of Dr. Schlesinger's commitment to the liberty and security of the United States and Western civilization, the betterment of his local community, and his loving family;

(3) extends its deepest condolences and sympathy to the family, friends, and colleagues of Dr. Schlesinger who have lost a beloved father, grandfather, and leader;

(4) honors Dr. Schlesinger's wisdom, discernment, scholarship, and dedication to public service that greatly benefited his community, country, and Western civilization;

(5) recognizes with great appreciation that, while serving as a public servant under President Nixon, President Ford, and President Carter, Dr. Schlesinger contributed significantly, thoughtfully, and directly to the betterment of the policies and practices of the United States in the areas of national defense, energy, and intelligence;

(6) recognizes with great appreciation that, after returning to private life, Dr. Schlesinger continued to serve the United States selflessly through bipartisan contributions to the reasoned public discourse of issues and his leadership on high-level studies sponsored by the Executive, the Department of Defense, the Department of State, and the Congress;

(7) recognizes with great appreciation Dr. Schlesinger's exemplary life, which was guided by his commitment to the continuing security and liberty of the United States, and by his honor, duty, and devotion to country, family, scholarship, and personal moral integrity;

(8) expresses profound respect and admiration for Dr. Schlesinger and his extraordinary legacy of commitment to the people of the United States, United States military personnel, and all those who help safeguard the Nation; and

(9) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the family of the Honorable Dr. James R. Schlesinger.

SENATE CONCURRENT RESOLUTION 37—AUTHORIZING THE USE OF THE ROTUNDA OF THE UNITED STATES CAPITOL IN COMMEMORATION OF THE SHIMON PERES CONGRESSIONAL GOLD MEDAL CEREMONY

Ms. AYOTTE submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 37

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF THE ROTUNDA OF THE UNITED STATES CAPITOL IN COMMEMORATION OF THE SHIMON PERES CONGRESSIONAL GOLD MEDAL CEREMONY.

(a) AUTHORIZATION.—The rotunda of the United States Capitol is authorized to be used on June 26, 2014, for the commemoration of the award of the Congressional Gold Medal to Shimon Peres.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3233. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2450, to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes; which was ordered to lie on the table.

SA 3234. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2450, supra; which was ordered to lie on the table.

SA 3235. Ms. COLLINS (for herself, Mr. KING, and Mr. MORAN) submitted an amendment intended to be proposed by her to the bill S. 2450, supra; which was ordered to lie on the table.

SA 3236. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 3230, to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes; which was ordered to lie on the table.

SA 3237. Mr. TESTER proposed an amendment to the bill H.R. 3230, supra.

SA 3238. Mr. REID (for Mrs. FEINSTEIN (for herself and Mr. CHAMBLISS)) proposed an amendment to the bill S. 1681, to authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of

the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

SA 3239. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2450, to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3233. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2450, to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 703. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

(a) IN GENERAL.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 314 the following:

"SEC. 315. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

"(a) PROGRAM.—The Secretary shall establish a program consisting of awarding demonstration grants to States to streamline State requirements and procedures in order to assist veterans who completed military emergency medical technician training while serving in the Armed Forces of the United States to meet certification, licensure, and other requirements applicable to becoming an emergency medical technician in the State.

"(b) USE OF FUNDS.—Amounts received as a demonstration grant under this section shall be used to prepare and implement a plan to streamline State requirements and procedures as described in subsection (a), including by—

"(1) determining the extent to which the requirements for the education, training, and skill level of emergency medical technicians in the State are equivalent to requirements for the education, training, and skill level of military emergency medical technicians; and

"(2) identifying methods, such as waivers, for military emergency medical technicians to forego or meet any such equivalent State requirements.

"(c) ELIGIBILITY.—To be eligible for a grant under this section, a State shall demonstrate that the State has a shortage of emergency medical technicians.

"(d) REPORT.—The Secretary shall submit to the Congress an annual report on the program under this section.

"(e) FUNDING.—Of the amount authorized by section 751(j)(1) to be appropriated to carry out section 751 for fiscal year 2014, $1,000,000 shall be allocated to carry out this section for the period of fiscal years 2014 through 2018.".

(b) CONFORMING AMENDMENT.—Section 751(j)(1) of the Public Health Service Act (42 U.S.C. 294a(j)(1)) is amended by striking "to carry out this section" and inserting "to carry out this section and section 315".

SA 3234. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2450, to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 703. SUPPORT FOR PROGRAMS OF LAW SCHOOLS THAT ASSIST VETERANS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall take such actions as the Secretary considers appropriate to support programs of law schools that provide assistance to veterans with respect to obtaining benefits under laws administered by the Secretary.

(b) LIAISON.—The Secretary shall ensure that each regional office of the Department of Veterans Affairs has a liaison appointed to work with programs described in subsection (a).

(c) PRIORITY REVIEW.—The Secretary shall give priority in the adjudication of claims for benefits under laws administered by the Secretary to a claim that is certified as complete by a program described in subsection (a).

(d) DIAGNOSIS.—The Secretary shall allow practitioners and graduate psychology clinics to do a Disability Benefits Questionnaire that will supplant a Compensation and Pension exam for initial diagnosis of post-traumatic stress disorder and traumatic brain injury.

(e) ACCESS TO SYSTEMS.—The Secretary shall allow programs described in subsection (a) to access the Stakeholder Enterprise Portal, the Veterans Benefits Management System, and the Beneficiary Identification Records Locator System for current active files and for claims files to the same degree as an organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

(f) TRAINING.—The Secretary shall provide training to the head of a program described in subsection (a) on matters relating to submitting claims for benefits under laws administered by the Secretary.

(g) REMOVAL OF IMPEDIMENTS TO AWARDING OF GRANTS.—To the degree practicable, the Secretary shall remove impediments to the awarding of grants to pro bono legal clinics.

(h) EMAIL DISTRIBUTION LISTS.—The Secretary shall include programs described in subsection (a) in email distributions relating to fast letters, training letters, regulation changes, and training opportunities.

SA 3235. Ms. COLLINS (for herself, Mr. KING, and Mr. MORAN) submitted an amendment intended to be proposed by her to the bill S. 2450, to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, between lines 20 and 21, insert the following:

SEC. 305. REAUTHORIZATION OF PILOT PROGRAM OF ENHANCED CONTRACT CARE AUTHORITY FOR HEALTH CARE NEEDS OF VETERANS.

Section 403(a)(3) of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) is amended by striking "only during the three-year period beginning on the date of the commencement of the pilot program under paragraph (2)" and inserting "through September 30, 2017".

SA 3236. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 3230, to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

TITLE IX—OTHER MATTERS

SEC. 901. PILOT PROGRAM ON ELECTRONIC EXCHANGE OF HEALTH INFORMATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND STATE HEALTH INFORMATION EXCHANGES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of enabling the electronic bi-directional sharing of health information between the Department of Veterans Affairs and non-Department health care providers through the award of grants to State health information exchanges for enabling such sharing.

(b) GRANTS TO HEALTH INFORMATION EXCHANGES.—

(1) IN GENERAL.—The Secretary shall carry out the pilot program under this section through the award of grants to State health information exchanges.

(2) SELECTION.—The Secretary shall award grants under paragraph (1) to not more than four State health information exchanges.

(3) PRIORITY.—The Secretary shall give priority in the award of grants under paragraph (1) to a State health information exchange that—

(A) is located in a State in which a high percentage of hospitals and physicians in the State share information with the State health information exchange of the State;

(B) has been awarded a grant from not less than two of—

(i) the Beacon Community Cooperative Agreement Program;

(ii) the State Health Information Exchange Cooperative Agreement Program; and

(iii) the Regional Extension Center Program; and

(C) has a relationship with a Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))), a facility funded by the Indian Health Service, or the Department of Defense.

(4) LIMITATION ON AMOUNT.—Each grant awarded under paragraph (1) shall not exceed $250,000.

(c) USE OF AMOUNTS.—

(1) IN GENERAL.—A State health information exchange that is awarded a grant under subsection (b) shall use the grant amounts to develop the capability to allow non-Department health care providers to electronically exchange health information with the health care system of the Department of Veterans Affairs through the use of the exchange.

(2) DEVELOPMENT OF CAPABILITY.—In developing the capability described in paragraph (1), a State health information exchange that is awarded a grant under subsection (b) may use the grant amounts as follows:

(A) To make upgrades to the exchange that are required to enable non-Department health care providers to electronically access and share health information maintained by the Department through the exchange, and to securely store and display that information.

(B) To enter into agreements with the Department on the sharing of information between the Department and non-Department health care providers through the exchange.

(C) To develop technical capacity and privacy safeguards necessary for the sharing of information pursuant to agreements described in subparagraph (B).

(D) To acquire legal support and technical assistance necessary for the sharing of information pursuant to agreements described in subparagraph (B).

(E) To pay any fees associated with the exchange of information between the Department and non-Department health care providers.

(F) To assist the Department with the implementation of new information sharing capabilities and training of employees of the Department in using such capabilities.

(G) To evaluate the implementation of the capability described in paragraph (1) and assess the effectiveness of such implementation.

(d) OPERATION PLAN.—

(1) IN GENERAL.—Before obligating any of the amounts awarded pursuant to subsection (b), a State health information exchange that is awarded a grant under subsection (b)(1) shall, in coordination with the Secretary, develop an operation plan to carry out the development of the capability described in subsection (c)(1).

(2) ELEMENTS.—The operation plan required by paragraph (1) shall include the following:

(A) A plan for training employees of the Department to use new health information sharing capabilities.

(B) A coordinated outreach strategy to maximize the enrollment of veterans in State health information exchanges.

(e) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the feasibility and advisability of enabling the electronic bi-directional sharing of health information between the Department and non-Department health care providers.

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of the following:

(A) The extent to which veterans and health care providers are benefitting from enhanced health information sharing capabilities under the pilot program.

(B) The success of outreach to veterans under the pilot program, including the extent to which veterans are opting into the sharing of health information under the pilot program.

(C) The need for additional resources, if any, in carrying out the pilot program.

(D) Any challenges or obstacles to making progress toward the electronic bi-directional sharing of health information between the Department of Veterans Affairs and non-Department health care providers that were encountered in carrying out the pilot program.

(f) OUTREACH TO VETERANS.—The Secretary shall conduct outreach to veterans to inform veterans of the opportunity to participate in health information sharing initiatives, including State health information exchanges, to improve the health information of, and the hospital care, medical services, and other health care received by, such veterans who receive such care and services from non-Department health care providers in addition to such care and services from the Department.

(g) FUNDING.—Amounts to carry out this section shall be derived from amounts available to the Department of Veterans Affairs for purposes of carrying out initiatives related to the Virtual Lifetime Electronic Record.

(h) DISCLOSURE OF INFORMATION.—Notwithstanding section 5701 of title 38, United States Code, the Secretary may disclose information about a veteran, if the veteran consents to such disclosure, to State health information exchanges and non-Department health care providers for purposes of carrying out the pilot program.

(i) DEFINITIONS.—In this section:

(1) HEALTH INFORMATION.—The term ''health information'' has the meaning given such term in section 1171(4) of the Social Security Act (42 U.S.C. 1320d(4)).

(2) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SA 3237. Mr. TESTER proposed an amendment to the bill H.R. 3230, to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes; as follows:

Amend the title so as to read:

''To improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.''

SA 3238. Mr. REID (for Mrs. FEINSTEIN (for herself and Mr. CHAMBLISS)) proposed an amendment to the bill S. 1681, to authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2014''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.
Sec. 202. CIARDS and FERS special retirement credit for service on detail to another agency.

TITLE III—GENERAL PROVISIONS

Subtitle A—General Matters

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Specific authorization of funding for High Performance Computing Center 2.
Sec. 304. Clarification of exemption from Freedom of Information Act of identities of employees submitting complaints to the Inspector General of the Intelligence Community.
Sec. 305. Functional managers for the intelligence community.
Sec. 306. Annual assessment of intelligence community performance by function.
Sec. 307. Software licensing.
Sec. 308. Plans to respond to unauthorized public disclosures of covert actions.
Sec. 309. Auditability.
Sec. 310. Reports of fraud, waste, and abuse.
Sec. 311. Public Interest Declassification Board.
Sec. 312. Official representation items in support of the Coast Guard Attaché Program.
Sec. 313. Declassification review of certain items collected during the mission that killed Osama bin Laden on May 1, 2011.
Sec. 314. Merger of the Foreign Counterintelligence Program and the General Defense Intelligence Program.

Subtitle B—Reporting

Sec. 321. Significant interpretations of law concerning intelligence activities.
Sec. 322. Review for official publication of opinions of the Office of Legal Counsel of the Department of Justice concerning intelligence activities.
Sec. 323. Submittal to Congress by heads of elements of intelligence community of plans for orderly shutdown in event of absence of appropriations.
Sec. 324. Reports on chemical weapons in Syria.
Sec. 325. Reports to the intelligence community on penetrations of networks and information systems of certain contractors.
Sec. 326. Report on electronic waste.
Sec. 327. Promoting STEM education to meet the future workforce needs of the intelligence community.
Sec. 328. Repeal of the termination of notification requirements regarding the authorized disclosure of national intelligence.
Sec. 329. Repeal or modification of certain reporting requirements.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—National Security Agency

Sec. 401. Appointment of the Director of the National Security Agency.
Sec. 402. Appointment of the Inspector General of the National Security Agency.
Sec. 403. Effective date and applicability.

Subtitle B—National Reconnaissance Office

Sec. 411. Appointment of the Director of the National Reconnaissance Office.
Sec. 412. Appointment of the Inspector General of the National Reconnaissance Office.
Sec. 413. Effective date and applicability.

Subtitle C—Central Intelligence Agency

Sec. 421. Gifts, devises, and bequests.

TITLE V—SECURITY CLEARANCE REFORM

Sec. 501. Continuous evaluation and sharing of derogatory information regarding personnel with access to classified information.
Sec. 502. Requirements for intelligence community contractors.
Sec. 503. Technology improvements to security clearance processing.
Sec. 504. Report on reciprocity of security clearances.
Sec. 505. Improving the periodic reinvestigation process.
Sec. 506. Appropriate committees of Congress defined.

TITLE VI—INTELLIGENCE COMMUNITY WHISTLEBLOWER PROTECTIONS

Sec. 601. Protection of intelligence community whistleblowers.
Sec. 602. Review of security clearance or access determinations.

Sec. 603. Revisions of other laws.
Sec. 604. Policies and procedures; non-applicability to certain terminations.

TITLE VII—TECHNICAL AMENDMENTS

Sec. 701. Technical amendments to the Central Intelligence Agency Act of 1949.
Sec. 702. Technical amendments to the National Security Act of 1947 relating to the past elimination of certain positions.
Sec. 703. Technical amendments to the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2014, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the bill S. 1681 of the One Hundred Thirteenth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions of the Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2014 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such Schedule for such element.

(b) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

(1) a student program, trainee program, or similar program;

(2) a reserve corps or as a reemployed annuitant; or

(3) details, joint duty, or long term, full-time training.

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2014 the sum of $528,229,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2015.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 855 positions as of September 30, 2014. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2014 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2015.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2014, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2014 the sum of $514,000,000.

SEC. 202. CIARDS AND FERS SPECIAL RETIREMENT CREDIT FOR SERVICE ON DETAIL TO ANOTHER AGENCY.

(a) IN GENERAL.—Section 203(b) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2013(b)) is amended—

(1) in the matter preceding paragraph (1), by striking ''service in the Agency performed'' and inserting ''service performed by an Agency employee''; and

(2) in paragraph (1), by striking ''Agency activities'' and inserting ''intelligence activities''.

(b) APPLICATION.—The amendment made by subsection (a) shall be applied to retired or deceased officers of the Central Intelligence Agency who were designated at any time under section 203 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2013) prior to the date of the enactment of this Act.

TITLE III—GENERAL PROVISIONS

Subtitle A—General Matters

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. SPECIFIC AUTHORIZATION OF FUNDING FOR HIGH PERFORMANCE COMPUTING CENTER 2.

Funds appropriated for the construction of the High Performance Computing Center 2 (HPCC 2), as described in the table entitled Consolidated Cryptologic Program (CCP) in the classified annex to accompany the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6; 127 Stat. 198), in excess of the amount specified for such activity in the tables in the classified annex prepared to accompany the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277; 126 Stat. 2468) shall be specifically authorized by Congress for the purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094).

SEC. 304. CLARIFICATION OF EXEMPTION FROM FREEDOM OF INFORMATION ACT OF IDENTITIES OF EMPLOYEES SUBMITTING COMPLAINTS TO THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

Section 103H(g)(3)(A) of the National Security Act of 1947 (50 U.S.C. 3033(g)(3)(A)) is amended by striking ''undertaken;'' and inserting ''undertaken, and this provision shall qualify as a withholding statute pursuant to subsection (b)(3) of section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act');''.

SEC. 305. FUNCTIONAL MANAGERS FOR THE INTELLIGENCE COMMUNITY.

(a) FUNCTIONAL MANAGERS AUTHORIZED.—Title I of the National Security Act of 1947 (50 U.S.C. 3021 et seq.) is amended by inserting after section 103I the following new section:

"SEC. 103J. FUNCTIONAL MANAGERS FOR THE INTELLIGENCE COMMUNITY.

''(a) FUNCTIONAL MANAGERS AUTHORIZED.—The Director of National Intelligence may establish within the intelligence community one or more positions of manager of an intelligence function. Any position so established may be known as the 'Functional Manager' of the intelligence function concerned.

''(b) PERSONNEL.—The Director shall designate individuals to serve as manager of intelligence functions established under subsection (a) from among officers and employees of elements of the intelligence community.

''(c) DUTIES.—Each manager of an intelligence function established under subsection (a) shall have the duties as follows:

''(1) To act as principal advisor to the Director on the intelligence function.

''(2) To carry out such other responsibilities with respect to the intelligence function as the Director may specify for purposes of this section.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 103I the following new item:

''Sec. 103J. Functional managers for the intelligence community.''.

SEC. 306. ANNUAL ASSESSMENT OF INTELLIGENCE COMMUNITY PERFORMANCE BY FUNCTION.

(a) ANNUAL ASSESSMENTS REQUIRED.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by inserting after section 506I the following new section:

"SEC. 506J. ANNUAL ASSESSMENT OF INTELLIGENCE COMMUNITY PERFORMANCE BY FUNCTION.

''(a) IN GENERAL.—Not later than April 1, 2016, and each year thereafter, the Director of National Intelligence shall, in consultation with the Functional Managers, submit to the congressional intelligence committees a report on covered intelligence functions during the preceding year.

''(b) ELEMENTS.—Each report under subsection (a) shall include for each covered intelligence function for the year covered by such report the following:

''(1) An identification of the capabilities, programs, and activities of such intelligence function, regardless of the element of the intelligence community that carried out such capabilities, programs, and activities.

''(2) A description of the investment and allocation of resources for such intelligence function, including an analysis of the allocation of resources within the context of the National Intelligence Strategy, priorities for recipients of resources, and areas of risk.

''(3) A description and assessment of the performance of such intelligence function.

''(4) An identification of any issues related to the application of technical interoperability standards in the capabilities, programs, and activities of such intelligence function.

''(5) An identification of the operational overlap or need for de-confliction, if any, within such intelligence function.

''(6) A description of any efforts to integrate such intelligence function with other intelligence disciplines as part of an integrated intelligence enterprise.

''(7) A description of any efforts to establish consistency in tradecraft and training within such intelligence function.

''(8) A description and assessment of developments in technology that bear on the future of such intelligence function.

''(9) Such other matters relating to such intelligence function as the Director may specify for purposes of this section.

''(c) DEFINITIONS.—In this section:

''(1) The term 'covered intelligence functions' means each intelligence function for which a Functional Manager has been established under section 103J during the year covered by a report under this section.

''(2) The term 'Functional Manager' means the manager of an intelligence function established under section 103J.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 506I the following new item:

''Sec. 506J. Annual assessment of intelligence community performance by function.''.

SEC. 307. SOFTWARE LICENSING.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 3021 et seq.) is amended by inserting after section 108 the following new section:

"SEC. 109. SOFTWARE LICENSING.

''(a) REQUIREMENT FOR INVENTORIES OF SOFTWARE LICENSES.—The chief information officer of each element of the intelligence community, in consultation with the Chief Information Officer of the Intelligence Community, shall biennially—

''(1) conduct an inventory of all existing software licenses of such element, including utilized and unutilized licenses;

''(2) assess the actions that could be carried out by such element to achieve the greatest possible economies of scale and associated cost savings in software procurement and usage; and

''(3) submit to the Chief Information Officer of the Intelligence Community each inventory required by paragraph (1) and each assessment required by paragraph (2).

''(b) INVENTORIES BY THE CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.—The Chief Information Officer of the Intelligence Community, based on the inventories and assessments required by subsection (a), shall biennially—

''(1) compile an inventory of all existing software licenses of the intelligence community, including utilized and unutilized licenses; and

''(2) assess the actions that could be carried out by the intelligence community to achieve the greatest possible economies of scale and associated cost savings in software procurement and usage.

''(c) REPORTS TO CONGRESS.—The Chief Information Officer of the Intelligence Community shall submit to the congressional intelligence committees a copy of each inventory compiled under subsection (b)(1).''.

(b) INITIAL INVENTORY.—

(1) INTELLIGENCE COMMUNITY ELEMENTS.—

(A) DATE.—Not later than 120 days after the date of the enactment of this Act, the chief information officer of each element of the intelligence community shall complete the initial inventory, assessment, and submission required under section 109(a) of the National Security Act of 1947, as added by subsection (a) of this section.

(B) BASIS.—The initial inventory conducted for each element of the intelligence community under section 109(a)(1) of the National Security Act of 1947, as added by subsection (a) of this section, shall be based on the inventory of software licenses conducted pursuant to section 305 of the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277; 126 Stat. 2472) for such element.

(2) CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer of the Intelligence Community shall complete the initial compilation and assessment required under section 109(b) of the National Security Act of 1947, as added by subsection (a).

(c) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section of the National Security Act of 1947 is amended—

(1) by striking the second item relating to section 104 (relating to Annual national security strategy report); and

(2) inserting after the item relating to section 108 the following new item:

''Sec. 109. Software licensing.''.

SEC. 308. PLANS TO RESPOND TO UNAUTHORIZED PUBLIC DISCLOSURES OF COVERT ACTIONS.

Section 503 of the National Security Act of 1947 (50 U.S.C. 3093) is amended by adding at the end the following new subsection:

''(h) For each type of activity undertaken as part of a covert action, the President shall establish in writing a plan to respond to the unauthorized public disclosure of that type of activity.''.

SEC. 309. AUDITABILITY.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following new section:

"SEC. 509. AUDITABILITY OF CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY.

''(a) REQUIREMENT FOR ANNUAL AUDITS.—The head of each covered entity shall ensure that there is a full financial audit of such covered entity each year beginning with fiscal year 2014. Such audits may be conducted by an internal or external independent accounting or auditing organization.

''(b) REQUIREMENT FOR UNQUALIFIED OPINION.—Beginning as early as practicable, but in no event later than the audit required under subsection (a) for fiscal year 2016, the head of each covered entity shall take all reasonable steps necessary to ensure that each audit required under subsection (a) contains an unqualified opinion on the financial statements of such covered entity for the fiscal year covered by such audit.

''(c) REPORTS TO CONGRESS.—The chief financial officer of each covered entity shall provide to the congressional intelligence committees an annual audit report from an accounting or auditing organization on each audit of the covered entity conducted pursuant to subsection (a).

''(d) COVERED ENTITY DEFINED.—In this section, the term 'covered entity' means the Office of the Director of National Intelligence, the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, the National Reconnaissance Office, and the National Geospatial-Intelligence Agency.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 508 the following new item:

''Sec. 509. Auditability of certain elements of the intelligence community.''.

SEC. 310. REPORTS OF FRAUD, WASTE, AND ABUSE.

Section 8H(a) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended in paragraph (1)—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(2) by inserting after subparagraph (A) the following:

''(B) An employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community, who intends to report to Congress a complaint or information with respect to an urgent concern may report such complaint or information to the Inspector General of the Intelligence Community.''; and

(3) in subparagraph (D), as redesignated by paragraph (1)—

(A) by striking ''Act or section 17'' and inserting ''Act, section 17''; and

(B) by striking the period at the end and inserting '', or section 103H(k) of the National Security Act of 1947 (50 U.S.C. 3033(k)).''.

SEC. 311. PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 710(b) of the Public Interest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by striking ''2014.'' and inserting ''2018.''.

SEC. 312. OFFICIAL REPRESENTATION ITEMS IN SUPPORT OF THE COAST GUARD ATTACHÉ PROGRAM.

Notwithstanding any other limitation on the amount of funds that may be used for official representation items, the Secretary of Homeland Security may use funds made available to the Secretary through the National Intelligence Program for necessary expenses for intelligence analysis and operations coordination activities for official representation items in support of the Coast Guard Attaché Program.

SEC. 313. DECLASSIFICATION REVIEW OF CERTAIN ITEMS COLLECTED DURING THE MISSION THAT KILLED OSAMA BIN LADEN ON MAY 1, 2011.

Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) in the manner described in the classified annex to this Act—

(A) complete a declassification review of documents collected in Abbottabad, Pakistan, during the mission that killed Osama bin Laden on May 1, 2011; and

(B) make publicly available any information declassified as a result of the declassification review required under paragraph (1); and

(2) report to the congressional intelligence committees—

(A) the results of the declassification review required under paragraph (1); and

(B) a justification for not declassifying any information required to be included in such declassification review that remains classified.

SEC. 314. MERGER OF THE FOREIGN COUNTERINTELLIGENCE PROGRAM AND THE GENERAL DEFENSE INTELLIGENCE PROGRAM.

Notwithstanding any other provision of law, the Director of National Intelligence shall carry out the merger of the Foreign Counterintelligence Program into the General Defense Intelligence Program as directed in the classified annex to this Act. The merger shall go into effect no earlier than 30 days after written notification of the merger is provided to the congressional intelligence committees.

Subtitle B—Reporting

SEC. 321. SIGNIFICANT INTERPRETATIONS OF LAW CONCERNING INTELLIGENCE ACTIVITIES.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3021 et seq.), as added by section 309 of this Act, is further amended by adding at the end the following new section:

''SEC. 510. SIGNIFICANT INTERPRETATIONS OF LAW CONCERNING INTELLIGENCE ACTIVITIES.

''(a) NOTIFICATION.—Except as provided in subsection (c) and to the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters, the General Counsel of each element of the intelligence community shall notify the congressional intelligence committees, in writing, of any significant legal interpretation of the United States Constitution or Federal law affecting intelligence activities conducted by such element by not later than 30 days after the date of the commencement of any intelligence activity pursuant to such interpretation.

''(b) CONTENT.—Each notification under subsection (a) shall provide a summary of the significant legal interpretation and the intelligence activity or activities conducted pursuant to such interpretation.

''(c) EXCEPTIONS.—A notification under subsection (a) shall not be required for a significant legal interpretation if—

''(1) notice of the significant legal interpretation was previously provided to the congressional intelligence committees under subsection (a); or

''(2) the significant legal interpretation was made before the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2014.

''(d) LIMITED ACCESS FOR COVERT ACTION.—If the President determines that it is essential to limit access to a covert action finding under section 503(c)(2), the President may limit access to information concerning such finding that is subject to notification under this section to those members of Congress who have been granted access to the relevant finding under section 503(c)(2).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 509, as so added, the following new item:

''Sec. 510. Significant interpretations of law concerning intelligence activities.''.

SEC. 322. REVIEW FOR OFFICIAL PUBLICATION OF OPINIONS OF THE OFFICE OF LEGAL COUNSEL OF THE DEPARTMENT OF JUSTICE CONCERNING INTELLIGENCE ACTIVITIES.

(a) PROCESS FOR REVIEW FOR OFFICIAL PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall, in coordination with the Director of National Intelligence, establish a process for the regular review for official publication of significant opinions of the Office of Legal Counsel of the Department of Justice that have been provided to an element of the intelligence community.

(b) FACTORS.—The process of review of opinions established under subsection (a) shall include consideration of the following:

(1) The potential importance of an opinion to other agencies or officials in the Executive branch.

(2) The likelihood that similar questions addressed in an opinion may arise in the future.

(3) The historical importance of an opinion or the context in which it arose.

(4) The potential significance of an opinion to the overall jurisprudence of the Office of Legal Counsel.

(5) Such other factors as the Attorney General and the Director of National Intelligence consider appropriate.

(c) PRESUMPTION.—The process of review established under subsection (a) shall apply a presumption that significant opinions of the Office of Legal Counsel should be published when practicable, consistent with national security and other confidentiality considerations.

(d) CONSTRUCTION.—Nothing in this section shall require the official publication of any opinion of the Office of Legal Counsel, including publication under any circumstance as follows:

(1) When publication would reveal classified or other sensitive information relating to national security.

(2) When publication could reasonably be anticipated to interfere with Federal law enforcement efforts or is prohibited by law.

(3) When publication would conflict with preserving internal Executive branch deliberative processes or protecting other information properly subject to privilege.

(e) REQUIREMENT TO PROVIDE CLASSIFIED OPINIONS TO CONGRESS.—

(1) IN GENERAL.—Any opinion of the Office of Legal Counsel that would have been selected for publication under the process of review established under subsection (a) but for the fact that publication would reveal classified or other sensitive information relating to national security shall be provided or made available to the appropriate committees of Congress.

(2) EXCEPTION FOR COVERT ACTION.—If the President determines that it is essential to limit access to a covert action finding under section 503(c)(2) of the National Security Act of 1947 (50 U.S.C. 3093(c)(2)), the President may limit access to information concerning such finding that would otherwise be provided or made available under this subsection to those members of Congress who have been granted access to such finding under such section 503(c)(2).

(f) JUDICIAL REVIEW.—The determination whether an opinion of the Office of Legal Counsel is appropriate for official publication under the process of review established under subsection (a) is discretionary and is not subject to judicial review.

SEC. 323. SUBMITTAL TO CONGRESS BY HEADS OF ELEMENTS OF INTELLIGENCE COMMUNITY OF PLANS FOR ORDERLY SHUTDOWN IN EVENT OF ABSENCE OF APPROPRIATIONS.

(a) IN GENERAL.—Whenever the head of an applicable agency submits a plan to the Director of the Office of Management and Budget in accordance with section 124 of Office of Management and Budget Circular A–11, pertaining to agency operations in the absence of appropriations, or any successor circular of the Office that requires the head of an applicable agency to submit to the Director a plan for an orderly shutdown in the event of the absence of appropriations, such head shall submit a copy of such plan to the following:

(1) The congressional intelligence committees.

(2) The Subcommittee on Defense of the Committee on Appropriations of the Senate.

(3) The Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(4) In the case of a plan for an element of the intelligence community that is within the Department of Defense, to—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(b) HEAD OF AN APPLICABLE AGENCY DEFINED.—In this section, the term ''head of an applicable agency'' includes the following:

(1) The Director of National Intelligence.

(2) The Director of the Central Intelligence Agency.

(3) Each head of each element of the intelligence community that is within the Department of Defense.

SEC. 324. REPORTS ON CHEMICAL WEAPONS IN SYRIA.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the Syrian chemical weapons program.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A comprehensive assessment of chemical weapon stockpiles in Syria, including

names, types, and quantities of chemical weapons agents, types of munitions, and location and form of storage, production, and research and development facilities.

(2) A listing of key personnel associated with the Syrian chemical weapons program.

(3) An assessment of undeclared chemical weapons stockpiles, munitions, and facilities.

(4) An assessment of how these stockpiles, precursors, and delivery systems were obtained.

(5) A description of key intelligence gaps related to the Syrian chemical weapons program.

(6) An assessment of any denial and deception efforts on the part of the Syrian regime related to its chemical weapons program.

(c) PROGRESS REPORTS.—Every 90 days until the date that is 18 months after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a progress report providing any material updates to the report required under subsection (a).

SEC. 325. REPORTS TO THE INTELLIGENCE COMMUNITY ON PENETRATIONS OF NETWORKS AND INFORMATION SYSTEMS OF CERTAIN CONTRACTORS.

(a) PROCEDURES FOR REPORTING PENETRATIONS.—The Director of National Intelligence shall establish procedures that require each cleared intelligence contractor to report to an element of the intelligence community designated by the Director for purposes of such procedures when a network or information system of such contractor that meets the criteria established pursuant to subsection (b) is successfully penetrated.

(b) NETWORKS AND INFORMATION SYSTEMS SUBJECT TO REPORTING.—The Director of National Intelligence shall, in consultation with appropriate officials, establish criteria for covered networks to be subject to the procedures for reporting system penetrations under subsection (a).

(c) PROCEDURE REQUIREMENTS.—

(1) RAPID REPORTING.—The procedures established pursuant to subsection (a) shall require each cleared intelligence contractor to rapidly report to an element of the intelligence community designated pursuant to subsection (a) of each successful penetration of the network or information systems of such contractor that meet the criteria established pursuant to subsection (b). Each such report shall include the following:

(A) A description of the technique or method used in such penetration.

(B) A sample of the malicious software, if discovered and isolated by the contractor, involved in such penetration.

(C) A summary of information created by or for such element in connection with any program of such element that has been potentially compromised due to such penetration.

(2) ACCESS TO EQUIPMENT AND INFORMATION BY INTELLIGENCE COMMUNITY PERSONNEL.—The procedures established pursuant to subsection (a) shall—

(A) include mechanisms for intelligence community personnel to, upon request, obtain access to equipment or information of a cleared intelligence contractor necessary to conduct forensic analysis in addition to any analysis conducted by such contractor;

(B) provide that a cleared intelligence contractor is only required to provide access to equipment or information as described in subparagraph (A) to determine whether information created by or for an element of the intelligence community in connection with any intelligence community program was successfully exfiltrated from a network or information system of such contractor and, if so, what information was exfiltrated; and

(C) provide for the reasonable protection of trade secrets, commercial or financial information, and information that can be used to identify a specific person (other than the name of the suspected perpetrator of the penetration).

(3) LIMITATION ON DISSEMINATION OF CERTAIN INFORMATION.—The procedures established pursuant to subsection (a) shall prohibit the dissemination outside the intelligence community of information obtained or derived through such procedures that is not created by or for the intelligence community except—

(A) with the approval of the contractor providing such information;

(B) to the congressional intelligence committees or the Subcommittees on Defense of the Committees on Appropriations of the House of Representatives and the Senate for such committees and such Subcommittees to perform oversight; or

(C) to law enforcement agencies to investigate a penetration reported under this section.

(d) ISSUANCE OF PROCEDURES AND ESTABLISHMENT OF CRITERIA.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall establish the procedures required under subsection (a) and the criteria required under subsection (b).

(2) APPLICABILITY DATE.—The requirements of this section shall apply on the date on which the Director of National Intelligence establishes the procedures required under this section.

(e) COORDINATION WITH THE SECRETARY OF DEFENSE TO PREVENT DUPLICATE REPORTING.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Defense shall establish procedures to permit a contractor that is a cleared intelligence contractor and a cleared defense contractor under section 941 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2224 note) to submit a single report that satisfies the requirements of this section and such section 941 for an incident of penetration of network or information system.

(f) DEFINITIONS.—In this section:

(1) CLEARED INTELLIGENCE CONTRACTOR.—The term ''cleared intelligence contractor'' means a private entity granted clearance by the Director of National Intelligence or the head of an element of the intelligence community to access, receive, or store classified information for the purpose of bidding for a contract or conducting activities in support of any program of an element of the intelligence community.

(2) COVERED NETWORK.—The term ''covered network'' means a network or information system of a cleared intelligence contractor that contains or processes information created by or for an element of the intelligence community with respect to which such contractor is required to apply enhanced protection.

(g) SAVINGS CLAUSES.—Nothing in this section shall be construed to alter or limit any otherwise authorized access by government personnel to networks or information systems owned or operated by a contractor that processes or stores government data.

SEC. 326. REPORT ON ELECTRONIC WASTE.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the extent to which the intelligence community has implemented the recommendations of the Inspector General of the Intelligence Community contained in the report entitled ''Study of Intelligence Community Electronic Waste Disposal Practices'' issued in May 2013. Such report shall include an assessment of the extent to which the policies, standards, and guidelines of the intelligence community governing the proper disposal of electronic waste are applicable to covered commercial electronic waste that may contain classified information.

(b) DEFINITIONS.—In this section:

(1) COVERED COMMERCIAL ELECTRONIC WASTE.—The term ''covered commercial electronic waste'' means electronic waste of a commercial entity that contracts with an element of the intelligence community.

(2) ELECTRONIC WASTE.—The term ''electronic waste'' includes any obsolete, broken, or irreparable electronic device, including a television, copier, facsimile machine, tablet, telephone, computer, computer monitor, laptop, printer, scanner, and associated electrical wiring.

SEC. 327. PROMOTING STEM EDUCATION TO MEET THE FUTURE WORKFORCE NEEDS OF THE INTELLIGENCE COMMUNITY.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the Secretary of Education and the congressional intelligence committees a report describing the anticipated hiring needs of the intelligence community in the fields of science, technology, engineering, and mathematics, including cybersecurity and computer literacy. The report shall—

(1) describe the extent to which competitions, challenges, or internships at elements of the intelligence community that do not involve access to classified information may be utilized to promote education in the fields of science, technology, engineering, and mathematics, including cybersecurity and computer literacy, within high schools or institutions of higher education in the United States;

(2) include cost estimates for carrying out such competitions, challenges, or internships; and

(3) include strategies for conducting expedited security clearance investigations and adjudications for students at institutions of higher education for purposes of offering internships at elements of the intelligence community.

(b) CONSIDERATION OF EXISTING PROGRAMS.—In developing the report under subsection (a), the Director shall take into consideration existing programs of the intelligence community, including the education programs of the National Security Agency and the Information Assurance Scholarship Program of the Department of Defense, as appropriate.

(c) DEFINITIONS.—In this section:

(1) HIGH SCHOOL.—The term ''high school'' mean a school that awards a secondary school diploma.

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(3) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 328. REPEAL OF THE TERMINATION OF NOTIFICATION REQUIREMENTS REGARDING THE AUTHORIZED DISCLOSURE OF NATIONAL INTELLIGENCE.

Section 504 of the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277; 126 Stat. 2477) is amended by striking subsection (e).

SEC. 329. REPEAL OR MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.

(a) REPEAL OF REPORTING REQUIREMENTS.—

(1) THREAT OF ATTACK ON THE UNITED STATES USING WEAPONS OF MASS DESTRUCTION.—Section 114 of the National Security Act of 1947 (50 U.S.C. 3050) is amended by striking subsection (b).

(2) TREATY ON CONVENTIONAL ARMED FORCES IN EUROPE.—Section 2(5)(E) of the Senate resolution advising and consenting to ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe (CFE) of November 19, 1990, adopted at Vienna May 31, 1996 (Treaty Doc. 105-5) (commonly referred to as the ''CFE Flank Document''), 105th Congress, agreed to May 14, 1997, is repealed.

(b) MODIFICATION OF REPORTING REQUIREMENTS.—

(1) INTELLIGENCE ADVISORY COMMITTEES.—Section 410(b) of the Intelligence Authorization Act for Fiscal Year 2010 (50 U.S.C. 3309) is amended to read as follows:

''(b) NOTIFICATION OF ESTABLISHMENT OF ADVISORY COMMITTEE.—The Director of National Intelligence and the Director of the Central Intelligence Agency shall each notify the congressional intelligence committees each time each such Director creates an advisory committee. Each notification shall include—

''(1) a description of such advisory committee, including the subject matter of such committee;

''(2) a list of members of such advisory committee; and

''(3) in the case of an advisory committee created by the Director of National Intelligence, the reasons for a determination by the Director under section 4(b)(3) of the Federal Advisory Committee Act (5 U.S.C. App.) that an advisory committee cannot comply with the requirements of such Act.''.

(2) INTELLIGENCE INFORMATION SHARING.—Section 102A(g)(4) of the National Security Act of 1947 (50 U.S.C. 3024(g)(4)) is amended to read as follows:

''(4) The Director of National Intelligence shall, in a timely manner, report to Congress any statute, regulation, policy, or practice that the Director believes impedes the ability of the Director to fully and effectively ensure maximum availability of access to intelligence information within the intelligence community consistent with the protection of the national security of the United States.''.

(3) INTELLIGENCE COMMUNITY BUSINESS SYSTEM TRANSFORMATION.—Section 506D(j) of the National Security Act of 1947 (50 U.S.C. 3100(j)) is amended in the matter preceding paragraph (1) by striking ''2015'' and inserting ''2014''.

(4) ACTIVITIES OF PRIVACY AND CIVIL LIBERTIES OFFICERS.—Section 1062(f)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee–1(f)(1)) is amended in the matter preceding subparagraph (A) by striking ''quarterly'' and inserting ''semi-annually''.

(c) CONFORMING AMENDMENTS.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(1) in the table of contents in the first section, by striking the item relating to section 114 and inserting the following new item:

''Sec. 114. Annual report on hiring and retention of minority employees.'';

(2) in section 114 (50 U.S.C. 3050)—

(A) by amending the heading to read as follows: ''**ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES**'';

(B) by striking ''(a) ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.—'';

(C) by redesignating paragraphs (1) through (5) as subsections (a) through (e), respectively;

(D) in subsection (b) (as so redesignated)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively; and

(ii) in paragraph (2) (as so redesignated)—

(I) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(II) in the matter preceding subparagraph (A) (as so redesignated), by striking ''clauses (i) and (ii)'' and inserting ''subparagraphs (A) and (B)'';

(E) in subsection (d) (as redesignated by subparagraph (C) of this paragraph), by striking ''subsection'' and inserting ''section''; and

(F) in subsection (e) (as redesignated by subparagraph (C) of this paragraph)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively; and

(ii) by striking ''subsection,'' and inserting ''section''; and

(3) in section 507 (50 U.S.C. 3106)—

(A) in subsection (a)—

(i) by striking ''(1) The date'' and inserting ''The date'';

(ii) by striking ''subsection (c)(1)(A)'' and inserting ''subsection (c)(1)'';

(iii) by striking paragraph (2); and

(iv) by redesignating subparagraphs (A) through (F) as paragraphs (1) through (6), respectively;

(B) in subsection (c)(1)—

(i) by striking ''(A) Except'' and inserting ''Except''; and

(ii) by striking subparagraph (B); and

(C) in subsection (d)(1)—

(i) in subparagraph (A)—

(I) by striking ''subsection (a)(1)'' and inserting ''subsection (a)''; and

(II) by inserting ''and'' after ''March 1;'';

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B).

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—National Security Agency

SEC. 401. APPOINTMENT OF THE DIRECTOR OF THE NATIONAL SECURITY AGENCY.

(a) DIRECTOR OF THE NATIONAL SECURITY AGENCY.—Section 2 of the National Security Agency Act of 1959 (50 U.S.C. 3602) is amended—

(1) by inserting ''(b)'' before ''There''; and

(2) by inserting before subsection (b), as so designated by paragraph (1), the following:

''(a)(1) There is a Director of the National Security Agency.

''(2) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law or executive order.''.

(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.—

(1) IN GENERAL.—The President may designate the Director of the National Security Agency as a position of importance and responsibility under section 601 of title 10, United States Code.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date of the enactment of this Act.

SEC. 402. APPOINTMENT OF THE INSPECTOR GENERAL OF THE NATIONAL SECURITY AGENCY.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 8G(a)(2), by striking ''the National Security Agency,''; and

(2) in section 12—

(A) in paragraph (1), by striking ''or the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code;'' and inserting ''the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code; the Director of the National Security Agency;''; and

(B) in paragraph (2), by striking ''or the Commissions established under section 15301 of title 40, United States Code,'' and inserting ''the Commissions established under section 15301 of title 40, United States Code, the National Security Agency,''.

SEC. 403. EFFECTIVE DATE AND APPLICABILITY.

(a) IN GENERAL.—Except as otherwise specifically provided, the amendments made by sections 401 and 402 shall take effect on October 1, 2014, and shall apply upon the earlier of—

(1) in the case of section 401—

(A) the date of the first nomination by the President of an individual to serve as the Director of the National Security Agency that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Director of the National Security Agency by the individual performing such duties on October 1, 2014; and

(2) in the case of section 402—

(A) the date of the first nomination by the President of an individual to serve as the Inspector General of the National Security Agency that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Inspector General of the National Security Agency by the individual performing such duties on October 1, 2014.

(b) EXCEPTION FOR INITIAL NOMINATIONS.—Notwithstanding paragraph (1)(A) or (2)(A) of subsection (a), an individual serving as the Director of the National Security Agency or the Inspector General of the National Security Agency on the date that the President first nominates an individual for such position on or after October 1, 2014, may continue to perform in that position after such date of nomination and until the individual appointed to the position, by and with the advice and consent of the Senate, assumes the duties of the position.

(c) INCUMBENT INSPECTOR GENERAL.—The individual serving as Inspector General of the National Security Agency on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), by and with the advice and consent of the Senate.

Subtitle B—National Reconnaissance Office

SEC. 411. APPOINTMENT OF THE DIRECTOR OF THE NATIONAL RECONNAISSANCE OFFICE.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by adding after section 106 the following:

''SEC. 106A. DIRECTOR OF THE NATIONAL RECONNAISSANCE OFFICE.

''(a) IN GENERAL.—There is a Director of the National Reconnaissance Office.

''(b) APPOINTMENT.—The Director of the National Reconnaissance Office shall be appointed by the President, by and with the advice and consent of the Senate.

''(c) FUNCTIONS AND DUTIES.—The Director of the National Reconnaissance Office shall be the head of the National Reconnaissance Office and shall discharge such functions and duties as are provided by this Act or otherwise by law or executive order.''.

(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.—

(1) IN GENERAL.—The President may designate the Director of the National Reconnaissance Office as a position of importance

and responsibility under section 601 of title 10, United States Code.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date of the enactment of this Act.

(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by inserting after the item relating to section 106 the following:

''Sec. 106A. Director of the National Reconnaissance Office.''.

SEC. 412. APPOINTMENT OF THE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE.

The Inspector General Act of 1978 (5 U.S.C. App.)—

(1) in section 8G(a)(2), as amended by section 402, is further amended by striking ''the National Reconnaissance Office,''; and

(2) in section 12, as amended by section 402, is further amended—

(A) in paragraph (1), by inserting ''or the Director of the National Reconnaissance Office;'' before ''as the case may be;''; and

(B) in paragraph (2), by inserting ''or the National Reconnaissance Office,'' before ''as the case may be;''.

SEC. 413. EFFECTIVE DATE AND APPLICABILITY.

(a) IN GENERAL.—The amendments made by sections 411 and 412 shall take effect on October 1, 2014, and shall apply upon the earlier of—

(1) in the case of section 411—

(A) the date of the first nomination by the President of an individual to serve as the Director of the National Reconnaissance Office that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Director of the National Reconnaissance Office by the individual performing such duties on October 1, 2014; and

(2) in the case of section 412—

(A) the date of the first nomination by the President of an individual to serve as the Inspector General of the National Reconnaissance Office that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Inspector General of the National Reconnaissance Office by the individual performing such duties on October 1, 2014.

(b) EXCEPTION FOR INITIAL NOMINATIONS.—Notwithstanding paragraph (1)(A) or (2)(A) of subsection (a), an individual serving as the Director of the National Reconnaissance Office or the Inspector General of the National Reconnaissance Office on the date that the President first nominates an individual for such position on or after October 1, 2014, may continue to perform in that position after such date of nomination and until the individual appointed to the position, by and with the advice and consent of the Senate, assumes the duties of the position.

(c) INCUMBENT INSPECTOR GENERAL.—The individual serving as Inspector General of the National Reconnaissance Office on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), by and with the advice and consent of the Senate.

Subtitle C—Central Intelligence Agency

SEC. 421. GIFTS, DEVISES, AND BEQUESTS.

Section 12 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3512) is amended—

(1) by striking the section heading and inserting ''GIFTS, DEVISES, AND BEQUESTS'';

(2) in subsection (a)(2)—

(A) by inserting ''by the Director as a gift to the Agency'' after ''accepted''; and

(B) by striking ''this section'' and inserting ''this subsection'';

(3) in subsection (b), by striking ''this section,'' and inserting ''subsection (a),'';

(4) in subsection (c), by striking ''this section,'' and inserting ''subsection (a),'';

(5) in subsection (d), by striking ''this section'' and inserting ''subsection (a)'';

(6) by redesignating subsection (f) as subsection (g); and

(7) by inserting after subsection (e) the following:

''(f)(1) The Director may engage in fundraising in an official capacity for the benefit of nonprofit organizations that provide support to surviving family members of deceased Agency employees or that otherwise provide support for the welfare, education, or recreation of Agency employees, former Agency employees, or their family members.

''(2) In this subsection, the term 'fundraising' means the raising of funds through the active participation in the promotion, production, or presentation of an event designed to raise funds and does not include the direct solicitation of money by any other means.''.

TITLE V—SECURITY CLEARANCE REFORM

SEC. 501. CONTINUOUS EVALUATION AND SHARING OF DEROGATORY INFORMATION REGARDING PERSONNEL WITH ACCESS TO CLASSIFIED INFORMATION.

Section 102A(j) of the National Security Act of 1947 (50 U.S.C. 3024(j)) is amended—

(1) in the heading, by striking ''SENSITIVE COMPARTMENTED INFORMATION'' and inserting ''CLASSIFIED INFORMATION'';

(2) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(3) in paragraph (4), by striking the period and inserting a semicolon; and

(4) by adding at the end the following new paragraphs:

''(5) ensure that the background of each employee or officer of an element of the intelligence community, each contractor to an element of the intelligence community, and each individual employee of such a contractor who has been determined to be eligible for access to classified information is monitored on a continual basis under standards developed by the Director, including with respect to the frequency of evaluation, during the period of eligibility of such employee or officer of an element of the intelligence community, such contractor, or such individual employee to such a contractor to determine whether such employee or officer of an element of the intelligence community, such contractor, and such individual employee of such a contractor continues to meet the requirements for eligibility for access to classified information; and

''(6) develop procedures to require information sharing between elements of the intelligence community concerning potentially derogatory security information regarding an employee or officer of an element of the intelligence community, a contractor to an element of the intelligence community, or an individual employee of such a contractor that may impact the eligibility of such employee or officer of an element of the intelligence community, such contractor, or such individual employee of such a contractor for a security clearance.''.

SEC. 502. REQUIREMENTS FOR INTELLIGENCE COMMUNITY CONTRACTORS.

(a) REQUIREMENTS.—Section 102A of the National Security Act of 1947 (50 U.S.C. 3024) is amended by adding at the end the following new subsection:

''(x) REQUIREMENTS FOR INTELLIGENCE COMMUNITY CONTRACTORS.—The Director of National Intelligence, in consultation with the head of each department of the Federal Government that contains an element of the intelligence community and the Director of the Central Intelligence Agency, shall—

''(1) ensure that—

''(A) any contractor to an element of the intelligence community with access to a classified network or classified information develops and operates a security plan that is consistent with standards established by the Director of National Intelligence for intelligence community networks; and

''(B) each contract awarded by an element of the intelligence community includes provisions requiring the contractor comply with such plan and such standards;

''(2) conduct periodic assessments of each security plan required under paragraph (1)(A) to ensure such security plan complies with the requirements of such paragraph; and

''(3) ensure that the insider threat detection capabilities and insider threat policies of the intelligence community apply to facilities of contractors with access to a classified network.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to contracts entered into or renewed after the date of the enactment of this Act.

SEC. 503. TECHNOLOGY IMPROVEMENTS TO SECURITY CLEARANCE PROCESSING.

(a) IN GENERAL.—The Director of National Intelligence, in consultation with the Secretary of Defense and the Director of the Office of Personnel Management, shall conduct an analysis of the relative costs and benefits of potential improvements to the process for investigating persons who are proposed for access to classified information and adjudicating whether such persons satisfy the criteria for obtaining and retaining access to such information.

(b) CONTENTS OF ANALYSIS.—In conducting the analysis required by subsection (a), the Director of National Intelligence shall evaluate the costs and benefits associated with—

(1) the elimination of manual processes in security clearance investigations and adjudications, if possible, and automating and integrating the elements of the investigation process, including—

(A) the clearance application process;

(B) case management;

(C) adjudication management;

(D) investigation methods for the collection, analysis, storage, retrieval, and transfer of data and records; and

(E) records management for access and eligibility determinations;

(2) the elimination or reduction, if possible, of the use of databases and information sources that cannot be accessed and processed automatically electronically, or modification of such databases and information sources, to enable electronic access and processing;

(3) the use of government-developed and commercial technology for continuous monitoring and evaluation of government and commercial data sources that can identify and flag information pertinent to adjudication guidelines and eligibility determinations;

(4) the standardization of forms used for routine reporting required of cleared personnel (such as travel, foreign contacts, and financial disclosures) and use of continuous monitoring technology to access databases containing such reportable information to independently obtain and analyze reportable data and events;

(5) the establishment of an authoritative central repository of personnel security information that is accessible electronically at multiple levels of classification and eliminates technical barriers to rapid access to information necessary for eligibility determinations and reciprocal recognition thereof;

(6) using digitally processed fingerprints, as a substitute for ink or paper prints, to reduce error rates and improve portability of data;

(7) expanding the use of technology to improve an applicant's ability to discover the status of a pending security clearance application or reinvestigation; and

(8) using government and publicly available commercial data sources, including social media, that provide independent information pertinent to adjudication guidelines to improve quality and timeliness, and reduce costs, of investigations and reinvestigations.

(c) REPORT TO CONGRESS.—Not later than 6 months after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on the analysis required by subsection (a).

SEC. 504. REPORT ON RECIPROCITY OF SECURITY CLEARANCES.

The head of the entity selected pursuant to section 3001(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(b)) shall submit to the appropriate committees of Congress a report each year through 2017 that describes for the preceding year—

(1) the periods of time required by authorized adjudicative agencies for accepting background investigations and determinations completed by an authorized investigative entity or authorized adjudicative agency;

(2) the total number of cases in which a background investigation or determination completed by an authorized investigative entity or authorized adjudicative agency is accepted by another agency;

(3) the total number of cases in which a background investigation or determination completed by an authorized investigative entity or authorized adjudicative agency is not accepted by another agency; and

(4) such other information or recommendations as the head of the entity selected pursuant to such section 3001(b) considers appropriate.

SEC. 505. IMPROVING THE PERIODIC REINVESTIGATION PROCESS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until December 31, 2017, the Director of National Intelligence, in consultation with the Secretary of Defense and the Director of the Office of Personnel Management, shall transmit to the appropriate committees of Congress a strategic plan for updating the process for periodic reinvestigations consistent with a continuous evaluation program.

(b) CONTENTS.—The plan required by subsection (a) shall include—

(1) an analysis of the costs and benefits associated with conducting periodic reinvestigations;

(2) an analysis of the costs and benefits associated with replacing some or all periodic reinvestigations with a program of continuous evaluation;

(3) a determination of how many risk-based and ad hoc periodic reinvestigations are necessary on an annual basis for each component of the Federal Government with employees with security clearances;

(4) an analysis of the potential benefits of expanding the Government's use of continuous evaluation tools as a means of improving the effectiveness and efficiency of procedures for confirming the eligibility of personnel for continued access to classified information; and

(5) an analysis of how many personnel with out-of-scope background investigations are employed by, or contracted or detailed to, each element of the intelligence community.

(c) PERIODIC REINVESTIGATIONS DEFINED.—In this section, the term ''periodic reinvestigations'' has the meaning given that term in section 3001(a) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(a)).

SEC. 506. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

In this title, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

TITLE VI—INTELLIGENCE COMMUNITY WHISTLEBLOWER PROTECTIONS

SEC. 601. PROTECTION OF INTELLIGENCE COMMUNITY WHISTLEBLOWERS.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding at the end the following new section:

''SEC. 1104. PROHIBITED PERSONNEL PRACTICES IN THE INTELLIGENCE COMMUNITY.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' means an executive department or independent establishment, as defined under sections 101 and 104 of title 5, United States Code, that contains an intelligence community element, except the Federal Bureau of Investigation.

''(2) COVERED INTELLIGENCE COMMUNITY ELEMENT.—The term 'covered intelligence community element'—

''(A) means—

''(i) the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

''(ii) any executive agency or unit thereof determined by the President under section 2302(a)(2)(C)(ii) of title 5, United States Code, to have as its principal function the conduct of foreign intelligence or counterintelligence activities; and

''(B) does not include the Federal Bureau of Investigation.

''(3) PERSONNEL ACTION.—The term 'personnel action' means, with respect to an employee in a position in a covered intelligence community element (other than a position excepted from the competitive service due to its confidential, policy-determining, policy-making, or policy-advocating character)—

''(A) an appointment;

''(B) a promotion;

''(C) a disciplinary or corrective action;

''(D) a detail, transfer, or reassignment;

''(E) a demotion, suspension, or termination;

''(F) a reinstatement or restoration;

''(G) a performance evaluation;

''(H) a decision concerning pay, benefits, or awards;

''(I) a decision concerning education or training if such education or training may reasonably be expected to lead to an appointment, promotion, or performance evaluation; or

''(J) any other significant change in duties, responsibilities, or working conditions.

''(b) IN GENERAL.—Any employee of an agency who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take a personnel action with respect to any employee of a covered intelligence community element as a reprisal for a lawful disclosure of information by the employee to the Director of National Intelligence (or an employee designated by the Director of National Intelligence for such purpose), the Inspector General of the Intelligence Community, the head of the employing agency (or an employee designated by the head of that agency for such purpose), the appropriate inspector general of the employing agency, a congressional intelligence committee, or a member of a congressional intelligence committee, which the employee reasonably believes evidences—

''(1) a violation of any Federal law, rule, or regulation; or

''(2) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

''(c) ENFORCEMENT.—The President shall provide for the enforcement of this section.

''(d) EXISTING RIGHTS PRESERVED.—Nothing in this section shall be construed to—

''(1) preempt or preclude any employee, or applicant for employment, at the Federal Bureau of Investigation from exercising rights provided under any other law, rule, or regulation, including section 2303 of title 5, United States Code; or

''(2) repeal section 2303 of title 5, United States Code.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

''Sec. 1104. Prohibited personnel practices in the intelligence community.''.

SEC. 602. REVIEW OF SECURITY CLEARANCE OR ACCESS DETERMINATIONS.

(a) GENERAL RESPONSIBILITY.—

(1) IN GENERAL.—Section 3001(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(b)) is amended—

(A) in the matter preceding paragraph (1), by striking ''Not'' and inserting ''Except as otherwise provided, not'';

(B) in paragraph (5), by striking ''and'' after the semicolon;

(C) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(D) by inserting after paragraph (6) the following:

''(7) not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2014—

''(A) developing policies and procedures that permit, to the extent practicable, individuals to appeal a determination to suspend or revoke a security clearance or access to classified information and to retain their government employment status while such challenge is pending; and

''(B) developing and implementing uniform and consistent policies and procedures to ensure proper protections during the process for denying, suspending, or revoking a security clearance or access to classified information, including the ability to appeal such a denial, suspension, or revocation, except that there shall be no appeal of an agency's suspension of a security clearance or access determination for purposes of conducting an investigation, if that suspension lasts no longer than 1 year or the head of the agency or a designee of the head of the agency certifies that a longer suspension is needed before a final decision on denial or revocation to prevent imminent harm to the national security.''.

(2) REQUIRED ELEMENTS OF POLICIES AND PROCEDURES.—The policies and procedures for appeal developed under paragraph (7) of section 3001(b) of the Intelligence Reform and Terrorism Prevention Act of 2004, as added by subsection (a), shall provide for the Inspector General of the Intelligence Community, or the inspector general of the employing agency, to conduct fact-finding and report to the agency head or the designee of

the agency head within 180 days unless the employee and the agency agree to an extension or the investigating inspector general determines in writing that a greater period of time is required. To the fullest extent possible, such fact-finding shall include an opportunity for the employee to present relevant evidence such as witness testimony.

(b) RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.—Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) is amended by adding at the end the following:

''(j) RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.—

''(1) IN GENERAL.—Agency personnel with authority over personnel security clearance or access determinations shall not take or fail to take, or threaten to take or fail to take, any action with respect to any employee's security clearance or access determination in retaliation for—

''(A) any lawful disclosure of information to the Director of National Intelligence (or an employee designated by the Director of National Intelligence for such purpose) or the head of the employing agency (or employee designated by the head of that agency for such purpose) by an employee that the employee reasonably believes evidences—

''(i) a violation of any Federal law, rule, or regulation; or

''(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

''(B) any lawful disclosure to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures, of information which the employee reasonably believes evidences—

''(i) a violation of any Federal law, rule, or regulation; or

''(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

''(C) any lawful disclosure that complies with—

''(i) subsections (a)(1), (d), and (h) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.);

''(ii) subparagraphs (A), (D), and (H) of section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)); or

''(iii) subparagraphs (A), (D), and (I) of section 103H(k)(5) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)); and

''(D) if the actions do not result in the employee or applicant unlawfully disclosing information specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs, any lawful disclosure in conjunction with—

''(i) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation;

''(ii) testimony for or otherwise lawfully assisting any individual in the exercise of any right referred to in clause (i); or

''(iii) cooperation with or disclosing information to the Inspector General of an agency, in accordance with applicable provisions of law in connection with an audit, inspection, or investigation conducted by the Inspector General.

''(2) RULE OF CONSTRUCTION.—Consistent with the protection of sources and methods, nothing in paragraph (1) shall be construed to authorize the withholding of information from Congress or the taking of any personnel action against an employee who lawfully discloses information to Congress.

''(3) DISCLOSURES.—

''(A) IN GENERAL.—A disclosure shall not be excluded from paragraph (1) because—

''(i) the disclosure was made to a person, including a supervisor, who participated in an activity that the employee reasonably believed to be covered by paragraph (1)(A)(ii);

''(ii) the disclosure revealed information that had been previously disclosed;

''(iii) the disclosure was not made in writing;

''(iv) the disclosure was made while the employee was off duty; or

''(v) of the amount of time which has passed since the occurrence of the events described in the disclosure.

''(B) REPRISALS.—If a disclosure is made during the normal course of duties of an employee, the disclosure shall not be excluded from paragraph (1) if any employee who has authority to take, direct others to take, recommend, or approve any personnel action with respect to the employee making the disclosure, took, failed to take, or threatened to take or fail to take a personnel action with respect to that employee in reprisal for the disclosure.

''(4) AGENCY ADJUDICATION.—

''(A) REMEDIAL PROCEDURE.—An employee or former employee who believes that he or she has been subjected to a reprisal prohibited by paragraph (1) may, within 90 days after the issuance of notice of such decision, appeal that decision within the agency of that employee or former employee through proceedings authorized by subsection (b)(7), except that there shall be no appeal of an agency's suspension of a security clearance or access determination for purposes of conducting an investigation, if that suspension lasts not longer than 1 year (or a longer period in accordance with a certification made under subsection (b)(7)).

''(B) CORRECTIVE ACTION.—If, in the course of proceedings authorized under subparagraph (A), it is determined that the adverse security clearance or access determination violated paragraph (1), the agency shall take specific corrective action to return the employee or former employee, as nearly as practicable and reasonable, to the position such employee or former employee would have held had the violation not occurred. Such corrective action may include back pay and related benefits, travel expenses, and compensatory damages not to exceed $300,000.

''(C) CONTRIBUTING FACTOR.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual, unless the agency demonstrates by a preponderance of the evidence that it would have taken the same action in the absence of such disclosure, giving the utmost deference to the agency's assessment of the particular threat to the national security interests of the United States in the instant matter.

''(5) APPELLATE REVIEW OF SECURITY CLEARANCE ACCESS DETERMINATIONS BY DIRECTOR OF NATIONAL INTELLIGENCE.—

''(A) APPEAL.—Within 60 days after receiving notice of an adverse final agency determination under a proceeding under paragraph (4), an employee or former employee may appeal that determination in accordance with the procedures established under subparagraph (B).

''(B) POLICIES AND PROCEDURES.—The Director of National Intelligence, in consultation with the Attorney General and the Secretary of Defense, shall develop and implement policies and procedures for adjudicating the appeals authorized by subparagraph (A).

''(C) CONGRESSIONAL NOTIFICATION.—Consistent with the protection of sources and methods, at the time the Director of National Intelligence issues an order regarding an appeal pursuant to the policies and procedures established by this paragraph, the Director of National Intelligence shall notify the congressional intelligence committees.

''(6) JUDICIAL REVIEW.—Nothing in this section shall be construed to permit or require judicial review of any—

''(A) agency action under this section; or

''(B) action of the appellate review procedures established under paragraph (5).

''(7) PRIVATE CAUSE OF ACTION.—Nothing in this section shall be construed to permit, authorize, or require a private cause of action to challenge the merits of a security clearance determination.''.

(c) ACCESS DETERMINATION DEFINED.—Section 3001(a) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(a)) is amended by adding at the end the following:

''(9) ACCESS DETERMINATION.—The term 'access determination' means the determination regarding whether an employee—

''(A) is eligible for access to classified information in accordance with Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information), or any successor thereto, and Executive Order 10865 (25 Fed. Reg. 1583; relating to safeguarding classified information with industry), or any successor thereto; and

''(B) possesses a need to know under such an Order.''.

(d) EXISTING RIGHTS PRESERVED.—Nothing in this section or the amendments made by this section shall be construed to preempt, preclude, or otherwise prevent an individual from exercising rights, remedies, or avenues of redress currently provided under any other law, regulation, or rule.

(e) RULE OF CONSTRUCTION.—Nothing in section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341), as amended by this title, shall be construed to require the repeal or replacement of agency appeal procedures implementing Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information), or any successor thereto, and Executive Order 10865 (25 Fed. Reg. 1583; relating to safeguarding classified information with industry), or any successor thereto, that meet the requirements of paragraph (7) of section 3001(b) of such Act, as added by this section.

SEC. 603. REVISIONS OF OTHER LAWS.

(a) INSPECTOR GENERAL ACT OF 1978.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (b)—

(A) by inserting ''(1)'' after ''(b)''; and

(B) by adding at the end the following:

''(2) If the head of an establishment determines that a complaint or information transmitted under paragraph (1) would create a conflict of interest for the head of the establishment, the head of the establishment shall return the complaint or information to the Inspector General with that determination and the Inspector General shall make the transmission to the Director of National Intelligence and, if the establishment is within the Department of Defense, to the Secretary of Defense. In such a case, the requirements of this section for the head of the establishment apply to each recipient of the Inspector General's transmission.'';

(2) by redesignating subsection (h) as subsection (i); and

(3) by inserting after subsection (g) the following:

''(h) An individual who has submitted a complaint or information to an Inspector General under this section may notify any

member of the Permanent Select Committee on Intelligence of the House of Representatives or the Select Committee on Intelligence of the Senate, or a staff member of either such Committee, of the fact that such individual has made a submission to that particular Inspector General, and of the date on which such submission was made.''.

(b) CENTRAL INTELLIGENCE AGENCY.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended—

(1) in subparagraph (B)—

(A) by inserting ''(i)'' after ''(B)''; and

(B) by adding at the end the following:

''(ii) If the Director determines that a complaint or information transmitted under paragraph (1) would create a conflict of interest for the Director, the Director shall return the complaint or information to the Inspector General with that determination and the Inspector General shall make the transmission to the Director of National Intelligence. In such a case, the requirements of this subsection for the Director of the Central Intelligence Agency apply to the Director of National Intelligence''; and

(2) by adding at the end the following:

''(H) An individual who has submitted a complaint or information to the Inspector General under this section may notify any member of the Permanent Select Committee on Intelligence of the House of Representatives or the Select Committee on Intelligence of the Senate, or a staff member of either such Committee, of the fact that such individual has made a submission to the Inspector General, and of the date on which such submission was made.''.

(c) NATIONAL SECURITY ACT OF 1947.—Section 103H(k)(5) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)) is amended by adding at the end the following:

''(I) An individual who has submitted a complaint or information to the Inspector General under this section may notify any member of either of the congressional intelligence committees, or a staff member of either of such committees, of the fact that such individual has made a submission to the Inspector General, and of the date on which such submission was made.''.

SEC. 604. POLICIES AND PROCEDURES; NONAPPLICABILITY TO CERTAIN TERMINATIONS.

(a) COVERED INTELLIGENCE COMMUNITY ELEMENT DEFINED.—In this section, the term ''covered intelligence community element''—

(1) means—

(A) the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

(B) any executive agency or unit thereof determined by the President under section 2302(a)(2)(C)(ii) of title 5, United States Code, to have as its principal function the conduct of foreign intelligence or counterintelligence activities; and

(2) does not include the Federal Bureau of Investigation.

(b) REGULATIONS.—In consultation with the Secretary of Defense, the Director of National Intelligence shall develop policies and procedures to ensure that a personnel action shall not be taken against an employee of a covered intelligence community element as a reprisal for any disclosure of information described in 1104 of the National Security Act of 1947, as added by section 601 of this Act.

(c) REPORT ON THE STATUS OF IMPLEMENTATION OF REGULATIONS.—Not later than 2 years after the date of the enactment of this Act, the Director of National Intelligence shall submit a report on the status of the implementation of the regulations promulgated under subsection (b) to the congressional intelligence committees.

(d) NONAPPLICABILITY TO CERTAIN TERMINATIONS.—Section 1104 of the National Security Act of 1947, as added by section 601 of this Act, and section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341), as amended by section 602 of this Act, shall not apply if—

(1) the affected employee is concurrently terminated under—

(A) section 1609 of title 10, United States Code;

(B) the authority of the Director of National Intelligence under section 102A(m) of the National Security Act of 1947 (50 U.S.C. 3024(m)), if the Director determines that the termination is in the interest of the United States;

(C) the authority of the Director of the Central Intelligence Agency under section 104A(e) of the National Security Act of 1947 (50 U.S.C. 3036(e)), if the Director determines that the termination is in the interest of the United States; or

(D) section 7532 of title 5, United States Code, if the head of the agency determines that the termination is in the interest of the United States; and

(2) not later than 30 days after such termination, the head of the agency that employed the affected employee notifies the congressional intelligence committees of the termination.

TITLE VII—TECHNICAL AMENDMENTS

SEC. 701. TECHNICAL AMENDMENTS TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.

Section 21 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3521) is amended—

(1) in subsection (b)(1)(D), by striking ''section (a)'' and inserting ''subsection (a)''; and

(2) in subsection (c)(2)(E), by striking ''provider.'' and inserting ''provider''.

SEC. 702. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947 RELATING TO THE PAST ELIMINATION OF CERTAIN POSITIONS.

Section 101(a) of the National Security Act of 1947 (50 U.S.C. 3021(a)) is amended—

(1) in paragraph (5), by striking the semicolon and inserting ''; and'';

(2) by striking paragraphs (6) and (7);

(3) by redesignating paragraph (8) as paragraph (6); and

(4) in paragraph (6) (as so redesignated), by striking ''the Chairman of the Munitions Board, and the Chairman of the Research and Development Board,''.

SEC. 703. TECHNICAL AMENDMENTS TO THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2013.

(a) AMENDMENTS.—Section 506 of the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277; 126 Stat. 2478) is amended—

(1) by striking ''Section 606(5)'' and inserting ''Paragraph (5) of section 605''; and

(2) by inserting '', as redesignated by section 310(a)(4)(B) of this Act,'' before ''is amended''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277).

SA 3239. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2450, to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXEMPTION OF MEDICAL DEVICES SOLD UNDER THE TRICARE FOR LIFE PROGRAM OR VETERAN'S HEALTH CARE PROGRAMS FROM THE MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Paragraph (2) of section 4191(b) of the Internal Revenue Code of 1986 is amended—

(1) in subparagraph (C), by striking ''and'' at the end,

(2) by redesignating subparagraph (D) as subparagraph (E), and

(3) by inserting after subparagraph (C) the following new subparagraph:

''(D) any medical device which is sold to individuals covered under the TRICARE for Life program or the veteran's health care program under chapter 17 of title 38, United States Code, any portion of the cost of which is paid or reimbursed under either such program, and''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to sales after the date of the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 11, 2014, at 2:30 p.m. in room SR–253 of the Russell Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 11, 2014, at 11 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 11, 2014, at 5:15 p.m. to hold a hearing entitled ''CLOSED/TS/SCI: The Situation in Ukraine.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SANDERS. 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 11, 2014, at 10 a.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 11, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m.

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

COMMITTEE ON THE JUDICIARY

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate, on June 11, 2014, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Department of Homeland Security.''

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Human Rights be authorized to meet during the session of the Senate, on June 11, 2014, at 4 p.m., in room SD–226 of the Dirksen Senate Office Building.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE NOMINATIONS

Mr. REID. Mr. President, I ask unanimous consent that on Thursday—that is tomorrow—June 12, at 11:30 a.m., the Senate proceed to executive session and consideration of Calendar No. 523, under the previous order; further, that following the disposition of that nomination, the Senate proceed to consideration and vote on Calendar Nos. 710, 782, and 776; 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. Without objection, it is so ordered.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 244, S. 1681.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1681) to authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

Mr. REID. I further ask unanimous consent that the substitute amendment, which is at the desk, be agreed to; that the bill, as amended, be read a third time and the Senate proceed to vote on passage of the bill, as amended.

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

The amendment (No. 3238) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1681), as amended, was passed.

CLARIFYING RESPONSIBILITY OF SENATE COMMITTEES

Mr. REID. Mr. President, I further ask unanimous consent that S. Res. 470, which is at the desk, be placed on the calendar and that upon the enactment into law of the language of title IV of S. 1681, as amended, the Senate proceed to the consideration of the resolution; that the resolution be agreed to and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

HONORING FORMER PRESIDENT GEORGE H.W. BUSH AND BARBARA BUSH

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 471.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 471) honoring former President George H.W. Bush on the occasion of his 90th birthday and Barbara Bush on the occasion of her 89th birthday and extending the best wishes of the Senate to former President Bush and Mrs. Bush.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 471) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

HONORING DR. JAMES SCHLESINGER

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration S. Res. 472.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 472) honoring Dr. James Schlesinger, former Secretary of Defense, Secretary of Energy, and Director of Central Intelligence.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 472) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, JUNE 12, 2014

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, June 12, 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 be in a period of morning business until 11:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes; and that at 11:30 a.m., the Senate proceed to executive session to consider Calendar No. 523, as provided for under the previous order; further, that upon disposition of the Batta nomination, the Senate resume legislative session and be in a period of morning business until 1:45 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees; that at 1:45 p.m., the Senate proceed to executive session to consider Calendar No. 769, as provided for under the previous order; finally, upon disposition of the Fischer nomination, the Senate resume legislative session.

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

PROGRAM

Mr. REID. Mr. President, there will be a series of votes at noon tomorrow and another series at 1:45 p.m. tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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

There being no objection, the Senate, at 7:01 p.m., adjourned until Thursday, June 12, 2014, at 9:30 a.m.