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Senate

The Senate met at 9:30 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.

Eternal God, our rock, our fortress, and our deliverer, You know when we sit and when we rise. Before a word is on our tongue, You know it completely. Guide us and our lawmakers with Your spirit's wisdom, keeping us from paths that lead to ruin. May we seek the wages of righteousness that will bring us life. Make the mouths of our Senators fountains of life that will bring peace and stability to our world. Give us all a reverence for You that will enable us to serve Your purposes for our lives in this generation.

We pray in Your sacred 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, September 10, 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, the Senate will resume consideration of the motion to proceed to S.J. Res 19 postcloture. That is the legislation of the constitutional amendment to allow us to set the campaign spending limits and not have the battle with the billionaires trying to buy America. At 2 p.m. all postcloture time will be considered expired and the Senate will proceed to vote on the motion to proceed. I expect this vote to be done by voice.

Shortly after 2 p.m. we expect a rollcall vote relative to the paycheck fairness bill. That legislation deals with, for example, my daughter doing the exact same work as her male counterpart. She should make the same amount of money. That is what this legislation is all about. We tried to move forward on it once before and we were blocked by the Republicans. We will see what happens again today. It seems fair that my daughter should make the same amount of money for doing the same work as her male counterpart.

SUPPORTING OUR COMMANDER IN CHIEF

Mr. REID. Mr. President, yesterday I had the opportunity and good fortune to be invited to the White House with Speaker BOEHNER, Leader PELOSI, and Leader MCCONNELL. We spent more than an hour with the President and Vice President talking about what is going on in the world.

We do know what is going on in the world separate and apart from that meeting at the White House. There is a murderous, vile terrorist group that is taking over parts of Iraq and is trying to move into other parts of the world in the Middle East. Their brutality is unprecedented, especially unprecedented in that they want to advertise how vile they are. They are so vicious, going after everyone—civilians, women, children—trying to eliminate anyone who they think disagrees with them. They have targeted minorities, they have targeted Jews, Christians, and anyone whom they disagree with—religious minorities. We saw that. We had thousands and thousands of ancient religious minorities trapped on a mountain by these vicious, vile people.

Of course, they are after any American. The two innocent journalists who were out just covering the news were beheaded and they advertised the beheadings. The Islamic State or ISIS—whatever we want to call them—will be stopped. They must be stopped and they need to be destroyed and they will be destroyed.

President Obama has taken decisive action during the month of August to protect Americans and help prevent a humanitarian catastrophe. Yesterday the President described his initiative to take on this terrorist group as we move forward, and I support him. President Obama has made it clear it is going to take decisive action to destroy the Islamic State through the use of air strikes and drones. This is a smart, strategic, and effective approach and I support it.

But there are people in Congress who are taking advice from Dick Cheney. He was here yesterday. I think they better be very careful of the advice they take from Dick Cheney. Dick Cheney is more responsible than anyone else for the worst foreign policy decision in the history of the country, the invasion of Iraq. Almost 6,000 dead Americans and tens of thousands

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

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wounded, thousands and thousands grievously wounded. Our fighting men and women did a yeoman's job. They made us proud. But was that war necessary? In hindsight, it appears to me it wasn't. Not only have we lost thousands of American lives, it has destabilized the whole Middle East and hundreds of thousands—hundreds of thousands—hundreds of thousands—hundreds of thousands of Iraqis have been killed. They are now gone.

But there are some pushing hard in Congress to authorize use of military force right now—right now. Dick Cheney was here yesterday. I guess that is whom they are following. But wouldn't it be a good idea for us to stand back a little bit and see what the President of the United States has to say tonight? He is addressing the Nation. Let's allow him to speak to our country, to our fellow citizens, and lay out his plan.

It is absolutely critical that the American people and Congress hear directly from the President of the United States.

In the Senate we are going to have an all-Senators briefing tomorrow afternoon. The administration will come to one of our classified rooms in the Capitol complex and lay out to us in detail what is going on that is not in the news. So every Member of this body will have a chance to get as much information as possible. The President speaks tonight. Tomorrow afternoon there is a briefing.

It is clear—the President has said so publicly, his administration has said so publicly, and the officials who work directly with the White House—he is doing his utmost. He just returned from Europe and much of the time that was spent there in the NATO conference was about what they are going to do to go after this evil in the Middle East, this ISIS group. He is doing his utmost to build a robust international coalition including the Sunni Arab States.

For this mission to be successful, of course, Sunni Arab countries must play a role and they will do that. That is being worked on as we speak.

It is clear to me that we need to train and equip Syrian rebels and other groups in the Middle East that need some help. It is called title 10 authority. The rebels have tried to get it from us and they should get it. That is our way of building an international coalition. Congress should do that. The Republicans are worried about money. There is money to do that. The chairman of the Armed Services Committee is on the floor and he can certainly vouch for that. It would give authority for the President to help equip these rebels.

Going it alone is not going to work. We must have the support of the international community if we are to rid the world of ISIS. We know France—I at least believe that—has stepped forward, I believe Great Britain has stepped forward, I understand Poland is part of the coalition that has stepped forward, and there are many other countries the President met with in Europe just a few days ago. We need to build a coalition, and that is what he is doing, rather than declaring war today. Title 10 authority is something we need.

I repeat. Going it alone will not suffice. I also believe that as Commander in Chief the President has the authority he needs now to act against ISIS. I believe the vast majority of the Members of Congress agree with that. Now it is critical we support our Commander in Chief as he takes this decisive action. I am amazed—amazed—that some Members of Congress want to rush to war, because that is what they are talking about is a war. How did that work out for us last time? Not so well. The Bush-Cheney strategy of rushing into conflict didn't work then and it will not work now. Let's be cautious and let's be deliberate.

I repeat. Former Vice President Cheney was here yesterday giving the Republicans a pep talk. He gave them advice on foreign policy. Please—please—taking advice from Dick Cheney on foreign policy, that is a terrifying prospect. We should be learning from our past mistakes, not repeating them.

Air strikes and strategic use of drones and of course covert action are the most effective ways to take out ISIS without committing American troops, placing troops in harm's way. So I support President Obama's decision not to send in ground troops. That is not an option for the American people. I can guarantee everyone that within the sound of my voice.

But now that the Republicans are taking advice from Dick Cheney on foreign policy, I am concerned they once again will rush to commit U.S. troops to a ground war in the Middle East when we could accomplish the mission in a more strategic way.

I say to Democrats and Republicans, let's destroy these despicable terrorists, but let's do it the right way this time. The President knows and the American people know we have to take decisive action. The President knows how to destroy terrorists and their organization. Osama bin Laden is proof of that.

Let's give the President of the United States the time to do this the right way. Troops are out there defending us as we speak. They are not Democrats. They are not Republicans. They are not Independents. They are fighting for us to protect Americans. We need committed, decisive action to stop ISIS.

RECOGNITION OF THE MINORITY LEADER

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

MIDDLE EAST STRATEGY

Mr. McCONNELL. Last month I got to spend a lot of time with the people of Kentucky, and since there has been no shortage of issues to keep people up at night over the past few months, I got a lot of straight talk on a lot of topics. I heard a lot about the crisis at the border, about lost health care plans, the chronic shortage of good jobs, stagnant wages, even Ebola, the spread of which is a threat that must be taken seriously.

Yet one issue that kept coming up is America's role in the world and the growing sense that some in Washington are more or less content to let others shape our destiny for us. For many that concern was crystallized when they witnessed the barbaric execution of an American citizen by an ISIL terrorist and the halting reaction to it by a President who has yet to find his footing when it comes to dealing with this group that clearly has the will, the means, and the sanctuary it needs to do more.

Last week the White House announced that the President plans to explain the nature of the threat ISIL poses in a speech to the American people tonight. Well, after spending a month talking with folks in Kentucky, it is pretty clear—to me, at least—that the American people fully appreciate the nature of this threat. After the beheadings of two American citizens, they don't want an explanation of what is happening, they want a plan. They want some Presidential leadership.

I hope the President lays out a credible plan to defeat ISIL. I hope he outlines the steps he intends to take beyond simply the defense of Baghdad, Erbil, Sinjar, and Amerli, and what legal authorities and resources he thinks are required to execute a successful campaign against ISIL. But the fact is the rise of ISIL is not an isolated failure. The spread of ISIL occurred in a particular context, and if we hope to defeat this threat, we need to come to terms with that now.

So before speaking with a little more specificity about ISIL and the ongoing threat of global terrorism, I would like to briefly restate my concerns about the consequences of the President's foreign policy, as I warned a few months ago, because ISIL's military advance across Syria and Iraq carries a much larger lesson—a lesson that should prompt the President to reconsider and revise his overall national security policy and better prepare the country and our military to confront the threats that will survive his time in office.

First, it is important to note a few of the consistent objectives that have always characterized this President's national security policy: drawing down our conventional and nuclear forces, withdrawing from Iraq and Afghanistan, and placing a greater reliance upon international organizations and diplomacy.

As I have noted on other occasions, I have serious differences with the President over this approach. In my view, we have a duty as a superpower without imperialistic aims to help maintain international order and balance of

power, and that international order is maintained by American military might. Indeed, American military might is its backbone. But that is not a view this President seems to share.

The defining bookends to the President's approach were the Executive orders signed his first week in office which included the declaration that Guantanamo would be closed within a year without any plan on what to do with its detainees and the Executive orders that ended the CIA's detention and interrogation programs at the same time. In May of this year the President also announced that all of our combat forces would be withdrawn from Afghanistan by the end of this term whether or not the Taliban is successful in capturing parts of Afghanistan, whether or not Al Qaeda's senior leadership has found a more permissive environment in the tribal areas of Pakistan, and whether or not Al Qaeda has been driven from Afghanistan.

All of this underscores something I have been suggesting for some time—that the President is a rather reluctant Commander in Chief—because between those two bookends much has occurred to undermine our Nation's national security. Yet, tragically, the President has not adapted accordingly.

We have seen the failure to negotiate a status of forces agreement with Iraq that would have allowed for a residual military force and likely prevented the assault by the Islamic State of Syria and the Levant.

We have seen how the President's inability to see Russia and China as the dissatisfied regional powers they are, intent on increasing their spheres of influence, has exposed our own allies to new risk. The failed reset with Russia and the President's commitment to a world without nuclear weapons led him to hastily sign an arms treaty with Russia that did nothing to substantially reduce its nuclear stockpile or its tactical nuclear weapons. And, of course, Russia was undeterred in its assault upon Ukraine.

The President announced a strategic pivot to the Asia-Pacific without any real plan to fund it. This failure to invest in the kinds of naval, air, and Marine Corps forces we will need to maintain our dominance in this region in the years to come could have tragic consequences down the road.

Of course, we have all seen how eager the President was to declare an end to the war on terror, but as the President was focused on unwinding or reversing past policies through Executive order, the threat from Al Qaeda and affiliated groups only metastasized. Uprisings in north Africa and the broader Middle East resulted in additional ungoverned space in Syria, Libya, Egypt, and Yemen. There were prison breaks in Iraq, Pakistan, and Libya, and the release of hundreds of prisoners in Egypt. Terrorists also escaped from prisons in Yemen—a country that is no more ready to detain the terrorists at Guantanamo today than they were back in 2009.

The President's response to all of this has been to draw down our conventional forces and capabilities and to deploy special operations forces in economy-of-force train-and-assist missions across the globe. Speaking at West Point in May, he pointed to a network of partnerships from South Asia to the Sahel to be funded by a $5 billion counterterror partnership fund for which Congress has yet to receive a viable plan. In those cases where indigenous forces prove insufficient and a need for direct action actually arises, the President announced his intent to resort to the use of armed, unmanned aerial vehicles for strikes, as has been done in Yemen and Somalia. By deploying special operations forces, the President hoped to manage the diffuse threat posed by Al Qaeda in the Arabian Peninsula, Boko Haram, terrorist networks inside of Libya that now threaten Egypt, the al-Nusrah front, the Taliban, ISIL, and other terrorist groups.

But as the nature of terrorist insurgencies has evolved, the President sees no need to reverse the harmful damage of the defense cuts he insisted upon, to rebuild our conventional and nuclear forces or to accept that leaving behind residual forces in Iraq and Afghanistan is an effective means by which to preserve the strategic gains we have made over the years through tremendous sacrifice.

The truth is that the threat of some of these al Qaeda affiliates, associated groups, or independent terrorist organizations has simply outpaced the President's economy-of-force concept. In some cases the host nation's military, which we have trained and equipped, has proven to be inadequate to defeat the insurgency in question, as is the case with AQAP, the Taliban, or ISIL. In some cases the insurgency does not affiliate itself with al Qaeda or builds upon territorial gains before aspiring to attack the U.S. homeland.

The growth, advance, and evolution of ISIL presents a turning point for the President. Will the fall of Anbar Province and the threat posed by ISIL to Jordan, Saudi Arabia, and Turkey lead to a reconsideration of his entire national security policy, the kind I have alluded to here and elsewhere, or will the President confine himself within the bookends of shortsighted national security policies that were originally conceived on the campaign trail back in 2008?

If prior events or arguments left the President unpersuaded, the emergence and recent actions of ISIL should convince him that the time has come to revisit his prior assumptions and rethink his approach. ISIL is large and lethal, and its rapid growth has outpaced the capacity of either the Peshmerga, the Iraqi security forces, or the moderate Syrian opposition to contain it. Ominously, ISIL has developed expertise in small-unit infantry tactics, the use of insurgent tactics, and as a terrorist organization. As a result of oil sales, ransoms, bank robberies, and donations, it is also well funded.

We need a plan, and we need it now. The President has now declared that defeating ISIL is his objective, and that is a very good start. But Americans don't want a lecture, they want a plan—a credible, comprehensive plan to deal with this menace that clearly wants to harm us here at home and is only becoming stronger by the day.

The Chairman of the Joint Chiefs of Staff General Dempsey has said that defeating ISIL will require military action within Syria, and the President has now declared that defeating ISIL is his objective. Tonight the President needs to set forth the military strategy and the means required to defeat ISIL and to link those actions to any additional authorization and appropriations he would like to see from Congress. If the President develops a regional strategy, builds a combat-effective military coalition, and explains how his strategy will lead to the defeat of ISIL, I believe he will have significant congressional support. This is no small matter. If Congress is asked to support a strategy, it needs to be a strategy that is designed to succeed and not a mere restatement of current policy which we know is insufficient to the task.

The President must seize this opportunity to lead. This is not the time to shirk or put off his solemn responsibilities as Commander in Chief because passing off this threat to his successor would not only be irresponsible, it would increase the threat ISIL poses to Americans by enabling it to secure its gains within Iraq and Syria. In my view, ISIL's campaign across Syria and Iraq presents the President with an opportunity. It is an opportunity to reconsider his failed national security policy.

The President and his advisers may have convinced themselves of their standard straw man argument that anyone who disagrees with this failed approach is bent on serial occupations or bent on invasions, but that is really a false choice, and it is certainly not a plan.

It is time to put the straw man aside and to realize the fight is not with his critics here at home, it is with ISIL. That is why this morning I am calling on the President to present us with a credible plan the American people have been waiting for, explain our military objectives, and rally public support for accomplishing them. That is what the Commander in Chief should be doing at a moment such as this.

If the threat from ISIL demands the commitment of American resources and the risk of American life, the President has a duty to explain that to the Nation and Congress this evening even if it doesn't conform with the tidy vision of world affairs he outlined as a candidate 6 years ago. If his strategy is little more than a restatement of the current policies, if all he plans to do is

manage this threat and pass it off to his successor, well, we need to know that too because Americans are worried and they are anxious. They want and deserve the truth. Most of all, they want a plan, and that is what I am hoping for tonight.

HONORING OUR ARMED FORCES

LANCE CORPORAL MATTHIAS N. HANSON

Mr. MCCONNELL. Mr. President, I rise to mourn the loss of a U.S. marine and a Kentuckian from the hometown of Abraham Lincoln. LCpl Matthias N. Hanson hailed from Lincoln's birthplace of Hodgenville, KY, and was killed on February 21, 2010, of wounds suffered as a result of conducting combat operations in Helmand Province, Afghanistan. He was 20 years old.

For his service in uniform, Lance Corporal Hanson received several awards, medals, and decorations, including the National Defense Service Medal, the Global War on Terrorism Service Medal, and the Purple Heart.

''Matt's our hero because of how he lived,'' says the Reverend Norm Brock, who spoke at Matt's memorial service. ''Matt didn't miss life. He lived life.''

Service was a proud tradition in Matt's family. His father Lowell R. Hanson, Jr., served in the Army. One of Matt's brothers is currently Active Duty Army, while the other is in the Army Reserve. Matt himself was born in Germany on a military base. As Mary Huff, Matt's mom, puts it: Matt ''had to go rogue and join the Marines.''

Matt had a strong work ethic in high school says his father Lowell:

> He used to get up at 4:00 in the morning to milk cows on a nearby farm, then go to school, then onto football practice, and back to work on the farm. Other people noticed and were impressed by his work ethic, and I was proud of him. He was determined that when he got old enough, he would join the Marines and serve his country.

Growing up, Matt was known for his blue eyes and sneaky smile, and he had a way of talking himself out of anything.

He had an easygoing manner and a lust for life. ''He was quiet, a trickster and a charmer,'' says his mother. But ultimately, he was a country boy who wanted to do right by his country. Matt was a country music fan who particularly liked the song ''Way Out Here'' by Josh Thompson. He was ''funny, energetic, really outgoing,'' says family friend Emily Johnson. ''He could make anyone laugh. He had the brightest blue eyes ever. That's what we'll remember him as.''

Matt graduated from LaRue County High School in Hodgenville, where he was a member of the football team and the Student Technology Association. Next to his picture in the school yearbook he put the following quote: ''Life moves pretty fast. If you don't look around and pay attention, you could miss it.''

Soon after graduation he enlisted in the Marine Corps in the spring of 2008. ''He was very proud of what he had done when he signed up to go to the Marines,'' remembers LaRue County High School football coach and assistant principal Rodney Armes. ''He got his hair cut short and he was a Marine from the day he signed up.''

Matt was trained as a rifleman and assigned to the 3rd Battalion, 6th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force based in Camp Lejenue, NC. He was deployed to Afghanistan in support of Operation Enduring Freedom in January of 2010. Matt played a key role in a crucial multiday battle in Afghanistan just days before his death in mid-February 2010. Matt's platoon came under fire from Taliban forces in the town of Marjah. Matt walked up, under air cover, to the fortified bunker where the enemy fire was coming from and fired a grenade launcher into the bunker with great poise and accuracy, killing the enemy forces. ''The battle was over,'' said Matt's father, thanks to his bravery. ''He played a critical role,'' says Capt. Gordon Emmanuel, Matt's platoon commander. ''Anytime he shot he was on impact. Marines were cheering with his shots.''

Matt's father was told by Matt's platoon sergeant and by Captain Emmanuel that Camp Hanson, once the biggest U.S. position in Marjah and well known to any Marine who has served in the area, was established at that site in Matt's honor because of his actions.

''The last time I saw [Matt] was on Christmas Eve 2009,'' said Matt's father. ''He hugged me around the neck and said: Daddy, don't worry about me. Everybody dies. Not everybody has Jesus. Not everybody gets to be a Marine.''

We are thinking of Matt's family as I recount his life for my Senate colleagues today. They include Matt's mother and stepfather Mary and Larry Huff; his father and stepmother Lowell R. Hanson, Jr., and Cynthia Hanson; his siblings Megan, Samantha, Erika, Lowell, and Brendan; his grandparents; and many other beloved family members and friends.

Matt was buried with full military honors in Hodgenville. The town that is the birthplace of one of America's greatest patriots, Abraham Lincoln, is also a fitting resting place for this brave young man and Marine. The Commonwealth of Kentucky will never forget the life and service of LCpl Matthias N. Hanson or his ultimate sacrifice given freely to his country. It is thanks to men like him that our Nation is free.

I yield the floor.

RESERVATION OF LEADER TIME

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

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO CONTRIBUTIONS AND EXPENDITURES INTENDED TO AFFECT ELECTIONS—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S.J. Res. 19, which the clerk will report.

The assistant legislative clerk read as follows:

> Motion to proceed to Calendar No. 471, S.J. Res 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask that I be allowed to proceed as in morning business for up to 4 minutes.

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

ISIL

Mr. LEVIN. Mr. President, I believe the President will lay out a strong approach against ISIL tonight. That approach will include going after them wherever they are located, including Syria. The President and Secretary Kerry are making every effort to help lead a broadly based coalition which is so critically important to avoid the consequences of a Western go-it-alone approach which was mistakenly used when we invaded Iraq.

This President, like all Presidents, will welcome bipartisan Congressional support, even though he has the authority in this situation to act without explicit Congressional authority. I hope our friends on the other side of the aisle will lay aside partisan attacks and make a true effort to find a way to take on ISIL in a united manner. A strong bipartisan approach here in the United States will help the President and Secretary Kerry attain the explicit open support of a broad cross section of this world, including Arab and Muslim countries.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I rise today to talk about our constitutional amendment. I think we have had a very good debate this week—an overdue debate. I want to thank my colleagues for coming to the floor and for speaking out. But there have also been many misrepresentations by the other side about what our constitutional amendment would do.

Michael Keegan, the President of People for the American Way, wrote a piece in the Huffington Post yesterday. He summed up the debate from the other side of the aisle quite well. He said, ''a good rule of thumb in politics is that the scarier someone sounds, the more you should doubt what they're saying.''

We heard some scary things in the last couple of days. Lorne Michaels is

going to jail. And he is sharing a cell with a little old lady who put up a $5 political yard sign. Books and movies are banned. The NAACP, Sierra Club, and moveon.org have been prohibited from speaking about politics—scary stuff but none of it is true.

Erwin Chemerinsky, a great constitutional scholar, recently wrote an op-ed in the Hill, rebutting many of the claims we have heard. He wrote:

The amendment—

He is talking about our constitutional amendment here.

—gives no authority to the government to ban or limit anyone's speech. It provides the government no power to ''muzzle'' messages the government doesn't like. It does not change in any way the longstanding First Amendment principle that the government cannot restrict speech based on the content of the message or the views expressed. The amendment would do no more than allow the government to regulate spending in election campaigns.

That is the heart of what we are doing, regulating spending—out-of-control spending—in election campaigns, dark money, big interests weighing in in an unprecedented way.

Professor Chemerinsky is right. S.J. Res. 19 reaffirms the First Amendment principle of equality. It will undo the damage done by the Court over the years, most recently with Citizens United and McCutcheon that said: Those with the most money have the most free speech. Nothing in the amendment would permit the arrest of anyone for engaging in political speech. It would not allow books or movies to be banned.

All the amendment does is restore to Congress and the States the power to set reasonable limits—reasonable limits—on campaign contributions and expenditures, a traditional power that the Court has stripped from us. The amendment returns the First Amendment to its pre-Buckley interpretation when money and speech were not the same thing.

Prior to Buckley, we did not see the kind of legislation against free speech that my Republican colleagues envision, offering extreme examples of laws Congress could pass. That is one way to argue against this amendment. But it ignores the long history of laws Congress did pass to protect the voices of individual voters.

These reforms were not radical. They were narrowly tailored responses to restore America's faith in the political system after a lack of regulations led to scandals and corruption. Let's not forget that any law must pass both Houses of Congress and be signed by the President. That is a significant check against any radical legislation getting passed or these days, against almost any legislation getting passed.

Critics also fail to acknowledge something else. Our amendment does not give Congress free reign to pass any and all campaign finance laws. When the Court interprets any amendment to the Constitution, it reads in a reasonableness requirement. This means that even if Congress did abuse its authority and passed the extreme laws that conservatives suggest, they could still be overturned as unreasonable.

But more importantly, Members of Congress who pass extreme laws can be held accountable by their constituents. The same cannot be said for Supreme Court justices willing to strike down sensible regulations by a narrow majority.

We also heard a quote from the late Senator Ted Kennedy. Senator Kennedy did oppose a similar amendment in 1997 and 2001. The truth is, we do not know if he would oppose the amendment today.

Citizens United and McCutcheon changed the landscape and changed it dramatically. Senator Kennedy was a champion for the underprivileged throughout his career—in civil rights, education, health care, the minimum wage. He stood up for those who did not have a voice, the very people who are harmed by most of these misguided Supreme Court decisions.

We do know some of Senator Kennedy's colleagues who also opposed the amendment in the past are still here in the Senate. They have reconsidered. Chairman LEAHY, Senator DURBIN, the chairman of the Constitution subcommittee. Thoughtful Senators who felt an amendment was unnecessary in the past now see that it is the only way to fix a broken system.

Changing the Constitution is a big step not to be taken lightly. In the Federalist Paper No. 49, James Madison argued the Constitution should be amended only on ''great and extraordinary occasions.'' I agree. I also believe we have reached one of those occasions.

Thank you, Mr. President. I ask unanimous consent that the op-eds I referenced by Michael Keegan and Erwin Chemerinsky be printed in the RECORD.

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

[From the Huffington Post, Sept. 9, 2014]

THE FIRST AMENDMENT ACCORDING TO MITCH MCCONNELL

(By Michael Keegan)

Have you heard that Senate Democrats are working this week to repeal free speech? I did, yesterday morning, from Mitch McConnell.

Have you heard that Democrats are going to go out and ''muzzle'' pastors who criticize them in the pulpit?

We did, from Ted Cruz.

Did you hear that Democrats are going to shut down conservative activists and then ''brainwash the next generation into believing that this is how it should be''?

We did, last month, from the Family Research Council's Tony Perkins.

A good rule of thumb in politics is that the scarier someone sounds, the more you should doubt what they're saying. Another good rule in politics is not to trust what Mitch McConnell says about money in politics.

Because, yes, that's what we're talking about here. Not a secret new Orwellian regime. Not a new anti-pastor task force. What we're talking about is simply limiting the amount of money that corporations and wealthy individuals can spend to influence our elections.

This week, the Senate is debating a constitutional amendment that would overturn recent Supreme Court decisions that have paved the way for an explosion of big money in politics. In those decisions, including Citizens United and this year's McCutcheon, the Supreme Court radically redefined the First Amendment to allow corporations and the wealthy to drown out the speech of everyday Americans with nearly unlimited political spending. The Democracy for All amendment would restore to Congress and the states the power to impose reasonable restrictions on money in politics, just as they had before the Supreme Court started to dismantle campaign finance laws.

So, what are Mitch McConnell and Ted Cruz so scared of?

In fact, it wasn't that long ago that Mitch McConnell supported the very laws that he is now dead-set on blocking. Back in 1987, McConnell said he would support a constitutional amendment to allow Congress to regulate independent expenditures in elections—just as the Democracy for All amendment would. And then he introduced that very constitutional amendment. Either McConnell has dramatically changed his mind regarding what constitutes a threat to the First Amendment, or he's motivated by something more cynical.

So, if Mitch McConnell doesn't actually think that limiting the amount of money that wealthy interests can spend on elections is a violation of the First Amendment, what is he up to? Could it be that he now finds it more useful to court the dollars of major donors than the votes of his constituents?

Washington is the only place where campaign finance reform is a partisan issue. A poll this summer found that 73 percent of voters support a constitutional amendment to get big money out of politics. Americans know that our First Amendment is about protecting the speech of citizens, not the interests of wealthy campaign donors.

Faced with a large, bipartisan grassroots movement that threatens their big-spending friends, the only arguments that Mitch McConnell and Ted Cruz have left are wild accusations, flat-out falsehoods, and outlandish interpretations of the Bill of Rights.

[From thehill.com, July 3, 2014]

TED CRUZ SHOULD BE ASHAMED

(By Erwin Chemerinsky)

Reasonable people can disagree on whether it would be good to amend the Constitution to overcome the Supreme Court's decision in Citizens United v. Federal Election Commission, but Sen. Ted Cruz's (R–Texas) false claims about the proposed amendment have no place in an informed debate. In a series of speeches and writings, Cruz has lied about what the amendment would do. Surely we can and must expect more from our elected officials.

The occasion for Cruz's wrath is a proposed constitutional amendment concerning campaign finance that is now being considered in the Senate Judiciary Committee. The amendment's purpose is to overturn the Supreme Court's recent decisions that have limited the ability of Congress and state governments to regulate campaign spending.

In Citizens United v. Federal Election Commission, in 2010, the Court, 5–4, declared unconstitutional a provision of federal law and held that corporations have the right to spend unlimited amounts of money in independent expenditures in election campaigns.

This year, in McCutcheon v. Federal Election Commission, again by a 5–4 margin, the Court held unconstitutional another provision of federal law that regulated the total amount that a person could contribute to candidates or political parties in a two-year period. As Justice Breyer lamented in his dissent, these cases ''eviscerate'' federal campaign finance law.

The proposed constitutional amendment seeks to restore the power of Congress and the states to enact laws of the sort that the Court declared unconstitutional in these cases. These laws existed without problems for many years until the Supreme Court declared them unconstitutional. In fact, seven years before Citizens United, the Supreme Court upheld the very provision that it invalidated in that case.

The proposed constitutional amendment, in its key provision, simply would say: ''To advance democratic self-government and political equality, and to protect the integrity of government and the electoral process, Congress and the States may regulate and set reasonable limits on the raising and spending of money by candidates and others to influence elections.'' Another provision would make clear that the government can limit campaign spending by corporations.

It is impossible to reconcile this language with Cruz's claims about it. In a statement to the Senate Judiciary Committee, Cruz declared: ''This amendment here today, if adopted, would repeal the free speech protections of the First Amendment. . . . This amendment, if adopted, would give Congress absolute authority to regulate the political speech of every single American, with no limitations whatsoever.''

Similarly, in an op-ed in the Wall Street Journal, Cruz said, the amendment ''gives Congress power to regulate—and ban—speech by everybody.'' In remarks at the Family Research Council, Cruz declared: ''What it [the proposed amendment] says is that politicians in Washington have unlimited constitutional authority to muzzle each and every one of you if you're saying things that government finds inconvenient.''

The amendment does nothing of the sort. It gives no authority to the government to ban or limit anyone's speech. It provides the government no power to ''muzzle'' messages the government doesn't like. It does not change in any way the long-standing First Amendment principle that the government cannot restrict speech based on the content of the message or the views expressed. The amendment would do no more than allow the government to regulate spending in election campaigns.

Cruz's repeat statements are more than just political hyperbole. They are false assertions intended to scare people into opposing the proposed constitutional amendment.

In a statement before a subcommittee of the Senate Judiciary Committee, Cruz said, ''Any politician who put his or her name to an amendment taking away the free speech rights of every American, in my view, should be embarrassed.'' But it is Cruz who should be embarrassed by his false assertions. Ted Cruz is a lawyer who had a very distinguished career in government and private practice. I have debated him on several occasions and know that he is a person of great intelligence. He knows exactly what the proposed amendment would do and yet has chosen to vilify it by misrepresenting it.

Whether it is desirable to try and amend the Constitution to allow campaign finance regulations is the question to be debated. In this, and all debates, we should expect and demand honesty from our elected officials. Cruz, in his statements about the proposed campaign finance amendment, is far below the most minimal standards of honesty.

Mr. UDALL of New Mexico. Thank you, Mr. President. I yield the floor and note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. DURBIN. 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.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

AMERICA'S NATIONAL SECURITY

Mr. DURBIN. Mr. President, most Members of the Senate and the House of Representatives and the American people are awaiting the President's speech this evening. It is a critically important speech about America's national security from our Commander in Chief. It is going to address the horror of terrorism in the Middle East and particularly the Islamic state, a terrorist group like few others—maybe like none we have ever seen.

This Islamic state, known as ISIS or ISIL, has been moving in full force in Syria and in Iraq. They are different than other extremist terrorist groups because they take and hold territory. That has not been seen in the past. They are also hell-bent on establishing resources and ongoing visible treasury. Some say they generate $1 million a day in revenues from the oil production they are in charge of. They swoop into a city and take over the banks, raiding them of all the money they can get their hands on.

In addition, they are engaged in some of the most barbaric and depraved tactics we have seen. The beheading of two Americans comes to mind instantly. It is a heartbreaking situation for their families and friends but an enraging situation for all of America, to think that innocent journalists would be subjected to such horrific treatment. And they threaten to do more. It isn't just Americans who are in their sights. They have targeted minorities. They have targeted those who are struggling in Iraq to survive, and they are prepared to literally force them into starvation or death. It is a harrowing situation. To think that some 11,000 or 12,000 of these ISIS terrorists have wreaked such havoc on the country of Iraq and the neighboring country of Syria really is a wakeup call for America.

The President is going to speak to the situation this evening. We, of course, want him to lay out the threat, and he will. We want him to spell out why this threat is important to the security and the future of the United States. I am certain he will. I want him to speak as well to our approach and how we are going to deal with this threat, and I believe he will, in some detail. I want to know who else is on our side in this effort as we move forward, what the scope of our activities will be, and the limitations of that scope of activities. The duration and the justification, the constitutionality and the legality are all critical issues, and we await the words of the President of the United States.

Most of us have held back at this point, waiting for the President's statement, but some have not. Some have already come to the floor of the Senate this morning to criticize the President when it comes to this issue of foreign policy. That is unfortunate. I think the President is entitled to at least present his case this evening before people come to the floor and condemn the President's foreign policy. We need to hear from the President what his plan is. And my hope is—and it would be nothing short of a political miracle in Washington, DC—that there would actually be bipartisan support for a plan emerging from the President's statement tonight.

Some of us may have our differences with some part of it. That is natural. That is our responsibility in the legislative branch of our government. But we should try to find common ground where we can. When America speaks in unity, with one voice, with one determined effort, that is when we are strongest.

There was a time in the history of this country—and I have lived through part of it—when there would be vigorous debates on foreign policy on the floor of the House and on the floor of the Senate, leading up to a vote on a critical question such as the invasion of a country or a war. Even after a contentious and sometimes partisan debate, without fail—without fail—there would be bipartisan support for the emerging policy.

People remember the war in Kuwait. I was one who voted against it. Do my colleagues know there was offered on the floor of the House immediately after the vote in favor of the President's policy a bipartisan resolution supporting the President's policy? That was considered the natural, reasonable thing to do.

We can look back to the war in Iraq. Go back to October 11, 2002. On the floor of the Senate we had a debate that ended in a vote on the invasion of Iraq. It is one of those moments in my career I will never forget because 23 of us voted no, including 1 Republican, Lincoln Chafee, and 23 Democrats. We voted no on the invasion of Iraq.

It wasn't long thereafter, though, that we were presented with appropriations bills to fund the military effort in Iraq. I voted for them. The reason I voted for those appropriations is pretty obvious. If it were my son, my daughter, my spouse fighting in Iraq, I would want them to have every resource necessary to accomplish their mission and come home safely.

So there was a bipartisan consensus, even though there was a difference in the formulation of foreign policy. I

hope that is what emerges tonight. I hope once the President has stepped forward and said that this is a plan, let us work together toward that plan, that we will see some bipartisanship emerging in the Senate and the House of Representatives.

We can have our differences and questions, but at the end of the day we need to come together as a nation. This horrible terrorist group, which has beheaded two innocent Americans and is absolutely depraved in its conduct, is going to continue. It is going to create chaos in Iraq. It is going to destabilize that country, and it is going to endanger not only innocent people but it is going to endanger innocent Americans. Let's listen carefully to what the President has to say.

This morning the majority leader HARRY REID of Nevada came to the floor and talked about a chance occurrence yesterday. Who should return to the Halls of the Capitol yesterday? Former Vice President Richard Cheney. What a moment for him to return to Washington as we debate foreign policy. We remember the foreign policy of Vice President Cheney and others. We know the price we paid for what turned out to be some very questionable, if not wrong, decisions.

At the end of the day in Iraq, 4,476 Americans lost their lives; 30,000 came home with serious injuries. We added $1 trillion to our national debt to pay for it.

It was Vice President Cheney's idea that the United States would be strong and muscular after the 9/11 attack, and he picked Iraq as a target. We would take out Saddam Hussein. The purported weapons of mass destruction never existed, never were found, but we invaded nevertheless. Now comes former Vice President Cheney again to inspire his troops in terms of this conflict.

I hope not only Democrats but Republicans as well will think twice about that advice. We have listened to this man's counsel before, and the world did not turn out to be the place he promised it would be.

Let us listen carefully, objectively, and honestly to the President tonight. Let us try to find some common ground as Americans where we can stand together against this terrorist threat.

The President has made it clear to all of us he is not going to be sending ground troops into this Iraq situation. We want to be careful that we don't engage ourselves in a long-term war involving the vulnerability of our troops for a long period of time, so I was disappointed with some of the statements made on the floor this morning on the other side.

I hope Americans will listen carefully, as I will tonight, to the President.

VETERANS SMALL BUSINESS ENHANCEMENT ACT

Tomorrow marks the 13th anniversary of 9/11. Our thoughts turn to the Americans we lost that day and to the men and women who showed such heroism above and beyond the call of duty. Firefighters, police, first responders, and Americans from all walks of life showed on that day that although terrorists might try to destroy our way of life, they cannot keep us down. Americans do stand together when we are threatened.

Since that day, to support the global war on terror, the Defense Department says about 2.5 million Americans—members of the Army, Navy, Air Force, Marines, Coast Guard, and related National Guard units—have been deployed in Afghanistan and Iraq wars. Of those, more than one-third were deployed at least one time. More than 11,000 lost their lives in those two wars.

There are ways we can show our gratitude and help our veterans, including service veterans from Operation Enduring Freedom and Operation Iraqi Freedom, now that they are home.

Tomorrow I am introducing, along with Senator BLUMENTHAL of Connecticut, the Veterans Small Business Enhancement Act. It will allow veterans who own small businesses to participate in GSA's excess Federal property program. This program makes items that the Federal agencies no longer need available to nonprofits and other groups that have a justifiable need for the property. We are talking about everything from vehicles to computers, office furniture, tools, and even heavy construction equipment. Participants in the program can claim the items for their businesses if they demonstrate a justifiable need for the property and they agree to pay for shipping and handling so there is no expense to the Federal Government.

By keeping their equipment overhead low, in this way the small businesses can grow their businesses. If unclaimed, the Federal property has to be disposed of by our government as excess property—and that costs money. The items have to be organized into one physical location, then photographed, catalogued, and ultimately auctioned off to scrap dealers who pay pennies on the dollar.

The National Association of State Agencies for Surplus Property, which helps facilitate the GSA's excess Federal property program, estimates that taking surplus property off the Federal Government's hands, pairing it with those who could use it, saved the United States $200 million last year alone.

Minority-owned small businesses participate in this program now and have since 1999. My bill would extend that opportunity to veteran-owned small businesses as well.

Veterans throughout Illinois have contacted me to let me know how the surplus property program might help their small businesses.

Jim Ward, for example, a retired Army veteran, owns a popular tile business in Mount Sterling, in west central Illinois. His small business could benefit from maintenance equipment typically found in the Federal surplus program. Tile saws and cutters, kneepads, mixers, scrapers, trowels, and other hand tools are all items that appear from time to time in the program. He says he doesn't need state-of-the-art equipment. Getting his hands on something that works would be a big help to his veteran-owned business.

Then there is veteran Jim Sodaro. He owns a bar and a snow removal business in Springfield, IL. There are quite a few surplus items that could help him operate his business and free up resources for employees and overhead. Jim says he needs things such as tables, brooms, paint, and hand tools to run his bar. His snow removal business needs a pickup truck and other vehicles.

We heard from Jason Harris, a Marine Corps veteran who runs a popular landscaping business in Carbondale, IL. Shawnee Landscaping designs and installs patios, fencing, and retaining walls for gardens and porches. Mr. Harris would benefit from Federal surplus equipment too: Bobcats, tractors and loaders, hand tools and office supplies.

Tom Lomelino is a retired Army veteran and owner of the Lomelino Sign Company in Jacksonville, IL. Mr. Lomelino makes and installs advertising signs. He can use a bucket truck, a backhoe, or other equipment needed for installation and maintenance.

All of these Illinois veterans have a legitimate need for items that otherwise would go to waste and we would pay to destroy. Wouldn't it be better to put these items in the hands of veterans so their businesses can succeed and they can hire people in their local communities? I think so. Small business is the engine of the American economy. Our veterans have served our country well. Let us serve their next phase in life and make sure their businesses are successful.

I encourage my colleagues who want to support the veterans and dispose of surplus property in a productive way—not an expensive way—so that it continues to make money for the United States to join me in support of this legislation.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Massachusetts.

Mr. MARKEY. I ask to speak for up to 10 minutes in morning business.

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

Mr. MARKEY. I rise today to speak about an issue that is fundamental to our democracy and vital to the future of our Nation. This is an issue so important that it requires us to take the monumental step of amending our Constitution.

This is not an action any of us should take lightly, but our democracy is under assault and I will not stand by and watch the damage being done without trying to do something to repair it.

Because of the Supreme Court's decision in Citizens United, a tsunami of

undisclosed, unlimited campaign funding is corrupting our democracy. Our government is supposed to be about checks and balances. Citizens United and the recent McCutcheon decision make it more about who is writing the checks and how big is their bank balance.

In the 2012 election, 60 percent of the contributions to super PACs came from just 159 donors. Sixty-four percent of the money raised by the Senate candidates came from a mere .04 of 1 percent of the population.

Our government is in jeopardy of no longer being of the people but instead becoming of and for the wealthy. The voices of the majority of the American people, those of middle-class families, seniors on fixed incomes, workers making minimum wage, are being drowned out by an ocean of campaign cash. This is utterly undemocratic and it needs to stop.

Congress has tried to stop this tidal wave of unlimited money, but the Supreme Court interprets the First Amendment not as a guarantee of free speech but of who can pay to speak. As a result, our democracy is in peril.

Campaign finance limits don't limit our free speech. They increase it by ensuring that every citizen can be heard and that no one gets unfair access to our government at the expense of everyone else. Campaign finance laws don't stifle democracy, they enhance it.

We need to fix our broken campaign system. We need a constitutional amendment that overturns the Citizens United and McCutcheon decisions.

Our democracy is based on the fundamental principle that all voters, and each and every vote cast, are created equal. People, not dollars, are the true currency of our Constitution and democracy.

That is why I will be voting for Senate Joint Resolution 19, to support a democracy for all attitudes in the United States.

NET NEUTRALITY

I also rise in support of another principle that enshrines democratization to access of information and ideas: net neutrality.

Net neutrality is as basic to the functioning of the Internet as nondiscrimination is to the U.S. Constitution. In fact, net neutrality is just a fancy word for nondiscrimination.

The Internet is a success today because it is open to anyone with an idea. An open Internet enables freedom of expression and the sharing of ideas across town or across the world. Yet the vitality of this open platform is at stake. The FCC is currently considering a proposal that could allow broadband providers to charge Web sites, applications, and services more for faster delivery times to consumers. We cannot allow that to happen.

That is why I am proud to stand with the netizens—all Internet users—to show what the Internet would look like with fast and slow lanes.

Today is our battle for net neutrality. Today we demonstrate on our Web sites what paid prioritization really means: Web users stuck on a bumpy gravel path while the select few whiz by on a sleek highway with their Internet E–Z passes.

In solidarity with netizens everywhere, I have posted on my Web site a symbol familiar to Internet users everywhere—the loading symbol you get when your video is waiting to appear because there is congestion on the net. My Web site today, along with countless others, serves as a harbinger of the dark days that lie ahead if we let the broadband behemoths win.

I believe we should never forget that the net comes with a manufacturer's guarantee: No one should have to ask for permission to innovate.

To prevent this from happening, this summer I led 12 of my Senate colleagues in urging the FCC to reclassify broadband as a telecommunications service under title II, enabling the Commission to put the strongest rules on the books to prevent discrimination.

Internet access today is like traditional phone service was decades ago, it is essential for everyday living. But if the ISPs have their way, the FCC would turn the Internet from a democratic ''Field of Dreams'' into an exclusive set of gated communities.

But the good news is the online activist community—the Netroots and the startups, the Internet investors—have spoken out in favor of implementing title II to protect net neutrality.

I will continue to join with my colleagues in the Senate to fight for an open and nondiscriminatory Internet because the future of our country depends upon it.

I yield back the remainder of my time and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TESTER. 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. TESTER. Madam President, as many of you know, my wife and I still farm, and for part of August I had the pleasure to be able to be on the tractor and have some quality time to think about what makes our Nation great. There are many reasons, but one of them is the belief that everyone has a say in the decisions we make in this democracy, that each of us—from the richest to the poorest—has an equal stake in electing our leaders and impacting how we govern. Unfortunately, the Supreme Court has not figured that out.

From the Citizens United case to this year's McCutcheon decision, the Justices continually side with big money and corporations. They are siding with those who think government should work for the rich and the elite. They are siding with those who think that money equals speech and think it is OK for the wealthy to drown out the voices of the working folks, of the middle class, of everyone else.

Our current election system is hurting our democracy by reducing public confidence in our elections and increasing apathy in the political process. After all, why should someone take time out to follow our political process and vote when our system leads them to believe their vote does not make a difference? We simply cannot let that happen.

I agree with my colleague from Arizona, Senator MCCAIN, when he says that sooner or later our current system is going to cause a scandal in this body. This body cannot afford to fall further out of favor with the American people. After all, negative numbers are right around the corner.

The unprecedented amount of money—much of it unaccountable and anything but transparent—is allowing corporations to have an outsized say in not just who gets elected but how they act once they get into office. And trust me, corporate voices already have plenty of influence in Congress. It is putting up walls between regular folks and elected leaders who spend more and more hours on the phone with donors or bowing to those who might finance an outside ad campaign on their behalf and leaves less time for constituents.

Too many of the Justices—and too many of our colleagues—do not understand that many of Washington's current problems are tied to our campaign finance system. A lot of folks in the Senate and the House talk about working together. They talk about reaching across the aisle for responsible solutions that move our country forward. So what is holding them back? In many cases, it is the threat of big money coming after them in their next election.

We are not talking about Rick who works at Walmart or Amanda who teaches third grade chipping in $20 for a candidate they believe in. We are talking about corporate executives plowing millions—sometimes tens of millions—of dollars into independent and often secretly financed campaigns.

We have all seen colleagues hesitate to introduce legislation that is popular in their home State but were afraid it would spur big-moneyed outside groups to spend millions of dollars to defeat them. When that happens, it leaves constituents without any real say in who represents them.

Lawmakers are also held back by the hostile political climate that these expensive campaigns create. When you constantly see an ad that distorts your record, and then you see a fellow Senator from out of State endorse that ad, it makes it hard to compromise on legislation with somebody that, quite frankly, you do not trust.

Politicians also know that most of the money in campaigns is on the extremes of the political spectrum. And the extremes fight almost any sign of compromise and the folks who are willing to get things done. Heck, why are we having trouble confirming ambassadors? It is because ''compromise'' is a dirty word. It leads me to wonder: Could we do big things today like our predecessors did? Could we pull it together to build an Interstate Highway System or send a man to the Moon? Right now I think not.

Supporters of the current system defend their views by citing the Constitution. They put up some fun charts here on the Senate floor that cross out lines of the First Amendment, pretending as if this legislation actually changes the First Amendment. It is entertaining, but it is incorrect.

I guarantee you that our Founding Fathers—men such as George Washington and Thomas Jefferson—would not want to see the Constitution used to justify our current campaign system. Leaders such as Washington and Jefferson had a vision for our Nation. They knew America would change with the times as new technologies were developed and new lands came into the Union. Back in 1787 there was no Montana.

If the Framers warned against political parties, I can only imagine what they would have to say about the rise of super PACs.

Folks who support Citizens United talk about protecting free speech and the First Amendment, but who is protecting the free speech of regular working-class folks? Who is protecting the voice of the schoolteacher or the repairman being drowned out by special interests? With this amendment, we are.

If the Congress needs inspiration, they should look at my home State of Montana. More than 100 years ago Montanans voted to limit the influence of Big Money elections. We were ahead of the curve. We called for fair elections after wealthy mining corporations bought influence, support, and even a U.S. Senate seat—and our laws worked pretty well for those 100 years. But 2 years ago the U.S. Supreme Court struck down Montana's law, citing its own Citizens United decision.

In 2012, Montanans stood once again to Big Money and its influence over a democratic process. In a voter referendum passed by a 3-to-1 margin, Montana voters called on Montana's congressional delegation to overturn Citizens United, and I proudly accepted that challenge. That is why I am cosponsoring Senator UDALL's amendment. Together we are saying enough is enough.

Congress and the States should have the power to regulate campaign spending to ensure that election spending does not corrupt elections. States should be able to decide whether to allow corporations' unchecked spending power in Governor and legislative races.

I heard one of my colleagues suggest yesterday that we are threatening to silence the voice of the little old lady who wants to put up a yard sign in front of her home. In fact, it is quite the opposite. We are working to ensure that her voice is louder than that Fortune 500 corporation—or at least as loud—when deciding the future of her town, her State or her country because that is what our country is supposed to be about, one person, one vote.

Spending for the Senate election in Montana in 2012 topped $50 million. That is more than $100 for every vote cast. In a State such as Montana, where the average household pulled in $45,000 in 2012, that is a big sum of money. It is the kind of money that can buy a lot of ads come election season. It can give a platform to drown out any other voice.

According to the Center for Responsive Politics, spending by outside groups in this 2014 election cycle is currently three times higher than the amount spent at the same point in 2010, and as of the end of August, outside groups have spent about $170 million on Federal midterm races—just the Federal part. Folks don't spend that kind of cash without thinking they are going to get a return on investment. Things are out of control, make no mistake.

Senator MCCAIN is right. Sooner or later it will lead to another Watergate or worse, and that is what is frustrating. We know how the story of unchecked money in politics ends. We have seen it before. Yet the Supreme Court has opened the door to yet another scandal. So it is time to overturn Citizens United, and it is time to overturn this year's McCutcheon decision which invalidated a 40-year-old law that limits the total amount of money an individual can contribute to campaigns each cycle.

Since that ruling in April, about 300 folks have taken advantage of that ruling, contributing over $11.5 million to political campaigns this year—just since April—300 in this Nation of 300 million. We must put regular people and their ideas back in charge of our elections.

Amending the Constitution is not something we should take lightly. The Constitution is our founding document, and it has held up under the test of time. But Big Money interests and defenders of Citizens United are distorting our First Amendment for their own gain. Getting Big Money out of elections is critical to improving how we govern, to make responsible decisions for all Americans. It is critical to electing leaders who put people first. I am proud to step forward in this fight. Our democratic system has worked for over two centuries. It has made our Nation the greatest Nation in the world, and I will not let that be jeopardized without a fight.

Back in Montana it doesn't matter whether someone has 5 acres or 5,000 acres: They jump on that tractor, and that tractor is still going to break down; the weather can be good, the weather can be bad. It is still going to happen.

The lesson is this. We are in this together, we all need to pitch in, and we all deserve a fair and honest say in how our election process works and our leaders are elected.

I urge my colleagues to support Senator UDALL on this important amendment. It is simply the right thing to do for our democracy.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. FLAKE. 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. FLAKE. Madam President, I rise to speak against the bill before us, S.J. Res. 19. This is a constitutional amendment that would significantly curtail the free speech rights of all Americans.

I oppose this amendment because I believe that while it is critical to support speech with which we agree, it is even more crucial to support speech with which we disagree.

Whether it has been campaign finance laws or amendments to prohibit flag burning, I have consistently opposed amending the Constitution to limit the First Amendment.

As others have mentioned, if this amendment is adopted, it would be the first time Congress has limited rights protected in the Bill of Rights. This would be a very dangerous precedent to set.

By limiting the amount of money individuals and corporations can spend on elections, this amendment would clearly limit their rights under the First Amendment. The Supreme Court has made clear that this would be tantamount to a restriction on ''the number of issues discussed, the depths of their exploration, and the size of the audience reached.''

This amendment would allow us to decide what amount of money is speech and who can use it. This is a perilous amount of power to place in the hands of politicians. I don't think we need to protect incumbent politicians. I think we need to protect the rights under the First Amendment.

In addition to concerns with what we know this amendment will do, I am even more concerned about what we don't know. Before we amend the Constitution, we are obligated to understand the effects of the legislation.

What does it mean to ''influence elections,'' as the bill states? Who is a ''candidate''? What is the ''press''? Does this include bloggers? What about a citizen who writes his or her own newsletter to their community association and prints it on her home printer? All of these terms and more seem ripe for litigation, which leaves the true meaning of this amendment in the hands of unelected judges.

It also bears mentioning that opposition to this amendment is not limited to Republicans or conservative organizations. The ACLU wrote a letter to the chairman and ranking member of the Judiciary Committee, on which I serve, opposing this legislation. The ACLU stated: ''As we have said in the past, this and similar constitutional amendments would fundamentally break the Constitution and endanger civil rights and civil liberties for generations.''

I could not agree more.

Amending the Constitution is serious business. I believe limiting the Bill of Rights for the first time in our history is a bad decision. I will once again vote to preserve and protect the First Amendment, and I urge my colleagues to do the same by rejecting S.J. Res. 19.

As an incumbent politician, I am the first to concede that elections are daunting. They are unpredictable. It is unnerving to see other groups and individuals spend money to run ads against you. But the alternative is to have me, as an incumbent politician, write rules and regulations to limit the speech of those who would run against me or support those who would run against me. That is wrong. It is wrong for people in this body to define speech and to define who is entitled to it.

We need to tread carefully. That is why we need to reject this amendment.

I yield back the balance of my time and 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.

The PRESIDING OFFICER. The Senator from Maryland.

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

The PRESIDING OFFICER. Without objection.

RACIAL PROFILING

Mr. CARDIN. I rise today to discuss the tragic shooting of Michael Brown last month in Ferguson, MO.

Michael Brown did not need to die. This cycle of needless sacrificing of our teens to violent ends must end. It has been heartbreaking to see yet another American town gripped by such a tragedy. I welcome Attorney General Holder's decision last week to begin a pattern or practice investigation into the allegations of unlawful policing by the City of Ferguson's Police Department. I also strongly support the Justice Department's outreach efforts through their Community Oriented Policing Services Office. This office, known as the COPS Office, can help better evaluate and train local law enforcement to carry out fair and impartial policing.

In addition to the recent investigation announced by the Department of Justice, I urge Attorney General Holder to expedite the issuance of new guidelines that would, once and for all, prohibit racial profiling by law enforcement officers at all levels of government, including the federal, State, and local law enforcement officials. Congress should also examine the program that provides for the transfer of surplus military equipment to local law enforcement agencies to ensure local government is not inhibiting the First Amendment rights of people to peaceably assemble and petition their government for the redress of grievances.

Local government must also respect the First Amendment rights of the press to do their jobs, report the story, and help provide the truth to the American people.

For a more permanent fix, Congress should take up and pass legislation that I authored, the End Racial Profiling Act, known as ERPA, which is S. 1038. I want to thank my colleagues who have cosponsored this legislation, including Senators REID, DURBIN, BLUMENTHAL, COONS, HARKIN, MENENDEZ, STABENOW, LEVIN, MIKULSKI, WARREN, BOXER, GILLIBRAND, HIRONO, WYDEN, and MURPHY. I also thank Congressman JOHN CONYERS, the ranking Member of the House Judiciary Committee, for introducing the House companion legislation, H.R. 2851, which has 54 cosponsors in the House of Representatives.

This legislation provides training and monitoring for law enforcement agencies at all levels of government. By enacting this legislation, we can begin to reduce the racial disparities that plague our Nation's criminal justice system. We need to better educate more of our law enforcement officials in the differences between specific suspect descriptions and sweeping generalizations or profiling that wastes valuable resources. Racial profiling is un-American. It has no place within the values of our country. It turns communities against the partnerships needed to keep our neighborhoods safe.

Two years ago, I want to remind my colleagues, the Senate and the American people were having this very same conversation. So it is heartbreaking to me that we are having this conversation again without having taken more definitive action. In 2012 the Nation's attention was riveted to the tragic avoidable death of Trayvon Martin in Florida in February 2012. As we all know from the news, an unarmed Martin, 17, was shot in Sanford, FL, on his way home from a convenience store while wearing a hoodie and carrying a can of iced tea and a bag of Skittles.

After the tragedy I met with the faith and civil rights groups at the Center for Urban Families in Baltimore to discuss the issue of racial profiling. Joining me were representatives of various faith and civil rights groups in Baltimore, as well as graduates from the Center's program.

I heard there first-hand accounts of typical American families who were victims of racial profiling. One young woman recounted going to a basketball game with her father, only to have her dad detained by the police for no apparent reason other than the color of his skin.

Trayvon's tragic death led to a discussion in the Senate of the broader issue of racial profiling. The Senate Judiciary Committee held a hearing on ''Ending Racial Profiling In America'' in April 2012 which was chaired by Senator DURBIN. At the hearing I was struck by the testimony of Ronald L. Davis, the Chief of Police of the City of Palo Alto, CA.

I want to quote in part from Chief Davis's testimony, in which he said:

> There exists no national, standardized definition for racial profiling that prohibits all uses of race, national origin, and religion, except when describing a person. Consequently, many State and local policies define racial profiling as using race as the ''sole'' basis for a stop or any police action. This definition is misleading in that it suggests using race as a factor for anything other than a description is justified, which it is not. Simply put, race is a descriptor, not a predictor. To use race along with other salient descriptors when describing someone who just committed a crime is appropriate.

Then Chief Davis continued:

> However, when we deem a person to be suspicious or attach criminality to a person because of the color of his or her skin, the neighborhood they are walking in or the clothing they are wearing, we are attempting to predict criminality. The problem with such predictions is that we are seldom right in our results and always wrong in our approach.

After the hearing I was joined at a press conference by Baltimore's Reverend Dr. Jamal Bryant, a leading youth activist and adviser to the Trayvon Martin family. Reverend Bryant echoed the call of ending racial profiling by law enforcement in America, and let me quote him:

> This piece of legislation being offered by my Senator, Senator Cardin, is the last missing piece for the civil rights bill from 1965 that says there ought to be equality regardless of one's gender or one's race. Racial profiling is in fact an extension of racism in America that has been unaddressed and this brings closure to the divide in this country.

I have called for putting an end to racial profiling, a practice that singles out individuals based on race, ethnicity, national origin or religion. My legislation would protect minority communities by prohibiting the use of racial profiling by law enforcement officials.

First, the bill prohibits the use of racial profiling by all law enforcement agents, whether Federal, State or local. Racial profiling is defined in a standard, consistent definition as the practice of a law enforcement agent relying on race, ethnicity, religion or national origin as a factor in their investigation and activities. The legislation creates an exception for use of these factors where there is trustworthy information relevant to the locality and timeframe which links a person of a particular race, ethnicity or national origin to an identified incident or scheme.

Law enforcement agencies would be prohibited from using racial profiling

in criminal or routine law enforcement investigations, immigration enforcement, and national security cases.

Second, the bill would mandate training on racial profiling issues and require data collection by local and State law enforcement agencies.

Third, this bill would condition the receipt of federal funds by State and local law enforcement on two grounds. First, under this bill, State and local law enforcement would have to ''maintain adequate policies and procedures that are designed to eliminate racial profiling.'' Second, they must ''eliminate any existing practices that permit or encourage racial profiling.''

Fourth, the bill would authorize the Justice Department to provide grants to State and local governments to develop and implement best policing practices that would discourage racial profiling such as an early warning system.

Finally, the bill would require the Attorney General to provide periodic reports to assess the nature of any ongoing discriminatory profiling practices. The bill would also provide remedies for individuals who were harmed by racial profiling.

The legislation I have introduced is supported by a broad coalition of civil rights groups. These groups include the Leadership Conference on Civil and Human Rights, the ACLU, NAACP, Rights Working Group, and numerous other national, State and local organizations.

Racial profiling is bad policy, but given the state of our budgets, it also diverts scarce resources from real law enforcement. Law enforcement officials nationwide already have tight budgets. The more resources spent investigating individuals because of their race, religion, national origin or ethnicity, the fewer resources are used towards suspects who are actually demonstrating illegal behavior. Using racial profiling makes it less likely that certain affected communities will voluntarily cooperate with local law enforcement and community policing efforts, making it harder for our law enforcement community to fight crime and terrorism.

Minorities living and working in these communities in which racial profiling is used may feel discouraged from traveling freely, which corrodes the public trust in government. This ultimately demonizes entire communities and perpetuates negative stereotypes based on an individual's race, ethnicity or religion.

Racial profiling has no place in modern law enforcement. The vast majority of law enforcement officials who put their lives on the line every day handle their jobs with professionalism, diligence, and fidelity to the rule of law, and they understand that racial profiling has no place in their work.

However, the Congress and Justice Department should still take steps to prohibit racial profiling and finally root out its use.

I agree with Attorney General Holder's remarks to the American-Arab Anti-Discrimination Committee where he stated:

> In this Nation, security and liberty are—at their best—partners, not enemies, in ensuring safety and opportunity for all. . . . In this Nation, the document that sets forth the supreme law of the land—the Constitution—is meant to empower, not exclude. . . . Racial profiling is wrong. It can leave a lasting scar on communities and individuals. And it is, quite simply, bad policing—whatever city, whatever state.

The Fourteenth Amendment to the U.S. Constitution guarantees the equal protection of law to all Americans. Racial profiling is important to that principle. It should be ended once and for all.

As the late Senator Ted Kennedy often said: ''Civil rights is the great unfinished business of America.'' Let's continue the fight here to make sure that we truly have equal justice under the law for all Americans. I urge my colleagues to support the legislation I have introduced that will end racial profiling once and for all.

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.

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

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

Mrs. FISCHER. Madam President, I rise to express my strong frustration—and the frustration of Nebraskans—with the Senate's current debate.

Similar to many of my colleagues, I spent the past 5 weeks traveling my State and meeting with constituents. I held over one dozen listening sessions in communities all across Nebraska. Not a single Nebraskan told me to go back to Washington and vote to limit free speech. Not a single Nebraskan told me to come and play politics or take show votes.

The message I received from almost every Nebraskan was the same: Get something done, turn the economy around, deal with overregulation, help control the costs of health care, and help businesses create jobs. Prevailing concern with the economy and weak job growth exists all across our country. According to several leading economists, 225,000 jobs were supposed to be created last month. Instead, the number of jobs created was just 142,000. The real unemployment rate—those who are unemployed or underemployed—remains unacceptably high at nearly 12 percent. That is 19 million Americans who are out of work or want to work more hours.

It is a disgrace the Senate is not debating policies that will help them. Instead, we are debating a bill to limit free speech. It is no wonder the American people have such a poor opinion of Congress. Seriously, what are we doing here? In Washington, those in power are more concerned with winning elections so they can stay in power than with actually governing and making tough decisions that will protect our country and help our families, and that is what we are doing today with another show vote, another sound bite that is engineered by campaign strategists who don't have any interest in sound policy.

I wish to address the two proposals before the Senate this week—a resolution to amend the Bill of Rights and campaign legislation that is targeting women voters. The resolution offered by the Senator from New Mexico is, I believe, a clear attack on the First Amendment and a series of recent Supreme Court rulings. The measure grants unlimited authority to Congress and State legislatures to criminalize speech on any platform, and that includes the Internet.

This proposal guts the First Amendment and the principles of free speech that have endured since the Bill of Rights was ratified in 1791. It further empowers incumbent politicians to make decisions with less accountability, and it muffles the voices of private citizens. It is perverse that the Senate is actually devoting time to debating the constitutional amendment that would actually diminish democratic participation and decrease freedom.

What have we become?

In a letter to the Senate Judiciary Committee, the ACLU wrote that the proposed amendment ''would severely limit the First Amendment, lead directly to government censorship of political speech and result in a host of unintended consequences that would undermine the goals the amendment has been introduced to advance—namely encouraging vigorous political dissent and providing voice to the voiceless, which we, of course, support.''

The ACLU is not exactly an ally of the Republican Party, but their letter shows there is broad concern over this poorly crafted resolution.

I urge my colleagues on both sides of the aisle to stand for free speech, to stand for democratic participation, and to reject this resolution.

PAYCHECK FAIRNESS

At this time I wish to address the issue of equal pay and the paycheck fairness legislation. Make no mistake, some women in this country continue to struggle with gender-based pay discrimination. Equal pay for equal work is a principle I strongly support. With 60 percent of women working as primary breadwinners, lost wages hurt families and single women alike. Republicans fully agree that gender-based pay discrimination in the workplace is unacceptable.

In April I worked with Senator COLLINS, Senator AYOTTE, and Senator MURKOWSKI on a reasonable proposal to modernize key portions of the 51-year-old Equal Pay Act. Our proposal prevents retaliation against employees who inquire about, discuss or disclose

their salaries. In fact, one of the President's April Executive orders also deals with nonretaliation, suggesting this is an area we can agree and work together.

Our proposal also reinforces current law which prohibits pay discrimination based on gender and it requires employers to notify employees of their rights.

Finally, it addresses the opportunity gap or the need to provide both men and women with good-paying jobs. It consolidates duplicative job training programs and provides Federal grants to States for the creation of industry-led partnerships. This program is meant to provide women and men underrepresented in industries that report worker shortages with the skills they need to compete.

I believe this proposal could pass the Senate. It is reasonable, it is targeted, and it is a serious solution. Instead, we have a Senate that is laser focused on election-year politics, bills that no Republican can support, and bills that even some Democrats reject.

The majority leader does not appear to have any interest in putting bills on the floor that can pass—bills we can work on together. That idea doesn't fit into that election-year playbook. At the end of the day, this is raw politics. That is all it is. Nebraskans expect more. Americans expect more. They expect us to do our jobs, to work together to offer solutions, to debate, to amend, and to vote.

There are so many proposals I would love to vote on. Sometimes you win, sometimes you lose, but we should be voting. We have to start having meaningful debate. We have to start taking votes, and they better be real votes. That is the only way we are going to do our jobs, and that is the only way we will be held accountable by our constituents. We should be tackling those very important issues we spoke to our neighbors and friends about when we were at home traveling our States during the August recess.

Enough with the sound bites, enough with the show votes, enough speaking to cameras. Let's listen to the American people. Let's get back to the Senate we all admired when we were in school and read about in our country's history. As students we studied those serious—and many times very heated—debates that took place on this floor.

As Senators we may not always agree on what is the best policy, but we better start doing our jobs. We need to return to debating real policy that addresses the very real needs of the American people.

I thank the Presiding Officer.

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

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

ISIS

Mr. INHOFE. Madam President, I was not scheduled to speak at this time, but there is something going on today that is pretty exciting and I wish to share with everyone.

There is a new group that has been formed that is called the IDC, In Defense of Christians. I just came from addressing this group's summit, and it is pretty amazing. There are over 1,000 people in the Visitor Center's big auditorium. It is the largest crowd that has ever been down there, and it has been quickly formed because of the persecution that has taken place throughout the world and primarily in the ISIS area.

Unfortunately I don't have charts that are big enough to project this issue well, but at least the President is there and can see them. This is the area where ISIS is working. They are not just in Syria and Iraq. They are in Jordan and other areas. It is a very large area. They are not confined to any particular area.

One of the problems that is being addressed—we know about what they are doing. We know they are probably the strongest force and greatest threat against the United States we have ever faced.

I was very proud of the Secretary of Defense, Secretary Hagel. He was very outspoken when he talked about the threat we are facing. He characterized it as a great threat.

Why is it a great threat? It is a great threat because they have already declared war on America, and that is why I stood here yesterday to get support in the Senate for authority to use military force—that is AUMF—and we are going to make every effort to get that done.

Tonight the President is going to speak about this issue. Hopefully he will come out stronger than he has in the past and say something meaningful about how he, as the President of the United States, is going to win this war. I am not expecting it, but I am hoping for it. There is no doubt that once we pass this resolution, he will have the authority to do it. This group is concerned with that matter, but the reason they are together is because they are concerned with the Christian and religious persecution that is going on.

I have a lot of background in this area. Way back—before a lot of you guys were born—in 1979, I was mayor of the city of Tulsa, OK, and I remember a man named Boris Penson. Boris Penson was sent to a Siberian gulag prison for 9 years. He was there because of the fact that he would not relinquish his Jewish faith. He was persecuted because of his faith, and we were able to get him out. That was a long time ago.

I had another experience in 1988 in Damascus. There was Christian persecution going on at that time. We were able to get them to change the geography a little bit so the people there could openly pray to their lord and savior Jesus Christ. That was unheard of in Syria. It was not like it is today. Today they are killing them. Back then they were putting them in prison.

I think it is important for people to understand that ISIS is the most well-organized, well-funded terrorist group in history. More than 1 million people have fled their homes in Iraq after being given the ultimatum by ISIS to convert to Islam or be put to death. Since they invaded Iraq, hundreds and thousands of men and women have been enslaved and have been beheaded as a result of the ultimatum to Christians. I will read it to my colleagues because I don't want to be misquoted. They issued the ultimatum to Christians living in the region I just showed: ''Convert to Islam or face death by the sword.'' That is what is going on today.

As I told this group a few minutes ago, now and then we have a happy ending. I have been active—and a lot of people know this—in Africa now for 20 years. I have actually made 135 African country visits. I have seen all kinds of things take place in terms of religious intolerance, persecution. But I remember very well being in the new country called South Sudan. South Sudan is to the south of Sudan. Sudan is up there near Khartoum. We are all familiar with that and the problems taking place there, and we know how intolerant they are there.

It happened there was a lady there named Mariam Ibrahim. I am going to show my colleagues a picture. We have never seen a prettier lady in her life. That is in her wedding dress. She is beautiful. She is Sudanese. She had been a Muslim. However, she renounced that and she now is a Christian. So they went to this beautiful young lady who had one baby and she was 8 months pregnant with her next baby, and they said, We are going to put you on trial. You have to renounce Christianity. She said, I can't do it. They said, Well, you have to do it. So she was found guilty of not renouncing her Christianity. She was sentenced to 100 lashes, which would kill her, and then they would hang her up by her neck for public display as an example of what happens.

Several of us were involved in this. We had a lot of cooperation from some of the surrounding African countries, including Uganda, President Museveni came through; President Kagame from Rwanda; President Kabila from Congo, and our State Department and others, and we were able to get them to have an appeal. As of today, she is now out of prison. She is back. She has two children, and she and her husband and children are living in the United States.

If it hadn't been for seeing what Mariam Ibrahim was facing and knowing that was going on and seeing the beautiful picture of her and a few of us finding out about it, she would be right now still hanging up for display.

This is what is happening. A lot of people out there are saying, Well, ISIS is a very serious thing, but this isn't our problem. Yes, it is. I can remember 3 months ago I made the statement that ISIS is a threat to our homeland and people didn't believe that was the case. There is a poll that came out yesterday that I thought I had with me and I don't. But the ABC poll shows that 71 percent of the American people believe ISIS is a direct threat to the homeland of the United States of America. That is 71 percent of the people. They also believe—the same 71 percent of the people—that our President does not have the strategy to win this war. So tonight we are hoping to hear something that is out of character for him. We are hoping it will be something strong that will allow us to win the war.

Let me wind up by welcoming those over 1,000 people who are downstairs right now in the Visitor Center who are from the Defense of Christians Summit that is taking place as we speak. We have a lot of people out there. They are doing the Lord's work and they will be richly blessed for it.

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. WARNER. 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. WARNER. Madam President, I come to speak today on a question of enormous importance. Before I do so, I wish to take a moment, as I was just with the majority leader and the deputy leader and a number of our colleagues where we held a ceremony in commemoration of a Congressional Medal of Honor that was issued in remembrance of those who gave their lives on September 11, 13 years ago. Neither the Presiding Officer nor I were Members of the Senate at that time, but I think all of us remember where we were that early Tuesday morning, and the ceremony we just came from was an appropriate tribute.

STUDENT LOAN DEBT

Madam President, during the most recent recess in August, I crisscrossed Virginia in a variety of efforts. One that was particularly meaningful to me was where I did a statewide student debt tour, where literally I spoke with hundreds of students and graduates from families of nine Virginia colleges and universities about student debt and what this crushing amount of student debt is doing to their opportunities to get the same kind of fair shot the Presiding Officer and I both had.

The schools I visited ranged from big 4-year public universities, small, private liberal arts colleges, to one of our historically Black colleges, as well as a 2-year community college. The student debt figure right now is at $1.2 trillion, exceeding credit card debt. Student debt has exceeded the aggregate of auto loan debt, credit card debt, and home equity debt balances, becoming, next to mortgages, the second largest debt of U.S. households. That means that for far too many young people, and not so young people, they are forced to put off their decisions about starting a family, launching a startup business, or buying a home because of the burdens of student debt. Many young people find themselves working in jobs they didn't want or necessarily train for just to pay off their student debts.

At Old Dominion University I spoke to Carina. She is a bright and ambitious young woman who told me that in her sophomore year, she worked three jobs, at one point four jobs, to ensure that she met tuition. She mentioned that she was the first of all her family members to step foot on a college campus. She said: ''College is a foreign field in my family.'' She said: ''I am a pioneer.'' She is not alone. The challenges she faces are repeated time and time again.

At Virginia State University, one of our historically Black colleges, I met with Tobias, who mentioned that a lot of his peers had to drop out of school because they could not afford to take out any more loans or debt. He told me: Senator WARNER, I have made the decision to stay in school. It is the key to my future, but I do so knowing that I will have to spend a lot of years paying off student loans.

At one of our finer public institutions in Virginia, the College of William & Mary, I had a great conversation with Jacob, a junior originally from the far southwest part of our State, in Lebanon, VA. He is graduating from college in 3 years instead of 4 because of dual enrollment he took while he was in high school, at Southwest Virginia Community College. He told me that despite his ambition, it is financially impossible for him to go on to immediately get a graduate degree or buy a home or buy a car or start a business, because even with shortening college from 4 years to 3 years, he still has a tremendous amount of student debt.

I have to tell my colleagues, across Virginia I have heard over the last year more about this issue than virtually any other issue, from young people, from families, from parents. I remember somebody in Virginia Beach not too long ago, a young man, 31 years old, who actually served in elective office. He had graduated from the University of Michigan Law School, had worked as a lawyer, had been laid off, and was moving back in with his parents at the age of 31. I could almost see his ambitions being crushed because his student debt payments amounted to $2,000 a month. Where does he get the same kind of fair shot that many of us had?

I am the first member of my family to graduate from college. I got out of college and law school and worked for a while, started businesses, failed miserably twice. The third time I managed to do well in a startup industry called cell phones. But I came out of that experience with a total of $15,000 worth of debt. I am not sure I would have taken the first shot or second shot or, Lord knows a third shot, if I had come out with $50,000 $60,000, $70,000, $80,000, or $100,000 of debt that many people come out of school with now.

We have to get on this issue. This issue is having an effect on our economic recovery. I meet with homebuilders on a regular basis and with realtors on a regular basis. They are saying, The real estate market is recovering for everybody except people buying starter homes. Why are they not buying starter homes? Time and again because of crushing amounts of student debt.

I hope during this shortened period we will get a chance to have a conversation about a broadbased proposal to refinance student debt at lower rates. I am not sure we are going to be successful in that proposal, but I think it is a conversation and debate we ought to have. I look forward to supporting that effort. But if we are not able to get that effort across the finish line right now, we can't walk away from this issue.

I have worked on a series of bipartisan, targeted reforms that would reduce costs, increase transparency, and allow students to better manage their amounts of debt. Any one of these proposals isn't going to completely solve this problem, but this should not go into the bucket of issues we continue to kick down the road. The issue of student debt, the affordability of college, are issues of enormous economic proportion and, frankly, one that shouldn't be viewed as a Democrat or Republican issue.

Let me speak briefly about a couple of my proposals. First is a proposal I partnered with Senator WYDEN and Senator RUBIO on that in any rational place should be a complete no-brainer. It is a bill called Know Before You Go. The idea is quite simple. Let's do with higher education what we have done in real estate with the Zillow Web site or what we have done with the travel pricing, with Travelocity and a series of other Web sites, and try to take every 4-year institution, 2-year institution, career and technical education program, graduate program, and make them totally transparent on a single user-friendly Web site, where before you go, you know what your chances of graduating are, how much debt you might want to take on, if you major in art history, the way my daughter did, what your chances of getting a job are and how much it is going to pay, so that we can actually make people better informed consumers before they choose higher education.

Probably next to buying a house, higher education is the most expensive investment you will make in a lifetime. Maybe students will find out that

if they go to UVA and drop out after 3 years and come out with a lot of debt, they will not have much with which to get into the job market, whereas if they went to Piedmont Community College and actually came out with a 2-year degree in medical tech fields, they will have a 90-percent placement opportunity.

This Know Before You Go Act—we have collected most of this data already, so it should not be that big a stretch to put this in a user-friendly fashion. What if Tobias's friends at Virginia State had a better idea before enrolling in college how much they would be expected to pay, how this would actually break down grants versus loans, a recognition of the actual graduation rate and their job prospects upon graduation? Maybe some of them might choose a different path.

Better informed consumers of higher education would be one no-brainer step.

A second opportunity—and I do not know where it falls on the ideological spectrum, but on the commonsense spectrum it makes an awful lot of sense. Why does college have to be 4 years anymore? Why can't we have more students—particularly first-generation students—getting a jump-start on college with dual enrollment in high school? The key on this is to make sure the credits they get in their dual enrollment at community college actually count toward their degree requirement, which requires what are called articulation agreements between the 4-year institutions and the 2-year institutions. It does not do much good if you come into college with a lot of course credit but it does not count toward your degree requirements. Let's try to make sure more students can knock off a semester or a year of college in high school. That would save families $10,00, $20,000, $30,000, in effect, if we could make that happen.

If you are a low-income student and you qualify for a Pell grant, why not be able to use part of those Pell grant proceeds in high school if the credits you receive in high school in dual enrollment actually count toward your degree requirements? Again, that is a jump-start on college. It would make sure that a student such as Jacob at William & Mary, rather than being the exception, would become more the rule.

Let me talk about another proposal. Again, I am working with my colleague from Florida, Senator RUBIO, on this legislation. Senator RUBIO has a story similar to mine. He is the first generation in his family to graduate from college and law school. He tells stories as well of years of repaying student debt.

In our student debt processes, we already have a series of payment proposals. Unfortunately, most of them are confusing. Many of them end up like the student I know or the young person I know in Virginia Beach who is on a fixed payment proposal. This individual, as I mentioned—$2,000 a month, completely crushing his abilities to take any chances at all.

So what Senator RUBIO and I have done is we put together a proposal that would say the first option—it would still be the young person's option to opt out of, but the first option would be an income-based repayment proposal that would cap your student debt repayment at 10 percent of your income. What would this do? Ten percent of your income would allow you to take that chance on that startup business. Ten percent of your income, capped, would maybe give you the ability to say: Oh gosh, if I hit a rough spot, I will not get crushed. I will not have to move back in with my family.

This better structured, financially sustainable, income-based repayment proposal would allow young people to better manage their debt and avoid the impact of default.

Part of our proposal includes loan forgiveness programs that will provide borrowers such as Jacob in southwest Virginia the kind of relief they want.

Even if we cannot agree on a grand refinancing proposal, this income-based capping at 10 percent—which has been greeted by left and right alike as a dramatic step forward—ought to be part of our discussion.

Then I come to another proposal—one that, quite honestly, even this body with all of its dysfunction ought to be able to get done. I partnered with my colleagues Senator THUNE and Senator AYOTTE on a very business-friendly proposal that would be an option for an employer and employee. Right now, if an employee wants to continue with their education, an employer can take up to $5,000 of that employee's salary and apply it to their tuition, tax free, on continuing education. Well, if we are allowing an employer to do that for an employee to continue their education, to increase their skills, why not provide that same kind of option for an employer to apply that same amount—up to $5,000 of a person's salary—directly against an employee's student debt pretax and tax free as well? It does not cost the employer another dime. This is purely at the option of the employee. It would be a great retention tool for a company to say: Hey, keep working with us. We are going to give you this benefit.

That young or not-so-young person will get this money pretax going against their student debt. It is common sense, bipartisan, and something on which—even with all of our bitter battles back and forth—we ought to be able to find common ground.

As I mentioned at the outset, like many Virginians, like many probably in this body, as the first in my family to have graduated from college—I could not have gotten to college; my family did not have the resources. I had to work. I got grants. But I also had to take out student debt. The student debt that I had at $15,000 pales in comparison to the average amount of debt with which people come out of even public universities in Virginia right now—more than $25,000. I had $15,000 of debt after college and law school. Look at people who come out of graduate school. On average those numbers more than double.

This is an issue whose time has come for us to address. In America in the 21st century, you should not go broke if you decide to go to college. We all encourage our young people to get that education that will allow them to prosper in a knowledge-based economy, but we hold out a false hope when we say: Go get that education, but we are going to put you into such debt that for the next 20 years you are not going to be able to exercise that education in the way you wanted to because you are going to be scrambling to repay the obligations it took you to get those skills.

I say this as a former Governor. This is the case. I was proud of the amount of the investment we made in higher education when I was Governor. Quite honestly, if we look across the board at every State in our Nation as a whole, over the last 20 years Federal and State direct aid to higher education has been virtually a straight line down. The cost of a higher education has been a straight line up. How have we filled that gap? We have filled that gap with basically an unfair deal to a whole generation. We have said: Do not worry about the cost; just take out more debt. For a while, when the economy was good and you could get a job pretty much guaranteed coming out of college or graduate school, this did not present a crisis. In the last 4 or 5 years, as we have seen college graduates, law school graduates, graduate school graduates coming out without job opportunities, we have seen this house of cards collapse.

I again remind my colleagues that there is $1.2 trillion of student debt—greater than credit card debt. The cost of a higher education is continuing to escalate at a rate even higher than health care costs.

For those of us who are lucky enough to serve in this body, we all got our fair shot. If we are really going to honor our commitment to this next generation—and, quite honestly, the parents who are also helping to pay off this next generation—we have to deal with this crushing issue of student debt. I look forward to working with my colleagues on both sides of the aisle as we address this problem in a reasonable, responsible, and timely manner.

I yield the floor.

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

ISIL

Mr. CORNYN. Madam President, we all are anticipating the President's speech tonight in which hopefully he will make the case for why it is in America's national security interest to eliminate the ISIS or ISIL threat from the Islamic State that is forming a new

caliphate in what used to be called Iraq and Syria and which hopefully will be restored.

When the President first campaigned for President in 2008, I know he did not promote himself as a future war President—just the opposite. He told supporters that on his first day in office he would give U.S. military forces in Iraq a new mission, which was ending the war. But just because one side of a war quits does not mean the war ends. I think now we found that to be painfully obvious.

When the President was running for reelection, time and time again he boasted that he upheld that 2008 campaign promise and brought the Iraq war to a close. He further assured us that the tide of war was receding. I am sure if he had a chance he would probably take back those words because history has disproved those very arguments.

As recently as mid-June, even after the so-called Islamic State in Iraq and Syria had conquered the second largest Iraqi city, the city of Mosul, a national security spokeswoman was still repeating the White House talking points that are 3 years old, telling the Wall Street Journal that President Obama promised to responsibly end the war in Iraq and he did.

Of course, America's complete withdrawal from Iraq in 2011 did not end the war, as I suggested a moment ago. It just ended the U.S. involvement in the war in Iraq until now. But it did make the resurgence of war much more likely. It was, in hindsight, a tragic mistake. We were the glue that held Iraq together, but once we left and pulled the plug without—because we did not negotiate a status of forces agreement or a bilateral security agreement, the old sectarian strife that is perhaps centuries or more old came back to the forefront. Iran continued its aggression in Iraq, as it had been doing all the time we were there, as well as their support for Bashar al-Assad and his support for Hamas and other terrorist organizations. Meanwhile, in Libya—remember, NATO went to war in Libya as well, primarily using U.S. assets and money.

Our complete and utter neglect of Libya following the neglect of Muammar Qadhafi did not end that war either; it merely created a security vacuum that was quickly filled by radical militias and terrorist groups with ties to Al Qaeda.

If we learned anything from 9/11—and I just returned from a Congressional Gold Medal service in the Capitol—if we learned anything 13 years ago, it is that vacuums get filled. If we do not fill the vacuum with constructive self-governance and respect for the rule of law and individual human worth and dignity, then that vacuum will be filled by terrorists and others who reject all of those fundamental values of our country. We did not learn it. We did not learn the lesson. We did not learn it in Libya. We did not learn it in Iraq. Eleven months after Qadhafi's death and less than a week after President Obama told the Democratic National Convention that Al Qaeda was on the path to defeat, Al Qaeda-linked terrorists killed four Americans in Benghazi, including our U.S. Ambassador—less than a week.

I mention all this recent history because it all comes back to the issue of credibility, not only of our Commander in Chief in the United States, but of the American people. It comes down to our Nation's credibility around the world.

Will we be trusted by our friends and allies? Will we be feared by our would-be adversaries, the bullies, the tyrants, the thugs, and the terrorists who will take advantage of the vacuum left once America withdraws?

From the Middle East to the Far East, from Baghdad to Beijing, to Mosul, to Moscow, this administration has done tremendous damage to America's credibility.

America is the one indispensable nation in the world. We may not like that sometimes; it may seem like too big a responsibility, but no one else can fill a void left when America retreats. Ronald Reagan understood that. That is why he stood for what he called peace through strength, and you know it works.

But when the President announced a withdrawal date from Afghanistan in the very same speech in which he announced a U.S. troop surge, he damaged America's credibility again. Is that any way to encourage people to support the United States and NATO's mission in Afghanistan, to tell them: Well, we are going to surge troops today, but we are going to be gone tomorrow, so you better make your bets in terms of your long-term interest—which, in Afghanistan, means they are betting with America's adversaries.

Of course, as we saw in Iraq, tragically—the investment the United States made in terms of blood and treasure, which was squandered in Iraq—he created another prospect of the squandering of America's blood and treasure in Afghanistan unless we have learned the lesson of Iraq.

Then there is Syria. The President has given speech after speech. The Department of State, Hillary Clinton, others, the national security advisors, have said it is American policy that there be regime change in Syria, that Bashar al-Assad has to go.

But then nothing happened—well, I take that back. Something did happen; 200,000 civilians have died in Syria as a result of that civil war.

The President came to Congress to ask for authority to conduct air strikes in Syria, but then when he couldn't explain what his strategy was, he got a lifeline from Vladimir Putin. Putin said: We will help you get rid of those chemical weapons in Syria. And the President retreated from that red line and nothing seemed to happen.

In addition to those 200,000 Syrian civilians killed since the civil war started, we have seen millions of Syrians displaced in refugee camps in Turkey, in Lebanon, in Jordan.

Then there is Ukraine. When the President promised to help Ukraine defeat Russian aggression, and to help it maintain its full territorial integrity and sovereignty, he subsequently refused to give the Ukrainians even modest defensive weapons. I think we sent them MREs, meals ready to eat. We sent them, maybe, some medical supplies which are important. But they needed not MREs but weapons to defeat Russian aggression, to raise the cost to Putin and his regime in their continued invasion of Ukraine and Crimea.

Then the President decided: Well, we are just going to use economic sanctions against Putin. Putin could care less about the economic sanctions.

Again, as to the extent to which our allies and friends can rely on us when they get in trouble, they begin to doubt our credibility. The bullies, tyrants, and terrorists lick their lips and take full advantage of the situation. We have seen that time and time again.

Then there was when the President—I bet this is another couple of words he wished he could take back in light of subsequent events—dismissed the Islamic State terrorists as the JV team. Even though they were gaining a stranglehold over eastern Syria and western Iraq, again the President—by underestimating a threat, a threat I am sure he will confront head on tonight—undermined America's credibility.

Make no mistake. America's credibility does matter. And when America loses credibility, the world becomes a much more dangerous place. That is exactly what has happened over the past several years.

I would say that despite the criticism I have made of the President's policy, I believe he has an opportunity tonight, starting tonight, to reverse some of that damage. Beginning with this speech on U.S. policy in Iraq and Syria, he has an opportunity to reverse the impression that he is aloof and detached from the ongoing chaos. He has the opportunity to lay out a clear strategy for destroying perhaps the richest, most well-armed terrorist group on the planet. He has an opportunity to describe how our strategy might utilize Syria's more moderate anti-Assad rebel groups and describe how he plans to work with Congress on implementing that strategy. He has an opportunity to sell the American people on his strategy.

Make no doubt about it. While the President thinks he can go this alone and he doesn't need to come to Congress for additional authorization, he does need and we do need the support of the American people. There are practical reasons why the President should come to Congress. Because if he makes the case to a bipartisan Congress and Congress issues the authorization for him to act because we actually believe he has a strategy that can

work, then I think the American people will be much more inclined to support that strategy.

Tonight I hope he will speak not only to Congress, he will speak to the American people candidly about the threat and about our military goals and how he intends to achieve those goals by the strategy he lays out.

He has an opportunity to explain the evolving nature of the terrorist threat and also explain what he is going to do and what we can do together to defend U.S. interests and to keep America safe.

Yesterday the Washington Post-ABC News poll revealed some very important data with regard to the American people's understanding of the threat and their support for what the President is talking about doing. In some ways it seems as if the American people were way ahead of their leadership in Congress and in the White House. From the Washington Post-ABC poll I will read three questions.

No. 1:

As you may know, a group of Sunni insurgents called the Islamic State of Iraq and Syria, also known as ISIS, has taken control of parts of Iraq and Syria. How much, if at all, do you see ISIS as a threat to the vital interests of the United States?

Ninety-one percent of the respondents responded said they see it as a serious threat to the vital interests of the United States.

No. 2:

Do you support or oppose U.S. air strikes against the Sunni insurgents in Iraq?

Seventy-one percent support.

No. 3:

Do you support or oppose expanding U.S. air strikes against the Sunni insurgents into Syria?

Sixty-five percent support.

So we can see from the first question people recognize ISIS as a threat. Fewer support kinetic strikes against the insurgents in Iraq and Syria, but still a two-thirds majority do.

My point is, while the President of the United States may take what I think is a very generous view of his authority as Commander in Chief and under the Constitution to do this without congressional authorization, I think it is a terrible mistake for him to do so for two reasons, one I just mentioned, which is he needs and we need the support of the American people before we send any American into harm's way to deal with this threat. We need to have a robust debate and there needs to be bipartisan support for this effort in order for the American people then to see we are united and thus to unite them in common cause against this terrible threat.

Then the last reason is practical too. The President wants, it is reported, $5 billion. We have already burned up about $½ billion with air strikes in Iraq. War is expensive, and if the President says this is going to go on for another 3 years, which is one estimate I saw, he needs to come to Congress in order to get the appropriations, to get the money, in order to carry this out. If he thinks he can just come and request $5 billion and Congress is going to rubberstamp that or write him a blank check without any strategy, I think he is terribly mistaken. From what we have seen, since our Nation has been at war in Afghanistan and Iraq for these many years, 13 years in Afghanistan, we know war is expensive and $5 billion is a very minimal downpayment on what it will cost the American taxpayer to conduct this effort.

The President may have a very narrow view of his responsibility to come to Congress and get authority, but there are very practical reasons why he should, as I said—both in terms of gaining the support of the American people for this effort before he sends more Americans into harm's way, and the fact that under the Constitution the Executive, the President, can't appropriate one penny. That is going to have to come from Congress.

One party can't do this. Heaven forbid our national security would break down along purely partisan lines. But if the President doesn't have a plan and if he doesn't lay it out tonight, it is hard to see how he will get either the support of Congress, whether it is official or not, or of the American people.

It is hard to see where this is going to go if he thinks he can fund this on the cheap when, in fact, by his own estimate and others' it is going to take 3 years or more to defeat ISIS.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

INCOME EQUALITY

Ms. STABENOW. Madam President, as the Presiding Officer is well aware, as one of our great leaders on our economic agenda, of what we are calling a fair shot, it is incredibly important in the time we are in session that we have an opportunity to vote again on each of those items and hopefully pass each of the items at the front line of what American families, American people, care about in terms of lifting their standard of living and creating more opportunities.

It is great that we have seen the stock market more than double in the past 5, 6 years. It is great that someone who is living off of interest earnings has a better portfolio. That is great.

But the person who is getting up every day, going to work, and maybe takes a shower after work, ought to have the same fair shot to get ahead so that this economy is growing—and that is great—but it needs to grow and create opportunity for everyone.

We can help with that by having the right support and the right policies, and that is what the fair shot agenda is all about.

This afternoon we are going to be voting on a very important piece—which I frankly can't believe we are even having to talk about in 2014—whether we are going to actually enforce equal pay for equal work laws.

When I think about my own family, my daughter, daughter-in-law, and granddaughter at 7 years old—I hope by the time she grows up we are not still going to be talking about this issue. I think about they are working hard every day and the assumption they have is that they will get paid just as their male counterparts are.

There are those who have said: Well, this is a distraction. This isn't really an issue. There are some in Michigan who have said: Women don't care about equal pay. What they care about is flexibility.

My response is flexibility doesn't buy my groceries. It does not buy my daughter's groceries. It does not put gas in her car. It does not pay her mortgage.

The reality is, in America, in 2014, there is absolutely no reason—zero—that we would not have a 100-percent vote not just on the procedural vote to proceed but on a final bill to make sure enforcement is in place on equal pay—a pretty big deal. An awful lot of women who are the sole breadwinners in their families are counting on us to get this right so they can make sure their kids, who are now going back to school, can have the school clothes they need, they can put the food on the table, they can put the gas in the car to get them to school and get to work, and so on.

Another big piece of all this agenda in terms of creating opportunity for people is to make sure you can afford to go to college. That same person who is trying to put food on the table would love to put money aside in a bank account for their kids to go to college and would love to know that, when they are doing the right thing—they are making the grade, they are going to college—they will not be stuck with mounds of debt, buried in debt, because we do not have the right kind of system that provides funding for higher education and access to low-interest loans.

So another piece of the fair shot agenda, which is absolutely critical, is to make sure—let's start with ground zero, which is ''at least''—that anybody who has a student loan now will have a chance to refinance it, just like you would a house, at the lowest possible interest rate, which is impossible today.

Now, what does that do? We know there is more student loan debt today than credit card debt. Think about that for a minute. There is more student loan debt than credit card debt—$1 trillion. There are mortgage bankers in Michigan saying to me: You have to fix this because I have folks who want to buy a house and they cannot qualify because of their student loan debt. They want to start a small business and they cannot get a loan because of their student loan debt. We also know there are actually people who are on Medicare who are holder than 65 years

of age in this country who are still paying off student loan debt. When we talk about opportunity and a basic value of America: Work hard, go to school, have opportunity, it seems to me this flies in the face of that.

So another really important piece we want to get to and we want to pass is the ability to allow people, step one, to renegotiate and to refinance their student loans at the lowest possible interest rate from last year, which is 3.86 percent for undergraduate students. So that needs to get done so we are addressing one of the huge burdens and costs on middle-class families.

We also know that, unfortunately, we have another agenda item that came about because of the Supreme Court deciding that for women—that for women only—our choices on preventive health care, on birth control—if we are on the job covered by insurance our boss can actually overrule personal decisions about what type of birth control a woman will choose for herself, for her family. So we have a bill called Not My Boss's Business. I think it is pretty clear. It is not your boss's business what decisions you make, and you should be able to have your birth control decisions and what you need covered just like anything else in terms of preventive health care for men are for women.

So that is another piece of all of this that needs to get passed to make it clear. This is an economic issue for people. I know in my own family, when I think about my daughter and son and nieces and nephews who are planning their families and making decisions, these are economic issues about health care coverage.

We have two other critically important economic issues that are part of what we want to get done before this session ends in September. One is raising the minimum wage. It seems to me pretty basic that if you are working 40 hours or more a week you should not be in poverty, plain and simple. If we are going to reward work, if we are going to expect people to work, then working should pay more than not working. If you are working 40 hours a week, you ought to be making more than the poverty level. It has been way too long for American workers to get a pay raise.

So that is an important part of it.

Then finally there is a bill that I have introduced that, to me, ought to be a no-brainer. I do not understand; we tried to pass it a couple years ago. It was blocked. And it was blocked again by Republican colleagues a few weeks ago. We need to get this done. It has to do with a part of our Tax Code that allows a company that packs up shop and moves the factory overseas to write off the cost of the move, so the American taxpayers, including workers who just lost their job, would be paying for it.

Unfortunately, over the years, we have seen too much of that in Michigan. Now things are coming back. Manufacturing is coming back. We are very happy about that. But we want to send a very strong message that if you pack up shop and decide to move overseas, American taxpayers, the workers and their families, the communities are not going to pay for the move. But if you want to come back, we are more than happy to allow you to write off those costs through the Tax Code, and we will even give you another 20 percent tax credit for those costs on top of it.

So it is very simple. The Bring Jobs Home Act simply says: If you want to come back to America, great, we will help you do that. We will help you pay for those costs to come back to America. But if you want to leave the country, you are on your own.

So those are the five items that we want to get done before the end of this month that all relate to whether we are going to have opportunity and we are going to focus on the middle class of this country. Too many folks are barely holding on or are not holding on or used to see a path to get to the middle class and cannot anymore. That is not going to work for America. If we do not have people who know they have a fair shot to make it—that they have opportunity, that they see opportunity for their children—if they do not have money in their pocket so they can take care of their family and invest in the future, we are not going to have a strong economy. That is just a fact.

So we are glad that Wall Street is doing well. But it is time to focus on Main Street, middle-class Americans. That is what the fair shot agenda is all about, and I hope colleagues will come together and help us get this done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, when I was home last month, I heard a lot from Missourians, for really the first time over and over: What about all of the bills the House has passed that the Senate has not taken up? What about funding the government? My good friend from Michigan just mentioned the five things she would like to get done before we get to the end of the year. I think everybody on the other side of the aisle knows those five things, for various reasons, will not happen this year.

But what are we not doing? We are less than a month away from the beginning of a new spending year. We have not voted on a single one of the appropriations bills. There is no budget. The fundamental work of the government is not going on while we continue to debate the same things over and over because there are some people who think there is a good title to the bill or a good headline: The five things we want to get done.

Equal pay. Who is not for equal pay? The law requires equal pay. In fact, when the President signed the Lilly Ledbetter Act, he said: This solves the problem. Well, suddenly, it does not solve the problem because we want to get that title back out there again where we can talk about the title.

Access to college. I am the first person in my family to ever graduate from college. I had the chance to be a university president. I believe people's lives are affected by the right kind of education after high school. Nobody is opposed to access to college. We ought to be talking about that. But we ought to be talking about that in a way that can produce the right kind of result.

When the people of Missouri are saying: You are not getting the work of the country done, that is clearly right—just the fundamental things that need to get done, and here we are back in Washington, reminded by our friends on the other side that really we are here to just hold votes we have already had. Not a single thing was mentioned in the preceding remarks that we have not voted on already and not a single thing was mentioned in the preceding remarks that has any chance of passing both the House and the Senate and, frankly, has no chance of advancing in either the House or the Senate. But here we take these critical 2 weeks—the government is unfunded, no budget to talk about, with work not being done—to talk about these things.

Right now, the joint resolution we are on—with all the critical challenges we have not solved, we are talking about changing the Constitution. The only person in the Senate who can decide what bill comes to the floor is the majority leader, and the majority leader has brought a joint resolution to the floor, an amendment to the Constitution, an amendment that would take 67 votes in the Senate to pass, an amendment that has 45 sponsors, all from the other side—not very close to 67. Nobody believes this is going to happen.

To amend the Constitution, two-thirds of the Senate has to agree. That will not happen. Two-thirds of the House has to agree. That will not happen. Two-thirds of the States have to approve the amendment. That will not happen. More importantly, it should not happen. We are talking about amending the Constitution of the United States when there is no chance of doing it. So the only thing we are surely talking about is just trying to score some kind of last-minute election-year points. But if people are paying attention, the points that will be scored will be scored by those defending the Bill of Rights and those defending the Constitution.

What is being proposed here would have a chilling effect on the First Amendment, which says ''Congress shall make no law . . . abridging [among other things] the freedom of speech.'' We are thinking, for the first time ever, we would amend the Bill of Rights? Now, nobody really thinks we are going to do that so apparently everybody thinks, as long as it is just a show vote, it does not matter. But if you can take these freedoms today and decide they are worth bandying around as a show vote, I suppose you could

take them tomorrow and actually think about taking these freedoms away.

The Constitution would not have become the Constitution of the United States without the promise of the Bill of Rights. The Founders got a lot of things right. They did not get everything right. But one of the things they got right was the Bill of Rights. One thing that the States demanded when the Constitution was shown to them was: We can do that, but we are not going to do that unless we are promised that these fundamental rights that make us who we are and have the potential to make us more than we are—that these fundamental rights are guaranteed. We have never amended the Bill of Rights. So suddenly 45 Members of the Senate—with no enthusiasm for this anywhere else that I can find in the country—45 Members of the Senate have decided that for the first time ever we would amend the Bill of Rights.

Now, what does the Bill of Rights give us? It gives us freedom of religion—the first right. There will be another debate, I assume, late in the next 2 weeks to once again talk about how important is that right of conscience, that the Constitution in the Bill of Rights guarantees—the very first freedom it gives us is the freedom to believe what we believe. In fact, President Jefferson said in the decade after the Constitution was written that of all the rights, that is the one we should hold most dear: the freedom to hold our beliefs and not let the government decide how you conduct yourself in ways that violate your faith beliefs.

But right after that comes—what we are talking about—freedom of speech, the second of all those freedoms. There may be people here not at all offended by the fact that we can just bandy that around with no chance we are going to change this amendment. It is not like there are 67 cosponsors of this amendment.

I find it offensive we would talk about this as if it is a freedom so easily discussed and so easily utilized for political reasons that we just bring it up here a few weeks before the election and talk about it, even though there is no chance it could possibly be changed at this point and shouldn't be changed in the future.

The right of conscience, the freedom of speech, the freedom of press, the right to peaceably assemble, the right to petition the government—those are the five freedoms given in the First Amendment to the Constitution, and here we are talking about them as if they are nothing more than political talking points. They are who we are as a nation.

The chilling effect this discussion has on the First Amendment is concerning. I suppose part of it is to convince people: You don't want to participate in the system because you are going to be criticized if you participate in the system.

One of the great rights we have as Americans is the right to criticize those who are participating and, if we do participate, the right that others have to criticize us. This is an effort that if it occurred would certainly be a great thing for the current occupants of public office because you begin to write the rules in a way that makes it harder for those who don't hold public office to challenge those who do. No one likes being criticized, but in our country it is a fundamental part of who we are.

The Constitution wouldn't have been agreed to without the Bill of Rights. The Bill of Rights, as I said before, hasn't been changed. The freedom of the press is one of those rights, but it is not the only one. This amendment would go a long way toward making the press the only way people get their information and news. The press—the media generally—has a guaranteed right to do what they do, but individuals have a guaranteed right to say what they want to say, to participate as the courts and the Constitution allow in this great debate we call America.

To see that dealt with in this way—I actually wonder what people would think if they thought this was going to happen. Nobody believes this is going to happen because it is not going to happen. We are taking the people's time. We are taking the time given to us by the Constitution and the people to do the people's work, to instead talk about things that shouldn't happen, to talk about things that will not happen.

To suggest there is a real debate going on in Washington, when this is exactly what people are tired of—people in Washington not doing their job and trying to convince the people whom Washington should be working for that somehow great debates are going on, when all we are doing is getting ready for the next election, I am tired of that. I think most citizens of our country are tired of it.

For those who want to defend the Constitution, count me on their side.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

SCHOOL CERTIFICATION

Mr. GRASSLEY. Mr. President, on Thursday this country will commemorate the 13th anniversary of the September 11 terrorist attacks.

We learned many lessons from that day. One key lesson was that terrorists can and will exploit our immigration system and policies to enter and remain in the United States and now and into the future potentially harm Americans.

The 9/11 attacks were carried out by 19 hijackers, some of whom entered on student visas and trained in flight schools in the United States. The 19 individuals applied for 23 visas. They lied on their applications. They failed to abide by the terms of their visas. This was a wake-up call that we needed better oversight of our visa programs, especially student visas. But this wasn't our first wake-up call.

In 1993 the American people were confronted with the first terrorist attack on the World Trade Center. One of the instigators of that attack was on an expired student visa.

Since 1993 we have mandated the tracking of foreign students and gave schools and universities a responsibility to help us monitor these programs while these students are on U.S. soil. Unfortunately, while this tracking system is up and running today, it is still antiquated and the Federal Government remains incapable of ensuring that those students who enter the country are truly attending our educational institutions.

Today nearly 10,000 schools across the country accept foreign students, and those schools are responsible for communicating with our government about the whereabouts of these students. Enrollment of foreign students is increasing.

According to the Brookings Institution, the number of foreign students on F–1 visas in U.S. colleges and universities grew from 110,000 in 2001 to 524,000 in 2012. Despite this overwhelming increase, the technology and oversight of the student visa program has insufficiently improved.

Now, 13 years after 9/11, we have sham schools setting up in strip malls with no real classrooms. We have foreign nationals entering the United States with the intent to study but then disappear and never attend a class. I will give just two examples of sham schools.

In 2011, Tri-Valley University reported that they would bring in less than 100 students but actually brought in over 1,500. Tri-Valley University officials were caught giving F–1 visas to undercover agents posing as foreign nationals who explicitly professed no intention of ever attending classes. Students paid $5,400 per semester in tuition to the school to obtain those student visas until that school was shut down.

On May 29 this year, the Micropower Career Institute in New York was raided by Federal officials. Its top officials were arrested on student visa fraud. Allegedly, school officials did not report foreign nationals when they didn't attend classes, and they falsified those student records so the school could continue to collect Federal education dollars for those students. But despite the indictment of officials at this so-called school, it still remains open for business.

The Government Accountability Office reported to Congress in 2012 that sham schools posed a problem. We put a lot of faith in the work of the Government Accountability Office. The GAO said the Immigration and Customs Enforcement does not have a process to identify and analyze risks across schools. Immigration and Customs Enforcement has overlooked

major indicators of fraud, and they cannot follow trends or predict abuse. Two years later the problems continue to exist and the Obama administration just fiddles while the problem burns.

ABC News investigated the student visa program and made it public last week. They said 6,000 foreign nationals on student visas have disappeared. An ICE official acknowledged that they had ''blended into the landscape somewhere.'' Yet this number of 6,000 is not the total number of student visa overstays. This is the number of students that the Immigration and Customs Enforcement is trying to locate. That ought to be alarming news that it is only 6,000.

It is time to close the loopholes and clamp down on schools that have a poor track record with regard to foreign students. So this week I am introducing legislation that requires schools to be certified in order to bring in foreign students, and it would suspend schools if there are noncompliance issues. My bill would increase penalties for those who perpetrate fraud and require background checks and training for school officials. It would also put an immediate end to a flight school's participation in the foreign student program if they are not FAA approved.

Finally, it would require the Department of Homeland Security to deploy an upgrade to the existing tracking system. This upgrade can be paid for by using fees from student visas and the schools that participate.

What I just said aren't new ideas. These are provisions that were taken from a 2012 bipartisan bill led by the senior Senator from New York. That bill never passed the Senate. When the Gang of 8 wrote their misguided immigration bill, they failed to include these reforms. So I offered an amendment during committee consideration of the immigration bill last summer and it was included in the bill that passed the Senate.

The bill I am introducing today is the exact same language. It has been debated. It was accepted by unanimous consent in the Judiciary Committee.

I hope my colleagues will seriously consider the bill I am introducing. It is well past time that we close loopholes and be more vigilant in the foreign student visa program, especially with the growing terrorist threat we face.

REMEMBERING JAMES M. JEFFORDS

Madam President, I wish to pay tribute to Senator Jeffords of Vermont, who passed away last month.

Senator Jeffords died this last August while the Senate was in recess. Yesterday, the Senate appropriately adopted a resolution commemorating the former Senator.

Senator Jeffords is probably best known for switching parties, from being a Republican to an Independent and caucusing with the Democrats back in 2001. As much as that switch hurt at the time, I always held Jim in very high regard and I knew him to be a very honorable man.

Jim and I were both so-called Watergate babies—two of the very few new Republican House Members who survived the 1974 election after Nixon's resignation and subsequent pardon. So we joined the House of Representatives together and became friends then.

It wasn't only a tough political environment back then, it was also a physical challenge for us. During that campaign year I had surgery on my leg and was walking on crutches. Jim had been in a car accident and had a neck brace as a result of that accident.

An amusing story has been reported about the two of us. I didn't hear it myself, but it had been brought up in a report on the funeral. The amusing story is about the two of us walking down the aisle of the House to be sworn in as freshmen after that devastating election for Republicans—this Senator on crutches and Jim with his neck brace.

Somewhere in the Chamber, a Democratic Member yelled out, ''There's two more that we almost got!''

The two of us laughed for years about that because of course we had the last laugh, serving for many years and being elected to the Senate and both becoming chairmen of committees in this body.

One of the most honorable things Jim did for me and, I believe, for the country was in regard to the 2001 tax relief bill that was by some measures the largest tax cut in history. Not many know the history of that bill. I was chairman of the Finance Committee and so was in charge of putting the bill together and getting it passed in the Senate. The process started with a budget resolution with reconciliation instructions to our Finance Committee.

The Bush administration pressed that year for a $1.6 trillion tax cut. Senator Jeffords and others insisted that the number had to be cut by $300 billion because they feared the money wouldn't be there in the end. Of course, as we now know from history, they ended up being right on that point a few years later when we sank into years of deficit spending, but we needed their votes. I made it clear to President Bush and our leadership that if we wanted to get something done and have a historic tax cut, we had to lower our sights some and still get most of what we wanted.

Unfortunately, I took a lot of criticism from my side for supporting Senator Jeffords and others, but I knew where the votes were and where the votes weren't. I remember a bunch of House Members even had a press conference saying some not-so-nice things about me and the idea of only accepting a $1.3 trillion tax package. But our Senate Republican leadership wanted a good result, and they agreed to compromise in order to get it. That is not something you see nowadays around here on very big bills. If the majority cannot have their way, they just file cloture and let the bill die, which is why we don't get much done around here anymore.

But the pivotal point on the 2001 tax bill came right before the time Senator Jeffords switched political parties. I could never really blame Jim for his decision. I didn't agree with that decision, but I know he felt he had been mistreated by some in our party and had strong disagreements with some of us on issues.

During floor consideration of the tax bill that year, we were near the end, and the Democratic minority at that time was offering amendment after amendment to stall the bill. We had gotten to the point where they were just changing a few words in an amendment and offering the same amendment again.

At that point I walked over to then-minority whip—who happens to be the current majority leader—Senator REID and asked what was going on. He said: Well, we think things may be changing around here very soon. Of course, I didn't know what he was talking about and I assumed that some votes were going to change. But of course he was talking about the impending party switch that none of us knew anything about involving Senator Jeffords. Remember, at that time we were split 50/50. Of course, what that meant was the Senate leadership would change and presumably the new Democratic leadership would pull the tax bill from the floor and kill it. So it was important for the Democrats to stall as long as they could on the bill, anticipating the Jeffords switch. But to his great credit, Senator Jeffords came to me and told me that out of respect for me and the way I worked with him on this tax bill, he would not officially change parties until after the tax bill was passed. So we were able to finish that historic bill and get it signed into law.

This little-known episode demonstrates what an honorable man and true friend Jim Jeffords was. He didn't let politics dictate whatever he was determined to do, and he stood by his word. I only wish we could see more of that now in today's Senate. If we did, we would all certainly be better off, it would be a better place, our policies would be a lot better, and we would be more productive.

I commemorate Senator Jeffords in his death. My sympathies are with his family. I will miss him, and I wish him Godspeed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Thank you, Madam President.

FACING GREAT CHALLENGES

As I come to the floor today, the Senate is debating a plan by which Washington Democrats seek to restrict the First Amendment rights of American citizens—part of the Constitution. Under this proposal certain people would no longer enjoy the same right to free speech and the same right to express themselves.

I believe this amendment is a terrible idea, and it really has no chance of becoming law. Majority Leader REID wants the vote anyway. He thinks this outrageous amendment that he dreamed up will somehow help Democrats win elections this November. The majority leader has come to the floor repeatedly to criticize and to demonize American citizens who don't share his views. It is nothing but political grandstanding and showboating.

President Obama was on ''Meet the Press'' last Sunday. The President talked about what is going on in Washington. The President said that ''people want to get stuff done.'' That is what he says the American people want from their representatives in Congress. So if the American people want us to get stuff done, why are the Democrats in the Senate so determined to do nothing? Why are they wasting time on political show votes? Why are they not allowing amendments and debate on important bills? Why are they blocking legislation that has passed the House of Representatives with bipartisan support and is right now sitting on Senator REID's desk waiting for a vote?

Our Nation faces great challenges, and many Americans are hurting. Republicans have solutions that will create jobs while strengthening our energy security, improving our health care, and cutting government redtape. New numbers came out just last week that show America's labor force participation rate is at about the lowest level it has been in decades. The House of Representatives—where Republicans are in charge of the schedule—has passed more than 40 bills to help get Americans back to work. Those bills are sitting in the Senate waiting for a vote. Is that what the President means when he says people want to get stuff done?

There was a headline in Politico on Tuesday morning that read ''Majority say that President Obama a failure.'' A new poll found that 52 percent of Americans think the Obama Presidency has been a failure. So what do Washington Democrats do in response? Absolutely nothing.

People want Washington to deal with the challenges that matter most in their individual lives. We could start by doing something about the President's health care law that is causing so much harm to people across the country.

A bipartisan plan has already passed the House that would stop the employer mandate that businesses provide expensive Washington-mandated health insurance. That part of the President's health care law forces small businesses to cut hours—therefore cutting paychecks—for the workers and is also holding back hiring. We should take up that legislation here in the Senate.

We should restore people's freedom to buy health insurance that actually works for them and their families because people know what works best for them. They don't need Washington to tell them. We should replace the President's health care law with reforms that actually get people the care they need from a doctor they choose at lower costs.

The people I talk with back at home in Wyoming are also worried about energy costs—especially since it is starting to get colder in much of the country. Washington should be looking for ways to help Americans produce more affordable, reliable, and efficient energy right here at home. The opportunity is there. That would mean jobs for American families, and it would also mean energy security for our Nation.

We could start right now by approving the Keystone XL Pipeline. For 6 years the application has been sitting waiting for action. A bill to do that passed the House of Representatives with bipartisan support. Why aren't we voting on that today in the Senate? The Obama administration admits the pipeline would actually support thousands of good American jobs. The application to build the Keystone Pipeline has been stalled for 6 years. The administration should demand action today. If the President won't do it, Congress still could and should.

Congress should pass legislation to speed up exports of liquefied natural gas. Our Nation has abundant supplies of natural gas, and producers want to export it to customers around the world who are seeking it. The Obama administration has delayed the permits to let them do it. Democrats right here in the Senate have delayed the bipartisan solution that has already passed the House. We should take a vote on that bill today and pass it.

We should pass a bill that would reform the regulations blocking energy production on Federal lands.

We should end the Obama administration's pointless and destructive war on coal and let the men and women across this country who work in that industry get their jobs and their lives back.

American businesses are waiting to create jobs. The only thing standing in the way is the Senate majority leader. Senate Democrats don't want to vote. They don't want to vote to help the millions of Americans who are out of the labor force. They would rather protect the Washington bureaucracy—a bureaucracy that slows down and stifles economic growth.

Cutting through the redtape to help Americans get back to work is one of the top priorities of Republicans, and it should be the top priority of every Senator in this body. We could do it by passing a bill—one that has already passed the House—that would rein in excessive regulations that make it tougher for small businesses to invest, to grow, and to hire.

We could pass another bill from the House that helps businesses defend themselves against abusive patent lawsuits. That is going to help small businesses hire more people and help them grow. There were 130 Democrats in the House who voted in favor of it. Why aren't we voting on that today? We cannot get a simple up-or-down vote in the Senate. The majority leader will not bring it to the floor. Why won't he allow it?

There is one bill after another that Republicans have offered, Republicans have passed in the House of Representatives—bipartisan bills—and the Senate Democrats don't want to talk about them. They don't want to talk about Republican ideas for tax reform that would lower tax rates and make the whole tax system simpler, more fair. They don't want to talk about Republican ideas to strengthen and stabilize the entitlement programs—such as Social Security and Medicare—to make sure they are there for future generations. They certainly don't want to talk about Republican ideas to address Washington's out-of-control debt.

Those are the kinds of measures we should be talking about today on the floor of the Senate. That is the legislation which Republicans have introduced and which we are going to keep fighting for in the Senate. That is what the American people are talking about when they say they want Washington to get stuff done. They don't mean more terrible ideas like the President's health care law and its multiple damaging side effects. They don't mean job-killing redtape and Washington mandates. They don't mean political show votes that would restrict Americans' free speech.

President Obama and Democrats in the Senate have turned their backs on middle-class families who are desperately in need of jobs. Democrats want to waste time while they are trying to salvage their political careers. Republicans want to help get Americans back to work.

Thank you, Madam President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO PRISCILLA A. ROSS

Mr. CARDIN. Madam President, one of the joys of being an elected member of Congress is getting to hire and know and work with dedicated public servants who toil behind the scenes—our staffs. One of those individuals is my policy director Priscilla Ross, who first joined my staff over 16 years ago when I was serving in the House of Representatives.

I rise this afternoon in a bittersweet moment to thank Priscilla for her service to me, the citizens of Maryland, and all Americans on the occasion of her departure from the Senate.

Starting next week she will be the senior associate director for Federal

relations at the American Hospital Association, AHA, which is the national organization that represents and serves all types of hospitals, health care networks, and their patients and communities. The AHA is comprised of nearly 5,000 hospitals, health care systems, networks, other care providers, and has over 43,000 individual members.

Priscilla Ross is a consummate Senate staffer. She is extremely intelligent. She has mastered her subject areas, which include health care and budget. She works hard. She is both a pragmatist and an original creative thinker. She works well with her colleagues across the aisle and across the Hill. She is a problem solver. She sees the big picture but pays attention to detail.

Her political acumen and sense of timing are first rate. She tells me what I need to know and, more importantly, what I need to hear—even when I don't want to hear it. Above all, Priscilla has been driven by a passion to help people and make things better for Americans, especially the disadvantaged and vulnerable among us. The disparity of health outcomes between different communities and racial groups in this Nation—I know—continues to concern Priscilla, who has made me more aware of the problem.

Members of Congress, especially Senators, depend on their senior staff to sort through the innumerable demands on our time and to help us concentrate our time on the most important opportunities and priorities. To do that as well as Priscilla has done for 16 years requires not only deep policy expertise but a shrewd understanding of the Senate and a comprehensive familiarity with the people and the institutions of Maryland. It also demands a willingness to bring a seasoned, respectful skepticism to the scores of requests every Senate office receives every week to support this or that legislative initiative and to have the judgment to sort out the strong policy cases from the powerful interests. In that, Priscilla has excelled. I am grateful for the high standard she has met.

Priscilla came to Capitol Hill to improve people's lives. She has succeeded in that regard—far beyond what most of us are able to accomplish. She has had an extraordinary career.

While I am sad that she is leaving the Senate, I take solace in the fact that she is not leaving ''the arena.'' She will continue to find ways to make health care better, more accessible, and more affordable for all Americans in her new post at the AHA.

Priscilla is a proud native of the District of Columbia—born and raised in the shadow of the Capitol building, so to speak. She likes to reminisce about taking the number 30 bus along Independence Avenue to her school at Tenley Circle every day. She said that as a child she never imagined she would some day work in the Capitol building she passed on her way to and from school.

Fortunately, at some point, she did get that idea and pursued it. Fortunately for me, I was the one who hired her. Before that happened, Priscilla went to Boston University before finishing her college career at American University, where she received a B.A. in political science. She held a summer internship in the office of Yvonne Braithwaite in California.

She was an outstanding student. She was inducted into Pi Sigma Alpha, which is a national political science honor society, and the Golden Key National Honor Society. She is also a member of the Zeta Phi Beta sorority, a national sorority founded nearly 95 years ago at Howard University here in the District.

Before Priscilla joined my staff, she was the political affairs manager for the American Association of Health Plans, the trade association for more than 1,000 managed care plans across the country. Priscilla also represented the investor-owned hospital industry as an assistant vice president for legislation at the Federation of American Health Systems where she lobbied Congress on issues important to 1,400 hospitals and health care systems with a specific focus on Medicaid and Medicare reimbursement.

In that position she also represented the association in various Washington-based health care coalitions, prepared congressional testimony for association members, designed and coordinated the FAHA grassroots program, staffed the legislative steering and PPS-exempt hospital committees, and drafted comments to proposed Health Care Financing Administration regulations affecting hospital reimbursement.

Priscilla has also worked in health care delivery settings as a new member representative for the Harvard Community Health Plan in Boston, as administrative services coordinator at the Psychiatric Institute of Washington, a private 201-bed acute-care facility, and as an information assistant with Blue Cross Blue Shield of the national capital area. She came to me with some experience, and she used that to help people.

With regard to Priscilla's accomplishments while working on my staff, the list is so long and comprehensive, I will only be able to comment on a few items.

Priscilla has staffed my efforts to repeal arbitrary and unfair outpatient physical, occupational, speech-language therapy caps for Medicare beneficiaries since they were enacted in 1997—first in the House and now in the Senate. Because of Priscilla's efforts we have been able to prevent the caps from being implemented.

With Priscilla's help, the legislation I authored to expand Medicare to include preventive benefits, such as colorectal, prostate, mammogram, and osteoporosis screening was enacted into law.

Thanks to Priscilla's persistence, Congress finally passed the Patients' Bill of Rights, which means that individuals with private health care plans will have the right to choose their primary health care provider, that women will have direct access to obstetrics and gynecology services and be able to pick their own providers, and that patients with medical emergencies will be guaranteed coverage for necessary emergency room visits in accordance with the ''prudent lay person's standard.'' Because of Priscilla's work, we were able to move forward in these areas.

Because of the work of Priscilla Ross, tens of thousands of retired veterans and their spouses have access to the health care benefits to which they are entitled, including Medicare Part B, without being penalized for signing up too late. So let me explain.

Under current law, people who do not enroll in Medicare Part B when they are first eligible, to do so must pay a 10-percent penalty for every year they have not participated. But 10 years ago, military retirees could not have anticipated the rules changes that have occurred in military health systems since 1996 when the Department of Defense replaced CHAMPUS with TRICARE, nor could they have known that participation in TRICARE after 1965 would eventually require Medicare enrollment. In some cases, the military advised retirees that Medicare coverage was duplicative, recommending that they do not enroll. We fixed that. I would note that a couple from Oklahoma—not Maryland—brought this problem to Priscilla's attention and the result was we were able to get it done.

While Priscilla has spent most of her time working on health care, she has aptly demonstrated her ability to get things done on other issues. Let me speak for a moment about the fiscal year 2012 consolidated appropriations bill that contained $919 million for the Small Business Administration—$189 million more than previous years. This was the first time in many years that the SBA got a bump-up in their appropriation. I was on the Budget Committee at the time.

The Disaster Loan Program received an increase of $72 million. With Priscilla's help, I authored an amendment to the American Recovery and Reinvestment Act that increased the surety bond limits from $2 million to $5 million to help small businesses. Each of these initiatives was started by Priscilla Ross. She marshaled them carefully through the committee and through the process, and the end result is they became law.

A moment ago, I mentioned that my and Priscilla's concern is about health disparities. The United States spends nearly $1 trillion in excess health care costs due to racial and ethnic health disparities. Priscilla has taken the lead in fashioning policies to close the gap. It is not just about economics; it is a social justice that strikes at the heart

of who we are as a nation. At Priscilla's suggestion, I authored provisions that establish in statute Offices of Minority Health in the key agencies in the U.S. Department of Health and Human Services, including the Centers for Medicare and Medicaid Services, the Food and Drug Administration, and the Agency for Healthcare Research and Quality. Without the basic research needed to discover the causes of disparities and develop new treatments, we will not be able to make significant progress in closing the gaps, so Priscilla successfully advocated to elevate the National Center for Minority Health and Health Disparities to the newest institute at the National Institutes of Health. We now have a National Institute on Minority Health and Health Disparities, thanks to Priscilla Ross.

In 2007, shortly after I became a Senator, 12-year-old Marylander Deamonte Driver died of a toothache just a few miles from this building. As the Washington Post recounted:

> A routine, $80 tooth extraction may have saved him. If his mother had been insured. If this family had not lost Medicaid. If Medicaid dentists weren't so hard to find . . . By the time his aching tooth got any attention, the bacteria from the abscess had spread to his brain, doctors said. After two operations and more than six weeks in the hospital, the Prince George's County boy died.

Priscilla was determined to turn this terrible tragedy into something positive. She immediately began working to expand access to health care for all Americans, regardless of their income. Thanks to Priscilla we were able to secure guaranteed dental benefits for children in the reauthorization of the Children's Health Insurance Program, along with a dental education program for parents of newborns, and a new HHS Web site and toll-free number with information about the State's dental coverage, and a list of participating providers. We were able to secure funding for a mobile dental health care lab dedicated in 2010 that now carries Deamonte's name. To encourage public service activities that promote oral health, the Edward M. Kennedy Serve America Act includes the provision ensuring that activities assisting individuals in obtaining dental services can qualify for funding.

Each of these accomplishments was initiated by Priscilla Ross.

These are just a few of Priscilla's accomplishments. Suffice it to say that young children across America too numerous to count now have access to dental care, thanks to Priscilla Ross, although they will never know her name. Suffice it to say that seniors across America will be saved from premature death by preventive health screenings, thanks to Priscilla Ross, although they will never know her name. Because of Priscilla, we are closer to a more perfect union, which is the birthright of each and every American, regardless of race, color, creed, ethnicity, gender, sexual orientation, or economic status.

When Thomas Jefferson followed Benjamin Franklin to Paris as Minister of America, he remarked that no one could replace Franklin. He, Jefferson, was merely a successor. I feel the same way about Priscilla: There may be a successor, but no one will be able to replace her.

I thank her for her wise counsel, indomitable spirit, outstanding public service, and enduring friendship, and I wish her the best of luck in her new career.

Thank you, 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.

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

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

PAYCHECK FAIRNESS ACT

Ms. HIRONO. Madam President, I rise today to support the Paycheck Fairness Act. Equal pay for equal work is the law of the land. It has been for over 50 years. Yet the law is one thing and the reality is quite another. Women still get paid far less than men for the same work.

Last year Hawaii News Now, a TV station in Hawaii, shared the story of a woman in Honolulu. She had been asking for a raise for over a year, to no avail. Her employers acknowledged that she was underpaid, but they didn't do anything about it. Then she found out a new male hire with less experience would be paid $5,000 more to do the same job.

She is not alone. In Hawaii a woman makes, on average, 83 cents for every dollar a man makes. While that is better than the national average, it is still not equal pay for equal work.

Research shows that the gender gap in pay begins with a woman's first job and widens from there. So when a young woman graduates and takes her place in the workplace, her starting line is already behind that of her male colleagues. That makes it harder for her to catch up, no matter how hard she works.

The women I know work incredibly hard. Many of them are heads of households and sole breadwinners, which makes the pay inequality that much tougher for them.

The gender pay gap persists even for workers with the same level of experience and education. The gap is even wider for older women.

Congress passed the Equal Pay Act over 50 years ago. As I said earlier, this is the law of the land. Yet the pay gap persists. While the gap has shrunk—not by much—women only earn 77 cents on the dollar nationally. As Senator MIKULSKI often says, in 50 years, women have only gained a few cents.

In 2009, I was proud to support and vote for the Lilly Ledbetter Act which President Obama signed into law. It was the very first bill he signed into law after his election. Without this law, women had only 180 days after their first discriminatory paycheck to challenge it, even if they only found out about it years and years later. After all, Lilly's employer did not announce they were discriminating against her in pay. So in her case it took many years, and she was far beyond the 180 days the Supreme Court said would be the timeframe in which she could try and get redress.

While the Lilly Ledbetter Act addressed one part of the equal pay problem, if we are going to make sure all women get a fair shot, we need to pass the Paycheck Fairness Act. This bill would require employers to prove that pay gaps between men and women are based only on a business reason and not on gender.

The Paycheck Fairness Act will make it easier for workers to compare their salaries and figure out whether they are victims of discrimination. Right now, without this act, employers can still fire workers for sharing the basic information about how much they are getting paid. This bill strengthens penalties for companies that discriminate against women. It would bring class action protection for women in line with other civil rights laws.

The bill includes an exemption for small businesses and a phased-in time for businesses to learn what they are required to do.

In addition, the Paycheck Fairness Act would help prevent pay discrimination in the first place by providing training for both management and workers. This past April 8 was Equal Pay Day. That is the day when women's earnings in this country caught up with men's earnings from the previous year. In other words, it took women 16 months to catch up with what their male counterparts were making in 12 months.

The very next day, here on the Senate floor, every single Republican Senator voted to filibuster the Paycheck Fairness Act, which failed on a procedural vote. I hope our Republican friends will reconsider their position on this important issue this time around.

This year President Obama signed an Executive order to implement parts of the Paycheck Fairness Act for Federal contractors. That is a major step forward for thousands of women. But there are millions more who are not covered by this executive action. Today in the Senate we have another chance to give the women of our country a fair shot, another chance for us to live up to a law that we passed 50 years ago.

I urge my colleagues to pass the Paycheck Fairness Act without delay. Fifty years is long enough to wait.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Under the previous order, all postcloture time on the motion to proceed to S.J. Res. 19 is expired.

The question is on agreeing to the motion to proceed.

The motion was agreed to.

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO CONTRIBUTIONS AND EXPENDITURES INTENDED TO AFFECT ELECTIONS

The PRESIDING OFFICER. The clerk will report the joint resolution.

The assistant bill clerk read as follows:

A joint resolution (S.J. Res. 19) proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

The Senate proceeded to consider the joint resolution which had been reported from the Committee on the Judiciary with an amendment, as follows:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE—

''SECTION 1. To advance democratic self-government and political equality, and to protect the integrity of government and the electoral process, Congress and the States may regulate and set reasonable limits on the raising and spending of money by candidates and others to influence elections.

''SECTION 2. Congress and the States shall have power to implement and enforce this article by appropriate legislation, and may distinguish between natural persons and corporations or other artificial entities created by law, including by prohibiting such entities from spending money to influence elections.

''SECTION 3. Nothing in this article shall be construed to grant Congress or the States the power to abridge the freedom of the press.''.

AMENDMENT NO. 3791

Mr. REID. I have an amendment to the committee-reported substitute, which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3791 to the committee-reported substitute.

The amendment is as follows:

In Section 1, strike ''and the electoral process'' and insert '' the electoral process and to prevent corruption''

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3792 TO AMENDMENT NO. 3791

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3792 to amendment numbered 3791.

The amendment is as follows:

At the end, insert the following:

'', which shall not be limited to bribery or quid pro quo corruption''

AMENDMENT NO. 3793

Mr. REID. Mr. President, I have an amendment to the underlying joint resolution.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3793 to S.J. Res. 19.

The amendment is as follows:

In Section 1, strike ''electoral processes'' and insert ''the electoral processes and to prevent corruption in government''

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3794 TO AMENDMENT NO. 3793

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3794 to amendment numbered 3793.

The amendment is as follows:

At the end, insert the following:

'', which shall not be defined solely as bribery or quid pro quo corruption''

MOTION TO RECOMMIT WITH AMENDMENT NO. 3795

Mr. REID. Mr. President, I have a motion to recommit S.J. Res. 19 with instructions.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to recommit the bill to the Committee on the Judiciary with instructions to report back forthwith the following amendment numbered 3795.

The amendment is as follows:

In Section 1, strike ''and electoral processes'' and insert ''process and prevent corruption in the electoral system''

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3796

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3796 to the instructions to the motion to recommit.

The amendment is as follows:

In the amendment, strike ''system'' and insert ''process''.

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3797 TO AMENDMENT NO. 3796

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3797 to amendment numbered 3796.

The amendment is as follows:

At the end, add the following:

'', which shall not be constrained to bribery or quid pro quo corruption''

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. 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 S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

Harry Reid, Patrick J. Leahy, Tom Udall, Bernard Sanders, Jeff Merkley, Mark Begich, Joe Manchin III, Amy Klobuchar, Tammy Baldwin, Mazie K. Hirono, Sherrod Brown, Elizabeth Warren, Robert Menendez, Robert P. Casey, Jr., Al Franken, Sheldon Whitehouse, Richard J. Durbin.

Mr. REID. I ask unanimous consent the mandatory quorum to rule XXII be waived.

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

PAYCHECK FAIRNESS ACT—MOTION TO PROCEED

Mr. REID. I now move to proceed to the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to S. 2199, the Paycheck Fairness Act.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. REID. Mr. President, I now move to reconsider the vote by which cloture was not invoked on S. 2199, the Paycheck Fairness Act.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. 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. 345, S. 2199, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

Harry Reid, Barbara A. Mikulski, Patty Murray, Richard J. Durbin, Kirsten E. Gillibrand, Brian Schatz, Heidi Heitkamp, Martin Heinrich, Tammy Baldwin, Barbara Boxer, Debbie Stabenow, Mazie K. Hirono, Kay R. Hagan, Mary Landrieu, Claire McCaskill, Jeanne Shaheen, Dianne Feinstein, Amy Klobuchar.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2199, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, 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 assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

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

The yeas and nays resulted—yeas 73, nays 25, as follows:

[Rollcall Vote No. 260 Leg.]

YEAS—73

Ayotte	Grassley	Murray
Baldwin	Hagan	Nelson
Begich	Heinrich	Portman
Bennet	Heitkamp	Pryor
Blumenthal	Heller	Reed
Booker	Hirono	Reid
Boxer	Isakson	Roberts
Brown	Johanns	Rockefeller
Burr	Johnson (SD)	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Kirk	Scott
Casey	Klobuchar	Shaheen
Chambliss	Landrieu	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Corker	Markey	Walsh
Cornyn	McCain	Warner
Donnelly	McCaskill	Warren
Durbin	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Franken	Merkley	Wyden
Gillibrand	Mikulski	
Graham	Murphy	

NAYS—25

Alexander	Cruz	Johnson (WI)
Barrasso	Enzi	Lee
Blunt	Fischer	Moran
Boozman	Flake	Paul
Coats	Hatch	Risch
Coburn	Hoeven	
Crapo	Inhofe	
Rubio	Shelby	Toomey
Sessions	Thune	Vitter

NOT VOTING—2

Harkin Murkowski

The PRESIDING OFFICER. On this vote the yeas are 73, the nays are 25. Upon reconsideration, three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The clerk will report the motion to proceed.

The bill clerk read as follows:

Motion to proceed to consideration of S. 2199, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

The PRESIDING OFFICER. The Senator from Texas.

BORDER SECURITY

Mr. CRUZ. Mr. President, Americans across the country have been riveted by the crisis occurring on our southern border.

President Obama is correct with one regard: What we are seeing is a humanitarian crisis. But it is a crisis, sadly, of the President's own creation, and it is the direct consequence of President Obama's laws. To understand why, one merely has to look at the numbers.

Three years ago, in 2011, there were roughly 6,000 unaccompanied children entering the country illegally. Then in June of 2012, just before the election, the President unilaterally granted amnesty to some 800,000 people here illegally who entered as children.

As a direct foreseeable consequence of that—the predicted consequence of that is: If you grant amnesty to people who enter as children, you create an enormous incentive for more and more children to enter the country illegally. That is exactly what we have seen happening.

As a result of the President's amnesty, we have seen the numbers go from 6,000 kids 3 years ago to this year, it is expected, when there will be 90,000 unaccompanied children entering the country illegally, and next year the Department of Homeland Security predicts it will be 145,000.

I have traveled down to the border of Texas many times. As recently as the last couple of months I have been down to McAllen. I visited with the Border Patrol chief in McAllen. I visited with the Border Patrol agents and line agents down there. I have been to Lackland Air Force Base where there are roughly 1200 children being housed. I am sorry to say that President Obama, when he visited Texas, had time to do neither. He had time to go to Democratic Party fundraisers, to pal around with the fat cats in the Democratic Party and to raise money but no time to travel to the border and see the human suffering his failed immigration policies have produced.

It is worth underscoring, these are little boys and little girls who are not being brought into this country by well-meaning social workers with beards and Birkenstocks trying to help the kids. They are being brought in by hardened, drug-tough coyotes, cartels. And these little boys and little girls are being physically victimized, physically abused, sexually abused.

When I was at Lackland Air Force Base, a senior official there described to me how the cartels, when they have control of these kids and are smuggling them illegally into this country, sometimes will hold the kids hostage and try to extract more money from the families. In order to do so, horrifyingly, they will sever body parts from these kids. This senior official at Lackland described to me how these coyotes will put a gun to the back of the head of the little boy or little girl and order that child to cut off the fingers or ears of another little boy or little girl, and if they don't do it they will shoot that child and move on to the next one. They describe how on this end we are getting, No. 1, some children who have been horribly maimed by these vicious coyotes and, No. 2, we are getting children who have enormous psychological trauma from being forced to participate in such horrors.

The crisis at the border cannot be solved without ending the promise of amnesty. The data demonstrates that, compellingly, it was when the President granted amnesty that the numbers spiked, but more recent data demonstrates that as well. A few months ago the Border Patrol conducted a survey of over 200 people who entered illegally, many of them children, and asked the obvious question: Why are you coming? What has changed? Just 3 years ago it was only 6,000 kids and now it is 90,000. What has changed? Ninety-five percent of them told the Border Patrol they were coming because they believe they will get amnesty. They believed they will get a permiso, a slip of paper that lets them stay once they get there.

When I was in McAllen, I took the time not just to meet with the chief but to meet with a number of Border Patrol agents who spend every day out on the river, up in the air, on horseback, working to secure the borders. I asked the line agents the obvious question: Why are they coming? What has changed? What has caused this humanitarian crisis? Every single Border Patrol agent gave me the exact same answer: They said they are coming because they believe they will get amnesty.

In fact, they explained to me, they said: Right now the Border Patrol is not apprehending these kids. When they cross the river, they often have nothing, sometimes just rags on their back after a long, arduous journey where they have been subjected to horrible physical and sexual abuse, but the one thing they almost inevitably have is their documents. And these children immediately look for the first person in uniform they can find. The Border Patrol isn't apprehending them; they

are looking for the Border Patrol, because they come to the Border Patrol and hand them their documents because they believe they will get amnesty; they will get a permiso; they will be allowed to stay.

If we want to solve this crisis, if we want to stop these children from coming and from being abused, the only way to do so is to end the promise of amnesty.

Before the August recess, I introduced legislation in this body to do exactly that. It was very simple legislation. It was directed to the source of the problem. It provided in black-and-white law that the President of the United States prospectively has no authority to grant amnesty to anyone. The legislation doesn't address the 800,000 who were the subject of the 2012 order. It simply says going forward the President cannot grant amnesty to anyone else, and the reason for that is the cause of this crisis is these children coming believing they will get amnesty.

The White House, in their talking points, routinely said that children coming today are not eligible for amnesty.

I see my colleague from Illinois nodding in agreement with that statement. If that is the case, then my colleague from Illinois should join me in sponsoring this measure because the legislation I have introduced would simply put into law what the White House talking point is, which is that——

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

Mr. CRUZ. I will be happy to yield to the Senator for a question.

Mr. DURBIN. Can the Senator tell me what the cutoff date is for eligibility for DACA?

Mr. CRUZ. I don't have the precise cutoff date in my mind, but the point that is being raised is these children don't fall under the precise terms of DACA, but they believe they will get amnesty.

I would respond to my friend from Illinois, does my friend from Illinois believe these children who are coming today should get amnesty, yes or no?

Mr. DURBIN. No. I would say, if I might, through the Chair, it is not the argument that anyone is making that these children should receive amnesty. What we are saying is they should be treated humanely——

Mr. CRUZ. Absolutely.

Mr. DURBIN. And go through an orderly process returning to their countries. But what the Senator from Texas is asking us to do is to disqualify up to 2 million young people who are here in the United States and can qualify for DACA as DREAMers—people who were here long before these unaccompanied children showed up at the border. That was the proposal that came from the House which the Senator inspired them to vote for. They stood for a standing ovation because they denied an opportunity to 2 million young people in this country to be able to stay here without fear of deportation. That is what the Senator is asking for today.

Mr. CRUZ. I thank my friend from Illinois, but I would note that the comments he made are not connected to the facts of the proposal. The proposal is explicitly post-DACA.

Some 800,000 people have already received amnesty. Let's be clear. The President had no legal authority to grant amnesty at the time. He did so unilaterally, contrary to the rule of law.

Now we are in a broader context where the President has quite publicly promised to grant amnesty—again unilaterally and illegally—to some 5 or 6 million people. Yet at the behest of our friends on the Democratic side of the aisle, he announced this weekend he is delaying the decision until after the election, because apparently Senate Democrats up for election have noticed their constituents don't support the President in illegally and unilaterally granting amnesty.

I would suggest that Members of this body cannot have it both ways.

My friend from Illinois stated he doesn't think we should be granting amnesty to these children, and yet the legislation I introduced, the legislation the House of Representatives passed, does not act retroactively, does not address anyone who has fallen within the previous DACA. It simply says going forward the President doesn't have the authority to grant amnesty. Instead it is Congress that has the authority to pass or not pass immigration.

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

Mr. CRUZ. I will be happy to yield for a question.

Mr. DURBIN. I wish to ask the Senator this question: If amnesty means the person has a right to citizenship or legal status on a permanent basis, is the Senator from Texas suggesting the deferral of deportation under DACA—is that a kind of amnesty?

Mr. CRUZ. The deferral of deportation under DACA is a written determination from the President that the individuals who receive this, No. 1, will be immune from the black-letter text of the immigration law that subjects them to removal; and No. 2, the administration has created an authorization-to-work document as a component of DACA that has no basis or authority in existing Federal law.

Let us be clear. The President has been absolutely explicit. He intends to expand that to another 5 or 6 million people who are here illegally.

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

Mr. CRUZ. I will yield for a question in a moment.

The President intends to expand this to 5 or 6 million people who are here illegally to give them presumably the same authorization to work unilaterally and with no authorization in law to transfer their status from being illegally here to legally here on executive dispensation. I understand my friend from Illinois and other Members of the Democratic Party support that decision. I believe—and I would allow him in his question to clarify that. If I mischaracterized it, I would welcome his clarification. But there certainly are some members of the Democratic Caucus who do support that. But the American people powerfully don't, profoundly don't. They recognize it is inconsistent with the rule of law, is bad policy, and is creating this crisis at the border.

I have to say the President's decision to delay the amnesty until right after the election reflects a cynicism that even in Washington, DC, is unusual. Because what it is saying is: I understand the policies that I, President Obama, am trying to force that are completely unpopular with the American people, so I am going to jam them through right after the election. Because what it reflects is that President Obama and unfortunately many of the Senate Democrats hold their constituents in very low regard. It reflects the view that if we do this after the election, even if the people don't like it, they will forget about it in 2 years.

If my friends in the Democratic Party believe the right policy solution is amnesty for 5 or 6 million more people and the President acting unilaterally, then we have a very simple solution. Let's bring this up for a vote before the October recess.

The House of Representatives took the legislation I introduced in this body and they stayed over an extra day, they voted on it, and they stood up and led, acting to solve the crisis at the border. And what happened in the Senate? The majority leader of the Senate refused to allow a vote on the proposal and sent every Senator home for August while having done nothing to address this crisis.

If my friend, the Senator from Illinois, believes amnesty is the right policy decision, then let's have a debate, let's bring it up for a vote, and let's have every Senator in this body go on record.

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

Most people believe amnesty means a free pass. Whatever you have done, you stay in the United States and you stay in the United States and you become a citizen.

Let me say to the Senator from Texas that DACA is a temporary suspension of deportation. It is temporary. It has to be renewed. And in order to qualify for it, you must have been in the United States as of June 15, 2007.

What we have now are 600,000—my number is 600, you say 800—600,000 who have come forward. They have paid the fee—a substantial fee—and they are allowed to stay here, without being subjected to deportation, on a temporary basis that needs to be renewed. There are another 2 million who may be eligible.

What the Senator is doing is not addressing the unaccompanied children at the border. The Senator is saying to the remaining 2 million: You don't have a chance. You have got to leave. You are illegal. You are going to be deported.

This isn't about amnesty. It is about whether those who are qualified under the DREAM Act, which incidentally was endorsed by the House Republican Caucus when they put out their statement of principles—whether those under the DREAM Act are going to have a chance to stay.

And to think that the Senator's colleagues in the House stood and applauded themselves for denying 2 million young people a chance to stay in the only country they have ever called home to me doesn't speak well of that caucus or their sensitivity to the reality of their lives.

These children who are brought here by their parents—some as infants—didn't vote on it. They were brought here. They have been raised in our schools. They have been taken care of in our hospitals. They pledge allegiance to the flag, as Senator MENENDEZ says, every day. They pledge allegiance in the classroom to the only country they have ever known. And you are glorying in the possibility that you can deport these children.

Is that what you consider to be—and in your own background—I am a first-generation American. I believe you have similar claims to make. Do you believe this is what this country is all about?

Mr. CRUZ. I appreciate my friend from Illinois impugning the integrity of our friends in the House and also describing the plight of innocents.

As you rightly noted, 67 years ago my father came here. He came from Cuba and spoke no English. He had $100 sewn into his underwear. He came here legally on a student visa to study. He followed the rule of law. And I would note—my friend from Illinois knows full well—there is no stronger advocate of legal immigration in the Senate than I am. Indeed, on the Senate Judiciary Committee I introduced two amendments, one for high-skilled workers, H–1B workers, to increase that fivefold from 65,000 to 325,000 because temporary, high-skilled workers are progrowth. Every one of those who comes along produces 1.7 American jobs. I am sorry to say my friend from Illinois and every Senate Democrat on the Judiciary Committee voted against that proposal—voted against increasing legal immigration for temporary, high-skilled workers.

My friend from Illinois is also aware—since we are both members of the Senate Judiciary Committee—that I introduced another amendment that would take our current failed legal immigration system and dramatically simplify it by reducing the barriers and costs and eliminate the per-country caps which have the effect of discriminating against nations such as Mexico, China, and India and take the legal cap from 675,000 and double it to 1.35 million so we can have a legal system we can continue that welcomes legal immigrants who come here to celebrate the American dream.

Again, I was sorry to see every single Democrat on the Senate Judiciary Committee vote against increasing legal immigration, streamlining it, making the system work better, and eliminating the discriminatory per-country caps on nations such as Mexico, India, and China.

I understand the Senator from Illinois just gave a passionate speech in defense of granting amnesty to people who are here illegally. He is certainly entitled to those views. We should indeed have a full and robust debate, but I will note that the Democratic Senator from Arkansas, the Democratic Senator from Louisiana, the Democratic Senator from North Carolina, and the Democratic Senator from Alaska are all busily telling their constituents they disagree with what my friend from Illinois just said. They are at home telling their constituents: No, no, no, no. We don't want amnesty. No, no, no, no. We don't want the President to unilaterally grant amnesty.

If that is indeed their position, I welcome them to come to the floor right now. If that is indeed their position, there is an easy action. For centuries this body has been called the world's greatest deliberative body. Unfortunately, that label is no longer accurately applied because this body, sadly, under Majority Leader REID and the Democratic majority, neither deliberates nor votes on much of anything.

There are over 350 bills the House of Representatives has passed to address the great challenges in this country—mostly with substantial bipartisan support—and over 350 pieces of legislation are sitting on HARRY REID's desk and he will not allow a vote on them.

When it comes to solving the crisis at the border, the only way to do so is to end the promise of amnesty. The 90,000 children who are coming believe when they get here they will get amnesty. The position, sadly, of President Obama and the majority leader and the Senate Democrats is that they will do nothing—zero—to fix that problem.

Let me say it is not compassionate, it is not humane to continue a system where tens of thousands and hundreds of thousands of little boys and little girls are being victimized and assaulted physically and sexually by violent coyotes. Under the Democratic plan that will continue. It will continue this year. It will continue next year. In response, they do nothing—zero, nada—to fix the problem. That is a hard-hearted approach to this challenge.

We have a demonstration, a study in contrast. Looking at a humanitarian crisis, the House of Representatives stood and voted on legislation to lawfully make it clear that the President of the United States has no authority to grant amnesty to people who are here illegally. The Senate had a chance to do the same.

President Obama has promised the American people that right after the election he intends to unilaterally and illegally grant amnesty to another 5 or 6 million people. Every Senate Democrat has an opportunity to make clear where he or she stands.

In a moment I am going to ask for this body to take up the bill the House has passed to make clear in law that the President has no authority to grant amnesty prospectively. I understand my Democratic friends are going to object to this. That should surprise no one because my Democratic friends for the last 2 years have objected to considering almost every major piece of legislation to address the challenges in this country.

What this means is that the 55 Democrats in this body who are standing united in blocking this legislation that the House of Representatives has passed—all 55 Democrats bear responsibility for President Obama's amnesty, for the amnesty of 5 or 6 million people.

I understand the President thinks it is politically clever to delay the amnesty until after the election, but I have real faith in the American people, that it is too clever by half, that all 55 Senate Democrats who are standing together, standing united with President Obama and saying we want the President to have the ability to illegally grant amnesty, every Senate Democrat in this body bears responsibility for that choice. If they did not, any Senate Democrat is welcome to come to the floor. I will note that other than the Democratic Senator from New Jersey, who is the chairman of the Foreign Relations Committee—and I expect will object to my unanimous consent momentarily—there is not a single Democrat in this Chamber speaking out on eliminating the President's authority to grant amnesty.

Clarity in elections, enabling the American people to hold all of us accountable is a very good thing. One body, the House of Representatives, is leading. The other body, the Senate, under Democratic control, refuses to even allow a vote on solving the crisis at the border or stopping the President's illegal amnesty.

UNANIMOUS CONSENT REQUEST—H.R. 5272

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 551, H.R. 5272. I further ask consent that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, reserving the right to object, I will first respond to the unanimous consent request made by the Senator from Texas, the son of immigrants himself, to prohibit certain actions with respect to

deferred action for students in the United States whom we call DREAMers. For these young people, as Senator DURBIN said, the only flag they have ever pledged allegiance to is that of the United States. The only national anthem they have every sung is the ''Star-Spangled Banner.''

They came to this country not because they made a decision to do so but because their parents came here, just as Senator CRUZ's parents came here. He now ultimately enjoys the benefit of being an American, even though it was a different time and under a different set of circumstances. Nonetheless, he didn't have a choice in that decision and neither did these children.

We have learned and we have often heard in this Chamber that you never subscribe to the child whatever errors exist of the parent, but that is exactly what the Senator from Texas would do.

My friend from Texas is entitled to his views and his opinions, but he is not entitled to his own set of facts. The reality is that he continuously refers to the deferred action on deportation for these young people as amnesty. Amnesty suggests that someone is forgiven for something they did wrong and they have a clear pathway to permanent residency and ultimately to U.S. citizenship. That is not what the President did for these young people who know no other country than the United States. Any action that would be taken on these young people will be deferred until after Congress has acted on the pressing question of immigration reform.

The Senator from Texas suggested that the Senate has failed in leadership. I wish to say to the Senator from Texas that the Senate exerted leadership over 1 year ago, when in broad bipartisan votes—notwithstanding the Senator from Texas—a group of eight Senators, four Republicans and four Democrats, joined together and got two-thirds of the Senate to send comprehensive immigration reform to the House of Representatives. We sent over commonsense immigration reform that was the toughest on border protection that has existed in the history of the country, that was in the national security interests of the United States, that provided for the economic imperative as described by the Congressional Budget Office of the opportunities that immigration reform would provide for the country by raising the gross domestic product of the United States, raising the wages of all Americans, and reducing the national debt, all by virtue of immigration reform.

Two-thirds of the Senate voted on that at a time when it was rare to see two-thirds of the Senate come together on controversial or significant issues of the day. It was sent to the House of Representatives over 1 year ago, and they did not once cast a vote on that legislation or their own vision of what immigration reform should be.

Mr. CRUZ. Will the Senator yield?

Mr. MENENDEZ. I will be happy to do so a little later.

At the end of the day, the Senator from Texas argues that this measure is necessary to deal with the humanitarian crisis at the border. I will say that has gone dramatically in a downward slope.

He may argue that immigration policy is driving these children to make a dangerous and deadly journey. While I agree we need a long-term solution to the humanitarian crisis on the southern border, saying that this opportunity for DREAMers to stay in the United States is the cause is simply not true.

DACA, which is the law we refer to that the President did by administrative order, was announced in June of 2012. The influx of unaccompanied minors was reported months before that announcement. As a matter of fact, we can ask Senator CRUZ's own Governor, Rick Perry, who sent a letter warning about the influx of children months before the President's DACA announcement.

The fact is that all of this talk about ending deferred action for children who have been here sometimes well over a decade or more ignores the elephant in the room; that is, that DACA does not cover these children. It only covers children who were brought here before the announcement was made. Eliminating DACA, as the Senator from Texas wishes to do, would not make any of these children less likely to come here. These children are fleeing extreme violence in Guatemala, El Salvador, and Honduras, which have some of the highest murder rates per capita in the world.

If I saw my father killed and my sister raped, it is likely I would think about trying to flee that set of circumstances regardless of what the promise might or might not be, and that is in fact what drove this humanitarian crisis.

We should solve the roots of the crisis and not try to create some connection to something that has absolutely nothing to do with it.

I know we are in the season in which—even if 10 angels came swearing from above that DACA is not the cause of the unaccompanied minor circumstances or that it is not amnesty, there will be those who will say, no, those angels are wrong. The reality is that one is entitled to their own views but not their facts.

Finally, the undeniable consequence of the Senator's attempt to dismantle these deferred actions for DREAMers would serve only to further separate families. I have listened time and time again to my Republican colleagues say they are the heart of family values. Well, tearing apart families is not my sense of a family value. Tearing children away from their mothers and fathers is not my sense of family values. Destroying any hope of a better life and a chance at success is not the doctrine of family values.

There is a reason the Senate hasn't voted on this bill—and it won't. I think the Senate Democratic leadership understands it would be a disservice to our country, a disservice to hundreds of thousands of these young people who we have already invested in through our public schools. Now is the time to take advantage of their service, whether in the military of the United States or whether through their intellect. Some of them are the valedictorians and salutatorians of our schools and colleges and universities. It is an opportunity to ensure they can be productive members of our society, with no guarantee—with no guarantee—as it relates to their ultimate status.

I hope the immigrant community in this country—I hope the Hispanic community in this country, I hope the Asian and Indian communities in this country, I hope the Eastern European community in this country, all who are rightly concerned about comprehensive immigration reform—are listening to this debate, because as disappointed as some may be about the President saying: Well, we cannot move forward at this time until we get it right because of the politics that have been generated by the undocumented children along the border—as disappointed as some may be with the President—listen to what we will get if, in fact, this November there is a change of who ultimately has the majority in this Chamber. This is what we will get: We will get what we got in the House of Representatives, which is over a year of not casting one vote for their own vision of immigration reform. And every vote they have cast has been anti-immigrant at the end of the day.

For all of those reasons, I have to object to the unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

Mr. CRUZ. Will the Senator yield?

Mr. MENENDEZ. I would be happy to yield.

Mr. CRUZ. The Senator from New Jersey talked about legislation that was debated and voted on a year ago—legislation that I believe, if passed into law, would only make the problem worse, would only increase illegal immigration, would only exacerbate the problem.

I, as do most Americans, want to see commonsense immigration reform, but not reform that fails to secure the border, that grants a pathway to citizenship for those here illegally, and that incentivizes further and further illegal immigration.

But that legislation was a year ago. The President of the United States tells us we have a humanitarian crisis on the border today—right now, not a year ago, today—with little boys and little girls being subjected to physical and sexual violence and being victimized.

The question I would ask my friend from New Jersey is: Why is it that neither President Obama nor the Senate Democrats have introduced any legislation or allowed a vote on any legislation whatsoever that would actually solve the problems?

Now, the President did introduce a $3.7 billion social services spending bill, less than 5 percent of which went to securing the border and none of which went to the underlying amnesty that is causing this crisis. That was a bill designed to deal with the symptoms to care for the kids once they come, but that bill assumed that tens of thousands and hundreds of thousands of kids would continue to come, continue to be victimized.

So the question I ask of my friend from New Jersey is: Why have the Democrats not allowed a vote on anything to solve the problem and prevent these little boys and little girls from being victimized this year and next year and the year after that?

Mr. MENENDEZ. Mr. President, first of all, I would say to my friend from Texas that he totally mischaracterizes the comprehensive, bipartisan immigration reform that was passed in the Senate. Do we know who voted for that? A whole host of Senators on the Republican side of the aisle who represent border States and who said: This is the most significant border protection and security effort we have had in a long time. They believed the national security of the United States was better preserved by virtue of that legislation. Our colleague JOHN MCCAIN worked assiduously on that question, as well as others.

So the bottom line is, that reform was going to end the process of those coming in an undocumented fashion; it controlled the border, moved the economy, and would bring out of the darkness those who are here to pursue the American dream, which is the only way we can secure America, to differentiate from those who might be here to do harm to the United States. I can't know that if people who are in the dark don't come and register with the government, pay their taxes, go for a criminal background check, and earn their way over the course of a decade to the possibility of becoming a permanent resident. That is what the Senate did.

So failure in this regard rests in the House of Representatives—failure on the border, failure on national security, failure on the economy, and failure to reunite millions of people with their families.

Now, with reference to the second part of the question, the President acted. It is the President who brought the Central American presidents here and said: You have to work with us to stop your young children from coming to our country and you have to create better conditions in your country, and we want to work with you to do that. We want to work with Mexico to ensure that what they call the Beast—the train of death—ultimately Mexican authorities interceded to stop immigrants from getting on that train to the United States. It is the President who ultimately took the resources that existed in the Department of Homeland Security and reauthorized them to send them to the border and deal with the challenge. All of that, among other efforts, ultimately has found us with a dramatic reduction.

So I understand the politics of this. I appreciate everybody in this Chamber has the right to pursue that. But the bottom line is the President acted and the reality is we have dramatically reduced it, and the core challenge here is to have comprehensive immigration reform.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I wish to make two final comments to conclude this exchange. My friend from New Jersey admitted that Senate Democrats introduced nothing—zero, nada—to do anything to fix this humanitarian crisis. Indeed, the majority leader dismissed the Senate and sent the Senators home for the month of August, perfectly content to let the crisis continue, to let tens of thousands and hundreds of thousands of children be victimized. He suggested instead the solution was Presidential action, unilateral action.

There was a time when the Senate believed we had a responsibility to legislate, to actually pass laws to address challenges. Yet under the Senate Democrats, we have a do-nothing Senate. That is why over 350 bills passed by the House of Representatives are sitting on HARRY REID's desk, because this body no longer votes on meaningful legislation to address the challenges facing this country.

My friend from New Jersey suggested that the reason the legislation the House of Representatives passed prohibiting the President from illegally granting amnesty—the reason it is not going to come up for a vote is because he said it is a bad idea. Well, I recognize the Senator from New Jersey may well think that. Indeed, the Senator from Illinois may well think that. But no one who is paying attention to the Senate thinks that is the reason it is not coming up for a vote.

If it were objectively a bad idea—if it were a bad idea and the Democrats agreed on that, bringing it up for a vote would be very simple. We would bring it up for a vote. The Democrats have 55 Democrats in this body. They could all vote it down and it would be defeated. If the point were on the merits it is a bad idea, bringing it up for a vote would be very straightforward.

The reason the majority leader is fighting so hard to prevent a vote is that a great many of the Members in his caucus are doing everything in their power to convince their constituents back home they don't support amnesty.

As we travel the country, the most frequent thing we hear all throughout the country is that the men and women in Washington aren't listening to us. Something happens. I don't know if it is the water or what it is, but they get to Washington, they stop listening to us, and they don't tell us the truth. They are lying to us. We hear this from Republicans, from Democrats, Independents, Libertarians, all across this country. There is a reason why the popularity of Congress rivals that of Ebola, because the American people recognize the people in this body aren't telling them the truth. There is one reason and one reason only that Majority Leader REID does not want to vote on this legislation: because he wants to allow Senators in red States—the Senator from Arkansas, the Senator from Louisiana, the Senator from North Carolina, the Senator from Alaska, even the Senator from Colorado, even the Senator from New Mexico—he wants to allow them to tell their constituents, No, I don't support amnesty. And the reality is, of the 55 Members of this Senate who are Democrats, who caucus with the Democratic Party, today it has been conclusively demonstrated that all 55 support President Obama's illegal amnesty and are responsible for his promised amnesty of 5 million to 6 million more people right after the election. If that were not the case, we would have seen one Democrat show up and speak out to the contrary. Not a single Democrat showed up.

There is a reason we don't have a vote, because if we had a vote, it would force Members of this body to be on record.

The Senator from New Jersey is entitled to make the case on the merits why he thinks amnesty for 5 million or 6 million or 12 million is a good idea. He is entitled to make that case, and if his constituents agree with him, he will keep getting reelected. But far too many Senate Democrats want to pretend they disagree, and a vote makes that impossible because if we had a vote, we would see all 55 Senate democrats vote in favor of amnesty. They are right now hiding behind their leadership because they don't want that vote. They don't want their constituents to understand they support amnesty. So, instead, they shut this body down.

The American people are frustrated. They are disgusted with the Senate that won't do its job, that won't allow votes, that won't consider legislation to address the problems in this country, and that consistently lies to the voters.

I will tell my colleagues on my side of the aisle, I am happy to have as many votes as we like. It is interesting. The Senate majority leader today seems to view as his principal obligation protecting his Members from hard votes. I wish to point out the concept of a hard vote only makes sense if there is a disconnect between what a Senator says at home and what he or she does in Washington. Votes are hard if we have Democratic Senators who go home to their States and tell their constituents: I am really conservative and I don't agree with that crazy stuff President Obama is doing. Then they come here and vote lockstep

with the majority leader and the President. Then votes are hard.

I will tell my colleagues from my perspective, I don't consider votes hard. In 2 years, what I have tried to do in the Senate is very simple—2 things: Do what I said I would do, and tell the truth. The 26 million Texans I represent, I believe, understood the principles I am defending when they elected me. And whether we have 1 vote or 10 or 100 or 1,000, it doesn't surprise the men and women back home, because what I say in Texas is exactly the same as what I say on the floor of the Senate, and it is the way I have tried to vote since I arrived here. The reason the majority leader has 350-plus bills sitting on his desk is because a substantial number of Senate Democrats tell their constituents one thing and vote a different way. This is all predicated on deception.

So I am glad for this exchange because this exchange has shined light and made clear to the voters that, No. 1, amnesty is coming and President Obama intends to grant amnesty to 5 million to 6 million people right after the election; and No. 2, all 55 Senate Democrats bear direct responsibility for President Obama's illegal amnesty because all 55 Senate Democrats are standing in lockstep, preventing legislation that would stop that amnesty. That clarity is good. It allows accountability. It allows decisionmaking to be made by we the people.

The one thing I would encourage of my Democratic friends is, given that reality, go home and be honest with your constituents. All 55 of you go home and say: Yes, I stand with President Obama. I stand with majority leader HARRY REID in support of amnesty.

Those are not the views of the American people, but they are the views of every Democratic Senator in this body. We have a natural check when elected officials ignore the views and values of the people for whom we work in the place where sovereignty resides in our system: We the people.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

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

WOMEN'S HEALTH CARE

Mrs. MURRAY. Mr. President, I have come to the floor today to talk about an important piece of the Democrats' ''fair shot'' agenda: ensuring that women across America have access to the basic and often lifesaving health care benefits guaranteed under the Affordable Care Act.

Just a few months ago five men on the Supreme Court decided that there should be a group of woman across America who are required to ask their bosses for permission to access basic health care and that a corporation should have more rights then the women it employs. Just a few months ago those five men rolled back the clock on millions of women across America.

As the ink was still drying on Justice Alito's misguided opinion in the Hobby Lobby case, I made an unwavering commitment to do everything I could to protect women's access to health care since the five male Justices on the Supreme Court decided they would not. That is why I worked with my partner, the senior Senator from Colorado, to introduce the Not My Boss's Business Act to restore those lost benefits and protect women's health care. I am proud that in the months since we have received strong support from men and women across the country.

Our straightforward and simple legislation would ensure that no CEO or corporation can come between you and your guaranteed access to health care, period. This should not be a controversial issue. In fact, nearly 7 in 10 people say health plans should cover birth control. The only controversy about birth control today is the fact that it is 2014 and we are still fighting for this basic health care that is used by 99 person of sexually active women in this country.

Despite the resounding outrage we have heard from women and men across America, Senate Republicans stood with this misguided Supreme Court decision and blocked our efforts to right this wrong. If our colleagues on the other side of the aisle thought their obstruction of the Not My Boss's Business Act in July would end this conversation, they were dead wrong. Since then, millions of Americans have taken action. They have voiced their outrage on social media. They have organized action in their communities. They will continue to speak out until our Congress in turn takes action.

Unfortunately, it appears this message has fallen on deaf ears among some Senate Republicans. It has become increasingly clear on that side that some of the Members have decided to put the tea party ahead of women and have no intention of even allowing a debate on the Not My Boss's Business Act in the near future. I am extremely disappointed by that. I would have hoped our colleagues on the other side of the aisle would have maybe—just maybe—spent a little time at home in August listening to women in their States. If they had, they would have heard the women across America asking Congress to fix this horrible decision that resulted from Hobby Lobby.

By the way, it is not just women who want Congress to act. People across the country understand that if bosses can deny birth control, they can deny vaccines or HIV treatments or other basic health care services for employees and their covered dependents. I think what men across America understand is that it is not just the female employees at businesses who are affected, it is their wives and their daughters as well who share that health care plan.

The data is clear. Ensuring access to contraception coverage is not just the right thing to do, it is also a critical part of making sure women and their families have a fair shot in the 21st century. Women and their family members should not be held back by outdated policies and unfair practices. As I said yesterday on the Senate floor, it is not just about access to contraception, it includes pay equity, access to childcare, a higher minimum wage, and it absolutely includes the right to make their own medical and religious decisions without being dictated or limited by their employer.

The bottom line is this: Women use birth control for a host of reasons, none of which should require a permission slip from their boss.

Unfortunately, Americans are most likely not surprised at what they are seeing. This obstruction is coming from Members of the same party that has been threatening to subject women to invasive and degrading ultrasounds; the same party that had candidates making outrageous statements, as we all remember, about legitimate rape and then defending those comments during their disastrous book tour; the exact same party that on Capitol Hill, in State houses across America, and in courtrooms at all levels is actively attempting to block women's ability to make their own decisions about their own health. They have shown they will go to just about any length to limit access to care.

Just in the past few weeks we have seen last-ditch efforts from Republicans to distract from their embarrassing record on women's health by claiming to support ''cheaper and easier access to contraception'' by simply making it over the counter. Well, the reality is that these proposals would actually cost women more by forcing them to pay out of pocket for the birth control they are getting now at no cost thanks to the Affordable Care Act. This is a basic piece of women's health care. It should not be available only to those who can afford it.

The American people are not fooled. In fact, just yesterday PolitiFact rated one Republican birth control claim as ''Mostly False'' given that it was ''lacking in concrete detail.''

Time and again Republican leadership has put politics between women and their health care. Now, with their continued obstruction, they have put employers between women and their access to free or low-cost basic health care under the Affordable Care Act. They have shown us they are not focused on what is best for women; they are focused on political calculations, appeasing the far right, and their continued efforts to do whatever it takes

to pitch their extreme agenda even when it burdens working women and their families.

Despite this disappointing turn of events, I stand here today to say the deck is stacked against them because millions of women who benefit from this basic and often lifesaving health care will not be silenced. They are still watching.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, how much time am I allocated?

The PRESIDING OFFICER. The Senator has up to 1 hour postcloture.

Mr. CORKER. Well I assure you that will not be the case. I will speak for possibly 10 minutes.

The PRESIDING OFFICER. The Senator is recognized.

ISIS

Mr. CORKER. Mr. President, tonight the President is going to address an issue on which I know almost every American has been focused; that is, the rise of ISIS in Iraq and Syria and the beginning of that in many other places around the world. This is obviously a big speech. It is one that I know all of us will be paying attention to and watching.

I am hopeful that what the President will do tonight is, first of all, explain to the American people from his perspective what our national interest is in ISIS. I think that should be very easy to do. I also hope that what he will do is lay out a general strategy. Obviously, in a speech such as this you never want to give every detail of what it is you want to do, but I hope he lays out the objectives he wishes to accomplish as he talks to the Nation and really the world about how he plans to deal with ISIS.

So I wanted to say at the onset that I look forward to listening. I hope this is a speech that is meaty. I hope it is a speech that speaks to the essence of why we as a nation need to deal with the threat ISIS poses not only in the Middle East but, over time, in the West, with us being the greatest symbol.

I know there have been many conversations with the administration about ISIS. I know that obviously their concern about ISIS has risen over time. Again, I look forward to very clearly listening to the speech.

Most of us here in the Senate, if we were in the White House, might choose to guard the authorities we have. Many Presidents have said—most Presidents have said they themselves have the authority to conduct operations of this nature. While that is debatable, that is not a topic I wish to debate. I know the President has said he has the ability to go about these actions, to take these actions without any additional authority from Congress. What they have said is they plan to not come to Congress. I think that is absolutely preposterous.

If you think back in history, back in 1991 President Bush 41, in getting ready to undertake the activities in Desert Storm, felt as though he had the authority to move ahead with those activities. Yet they realized within the administration that the best thing they could do was to get the American people behind what they were doing, and the best way to do that was to seek an authorization from Congress, to have that debate, to have Members of the Senate be able to ask questions about how this operation was going to take place, to get people comfortable with what the objectives were going to be, and to finally win over the Senate. As a matter of fact, as I understand it, Sam Nunn, the chairman of the Armed Services Committee at the time, was opposed to this effort. Yet, with Bush 41 coming up with his Cabinet members to talk to Members of Congress, they were able to pass it over the objection of the chairman of the Armed Services Committee. But what that meant was there had to be interaction, there had to be questions and answers, and there had to be a feeling by Members of this body that what was getting ready to happen was something that was going to make a difference. So they came and did that. They were successful, and the operation itself was successful.

President Bush 43 did the same. In 2001, after what happened with the Twin Towers and other activities around 9/11, the country was outraged. He actually sent forth his own AUFM, the Authorization for Use of Military Force. Action was taken. It was 60 words, it was broad, but action was taken. The same thing occurred in 2002, which led us to what happened in Iraq. So President Bush 43 did those same things even though he felt as if he himself had the authority to take on those activities without Congress approving them. But they felt it was much better for the American people to see what was going to happen and for Congress to be fully informed, to understand what the objectives were, and then to have Congress authorize it.

This President, President Obama, came before us last year—almost 1 year ago exactly—and asked for an authorization on Syria.

I find it truly preposterous and hugely lacking in judgment that this President is discussing—and hopefully he will change his mind in the next few days—undertaking activities in Iraq. Remember, the President declared that in 2011 the war in Iraq was over, that we had won, that it was a stable country. Yet this new enemy—I do not want to get into the past too much, but because of policies of this administration in both Iraq and Syria, things have changed. So now we have a new enemy—ISIS—that has arisen. They are incredibly well funded, well equipped, well energized, and savvy to social media.

We have seen the detestable things that this group is doing to people of all kinds of ethnic persuasions in Iraq. We understand the threat this is to Iraq and to the Middle East.

What we also know is this is something that is affecting directly today not only Iraq but Syria. There is really no border there. It is porous.

We actually know the ISIS headquarters are in Syria. So this is an operation that can in no way be confined just to Iraq. We have to deal with this in Syria.

The President hopefully tonight—while laying out what our national interest is, while laying out what his general strategy is, while laying out what his objective is—certainly will talk about the fact that we have to deal with this in Syria.

I will say to the Presiding Officer of the Senate that it seems to me, even if the President feels that he has the authority to do this with his own constitutional powers under article 2—even if he feels that—it is totally preposterous that he would not seek our authorization to take on a different enemy. Certainly, to take this into another country that we have not been involved with in this way in the past—Syria—to take on operations in that country with a different enemy and not come to Congress, to not seek the approval of the people whom the people of this country have elected to weigh in on these matters to me, again, is tremendously lacking in judgment.

One of the benefits of the President coming to seek our approval is that he has stated over the weekend that he believes this could take 3 years. Let me say this one more time. This is a conflict that he believes could take 3 years in duration and take us into another country where we are now not involved in this matter anyway. He is talking about not coming to us.

Again, bad things happen in conflict. Our Presiding Officer has a distinguished career in serving our country—and I honor that—a distinguished public service in the military, and he knows that things don't always go the way we intend.

For the President to undertake something of 3 years in duration—by his own words, in another country and an enemy that is one of the most well-funded terrorist operations that we have dealt with, knowing that he has to pull together a coalition of people with very different interests but with like interests relative to this particularly detestable group of folks—to think that this President would undertake that without Congress being behind him and having 535 Monday morning quarterbacks because there was never any buy-in by Congress to me is foolish.

But because of what happened 1 year ago where our allies in the region who were going to help us deal with Assad were waiting by the telephone to respond because they, with us, were going to conduct activities against Assad about 1 year ago today—they watched on CNN as the President had changed his mind without even notifying them, without notifying their leaders or their armed services—there is a credibility issue.

The President has talked about building a coalition, and he says that there are 12 countries that are already interested.

I would say to him that coming to Congress would show that there is durability, that he has sought our support, that he has answered our questions, that his Cabinet members have laid out their plan, both in public and in private—talking about details that have no business in the public sphere—and that he has the buy-in of the Congress.

I would say to the other members of the coalition, the people in the region who question our durability, question, candidly—I hate to say it—his credibility. They would say that after he had done this that they believe this Nation is unified in dealing with this issue.

I just want to say again I hope the President is good tonight. I hope he delivers to the American people why this is in our national interest. I hope he lays out a strategy that makes sense. I hope he deals with the objectives that he wants to come forth with.

Importantly, to me, I understand how we are going to deal with the ground in Iraq. I understand we have an Iraqi military—as weak as they are—that we can build off of. I understand that we have the Peshmerga—the Kurds—who we can build off of in support.

What I don't understand in Syria, especially since year after year we have done nothing to support the moderate opposition like we have said we would do—or very little—let me not say nothing, but really very little. Since we have nothing of substance on the ground in Syria, how are we going to deal with that?

Our Presiding Officer knows more about military officers than I do by far. But how do we deal with a country with nothing on the ground. I want him to explain that. But I think all of us would like to understand that.

But, again, I think if he were to come to the Senate to seek our support overtly and to explain to the Presiding Officer, myself, and many others in this body how he has a strategy that could be effective, I believe that he would receive overwhelming support, and I believe he would have the durability necessary to deal with an enemy of this sort.

I do hope, again, the President is on target tonight. I hope the President will seek our authorization for the use of military force—now.

I hear people say: Well, gosh, CORKER, it is right before an election.

So our President is going to talk to the Nation about what we are going to be doing with this enemy in Iraq, in Syria—candidly—and in other places. Because there is an election coming up, maybe he is not going to—I don't know that this is his reason, but I know there are a lot of people in Congress who say they don't want to deal with it before the election.

Are you kidding me—the most significant decision that is made; that is, sending men and women in harm's way—because it is 2 months before an election. If there are people in this body who don't want to be put to the task by the President of asking for an amount, whether it is 2 hours, 2 days, 2 weeks, 2 months or 2 years before an election. Someone shouldn't serve in the Senate if they don't want to take up these issues and deal with them.

I hope the President will change his mind. I hope the President will come to the Senate and seek our input and say that he wants an authorization and send us that authorization.

That is what he did with Syria. Let's look at it. Let's deal with his Cabinet Members, both in public and private. Let's deal with him. Let us see his commitment. Let's understand the coalition that is being put forth and let's deal with this in the manner that people in the Senate should deal with it, but it should come only after the President seeks that authorization. That is an important thing for him to do. I hope he will do it tomorrow after giving his speech.

I stand by ready to work with him in that regard, and I close with those comments.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Vermont.

CONSTITUTIONAL AMENDMENT

Mr. SANDERS. Mr. President, later this week, one of the most important Senate votes in the modern history of this country will take place, and that vote will be about whether the Senate begins the process to move forward on a constitutional amendment which overturns the disastrous 5-to-4 Supreme Court decision on Citizens United.

What the Citizens United Supreme Court decision was about 4 years ago is to say to the billionaires in this country, to say to the largest corporations in this country: OK, you already own much of the economy of the United States of America, but now by a 5-to-4 Supreme Court decision we are going to allow the billionaires and the large corporations of this country to own the U.S. Government because they will now be allowed to spend unlimited sums of money on political campaigns.

Poll after poll tells us that whether you are a progressive, as I am, a moderate, or a conservative, all over this country people are profoundly disgusted by the ability of big money to buy elections. What democracy means, what people fought and died for is the right of you, her, and him to have one vote.

What democracy is not about is allowing the Koch brothers—a family worth $80 billion, the second wealthiest family in this country—to spend hundreds and hundreds of millions of dollars to elect candidates whose job it is to make the wealthiest people in this country even wealthier while they continue to attack the needs of the middle class and working families of this country.

There was a piece the other day in the Washington Post talking about how the Koch brothers alone—just one family—has already in this election cycle put 44,000 ads on television and radio, and we have 2 months left before this election.

Does anybody believe that is what democracy is about?

In this country today we are suffering a major economic crisis. What that crisis is about is the disappearance of the middle class, the fact that since 1999 the typical middle-class family has seen its income go down by more than $5,000 after adjusting for inflation. The crisis is that all over America, working people are not working 40 hours a week, they are working 50, 60 hours a week. They are not working at one job—they are working at two jobs, they are working at three jobs, trying to cobble together an income and maybe some health care to take care of their family.

The crisis in America today is that unemployment is not the official rate of 6.1 percent, it is the real rate of 12 percent if we include those people who have given up looking for work and are working part-time.

The crisis is that youth unemployment today is 20 percent; African-American youth unemployment is 35 percent. The American people are calling out. They are saying to the Congress: Why doesn't Congress create the millions of jobs our people need. Why don't you rebuild our crumbling infrastructure. Why don't you transform our energy system so we can address the crisis of climate change and move away from fossil fuel to energy efficiency, wind, solar, geothermal, biomass, and create huge numbers of jobs. Why don't you rebuild our crumbling bridges, roads, water systems, and wastewater plants. Why don't you raise the minimum wage to a living wage.

That is what people tell me in Vermont and that is what people are saying all over this country.

People ask that today, despite the modest gains of the Affordable Care Act, how does it happen that the United States is the only major country on Earth that doesn't guarantee health care to all people as a right?

We have 40 million people uninsured, even more paying large copayments and premiums.

Why don't we join the rest of the world and guarantee health care to all of our people?

The answer is very simple. The answer is that Members elected to the House and the Senate increasingly are dependent upon big money campaign contributions in order to win their seats. That is not what democracy is about; that is what oligarchy is about. Oligarchy is when you have a nation owned and controlled by a handful of wealthy families. That is where we are moving today.

On issue after issue, the American people are very clear about where they

want to be going. On this issue of Citizens United, the American people are very clear that we need real campaign finance reform to prevent billionaires from buying elections. That is what the American people want. That is what they say in poll after poll. Yet it remains to be seen whether, in a few days when we vote on this issue, we will get one Republican vote. And I can understand that because the Republicans today are the beneficiaries in a very big-time way of all of this billionaire money.

A couple months ago a constituent of mine in Vermont made a very interesting suggestion. He said: Bernie, do you ever see these guys in NASCAR, the racing car drivers, and they wear their jackets, and their jackets have all of the sponsors on them? They are sponsored by Goodyear Tire Company, and they are sponsored by this oil company, and they are sponsored by this brake company. Maybe we should have the Members of the U.S. Senate wear jackets which tell us who is sponsoring them. So somebody can come forward in their nice blue blazer and say: Hey, I am owned and sponsored by the Koch brothers. Somebody else can come forward and say: No, I am not owned by the Koch brothers, I am owned by the oil industry or I am owned by Big Energy or I am owned by Wall Street. It would be very instructive, when you see people get up and vote, about why they do not want to raise the minimum wage, to find out they are controlled by significant contributions coming from large corporations.

I think it would be very interesting to see Members of the Congress wear those types of coats.

The men and women of our country know there is something profoundly wrong when 95 percent of all new income generated in this country goes to the top 1 percent. They know there is something profoundly wrong when one out of four profitable corporations pays nothing in Federal taxes in any given year. Yet the reason we are unable to come up with real tax reform—so we can find the money to help our kids go to college, so we can deal with the fact that we have the highest rate of childhood poverty in the industrialized world—has everything to do with large corporations not paying their fair share, and that has everything to do with the types of campaign contributions these institutions make.

There was a poll that came out just the other day. They asked the American people: Should we cut Social Security? Do you know what the American people say, whether they are progressives, moderates, or conservatives? They say: You have to be nuts. We can't make it on Social Security benefits today, and you want to cut Social Security? You want to cut Medicare? But that is exactly what the Business Roundtable from corporate America wants us to do.

So we are living in two separate worlds. On the one hand you have an agenda here in the House and among many of my Republican colleagues that says: What we need to do is give huge tax breaks to the wealthiest people and the largest corporations. Is that what the American people want? Overwhelmingly, they do not want that.

You have an agenda among many who say: We have to cut Social Security, Medicare, and Medicaid. Is that what the American people want? No, they do not.

There is an agenda among some Republicans that says: Not only should we not raise the minimum wage, we should do away with the concept of the minimum wage so that in high-unemployment areas people could work for $4 or $5 an hour. Is that what the American people want? Quite the contrary. They want to raise the minimum wage to at least $10.10 an hour.

So you have an amazing dynamic right now in American society. On the one hand in the real world outside of the beltway, ordinary people are hurting. They are struggling. They are worried about their kids. They are worried about their grandchildren. They are worried about their parents. They want the U.S. Government to do something to create jobs, to raise the minimum wage, to change our disastrous trade policies. They want us to do something to make college affordable, to lower interest rates on student debt. They want us to create jobs by rebuilding the infrastructure. They want everybody in this country to have health care as a right. They want us to address the crisis of global warming. But we do not do that. Why not? Because increasingly the Congress is not responsive to the needs of ordinary Americans. They are responsive to the big-money campaign contributors, and that has everything to do with this constitutional amendment beginning the process to overturn Citizens United.

So of all of the issues out there—whether you are concerned about education, health care, the environment, the economy—the most important issue underlying all of those issues is the need to end this disastrous Supreme Court decision which allows billionaires to buy elections. That is not what people fought and died for in the name of democracy. That is called oligarchy. Abraham Lincoln talked about a government of the people, by the people, and for the people, not a government of the billionaires, by the billionaires, and for the billionaires, and that is where we are today.

I hope the American people are watching. The media has not paid, for interesting reasons, a lot of attention to this issue, but there is no domestic issue that I can think of more important for the future of this country.

Do we elect Members of Congress who are beholden to the constituents back home, to the middle class, to working families, or do we elect Members of Congress who are beholden to corporate America and the billionaire class? Do we fight to sustain the democratic foundation of this country or do we move toward an oligarchic form of society controlled by a handful of billionaire families? That is the issue. That is what this debate is all about, and that is what this vote in a few days will be about. I hope very much the American people will demand that every Member of this Senate vote for this piece of legislation which begins the process of overturning this disastrous Citizens United Supreme Court decision.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, I would like to follow up on the Presiding Officer's comments a moment ago about the crux of this issue—why this big money in campaigns is so bad for our country.

The public does not really care who has an advantage, who has a disadvantage. They do not really care if a Republican wins or a Democrat wins. They care about what we do here and how we can help people's lives.

The Presiding Officer talked about the minimum wage. In my first year in the Senate, 2007—my first speech on the Senate floor, four or five desks over from here, was about the minimum wage. It passed the Senate with a bipartisan vote. It was signed by a Republican President, increasing the minimum wage. That was then. Today we cannot even get a minimum wage out of the Senate because of a Republican filibuster.

The minimum wage is worth one-third less in real dollars, in purchasing power, than it was in 1968. The subminimum wage—the tipped wage—has been stuck at $2.13 an hour for 20 years. People who push wheelchairs at airports, valets, and waiters in downtown diners can make as little as $2 or $3 an hour, and they hope to get up to $7 or $8 or $9 on tips.

If it were not for the political pressure, the money that just rolls across the political landscape, that washes across the candidates for the Senate, the candidates for the House, we could pass the minimum wage. But Members of the Senate, when they think about voting on this, they think about the big money that might come in against them if they vote for the minimum wage.

I am convinced that if we could pass this constitutional amendment, we could begin to address the issues of Wall Street and oil companies and Big Tobacco buying elections, spending not millions, not even tens of millions, but hundreds of millions of dollars. We could pass the minimum wage. We

could pass a real jobs bill. We could reform Wall Street. We could pass consumer protection bills. We could invest in education and community colleges and federally qualified health centers and veterans' benefits the way we should. That is why this constitutional amendment is so important on campaign spending. That is why it matters.

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

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

Mr. GRASSLEY. Mr. President, as we all know, we are discussing a constitutional amendment sponsored by 45 members of the Democratic Party to restrict free speech.

This constitutional amendment pending before the Senate is a real threat to one of the two most vital developments in our Nation's legal and constitutional history.

One of those legal successes was the development of a body of civil rights laws to protect the basic freedoms of all Americans. That took a long time and required massive effort and even bloodshed as well as judicial rulings. The second development was the enhancement of free speech as protected by the First Amendment. That process also required massive time and effort and judicial rulings.

Both of these struggles were made necessary because the Supreme Court failed to give effort to the intent of the authors of the First and 14th Amendments in guaranteeing liberty and equality. It took President Jefferson assuming office—not the courts interpreting the First Amendment—to address the criminalization of free speech under the Alien and Sedition Acts.

When Congress in the 1830s and 1840s denied the right to petition for redress of grievances to those who opposed slavery, it took John Quincy Adams and Congress—not a court relying on the First Amendment—to change those rules.

The reality is the First Amendment had a very limited scope until well into the 20th century. After a judicial sea change, the courts now give broad protection to free speech.

Political speech is now constitutionally protected unless the government has a compelling interest, and the restriction is narrowly tailored to further that compelling interest. Those free speech battles took many years to win. If the arguments that proponents of this constitutional amendment are making were adopted, we would be turning the clock back on 100 years of progress of protecting free speech. The constitutional amendment before us is a content-based restriction on free speech.

Speech influencing campaigns for elective office would be restricted. No other speech content, however, would be restricted. Some of that speech by corporations and other entities could be prohibited entirely, and those who engage in such speech could be criminally prosecuted.

The Supreme Court has allowed content-based restrictions on speech in only a very few cases, such as obscenity, defamation, child pornography, and threats.

The proposed constitutional amendment would restrict the most important speech the First Amendment protects—and that happens to be core political speech. It would treat that speech as if it were like child pornography.

In the Judiciary Committee, one Democrat actually compared core political speech to child pornography. It is incredible that would be said. Comparing the core political speech the Bill of Rights protects to the video recording of an unspeakable crime against a child doesn't make any sense.

That same Senator and the sponsor of the amendment on the floor both argued that campaign-related speech can be restricted because free speech doesn't include the right to falsely shout fire in a crowded theater. This is the argument that would reduce free speech protection in this country to the minimal level that it enjoyed 100 years ago, before there was expansion of protection under the First Amendment.

When Justice Holmes made that famous fire statement in that case, the Supreme Court wasn't being asked to rule on the legality of a conviction of someone who had falsely yelled fire in a crowded theater. Rather, the case involved a man who was convicted of distributing leaflets urging young men not to comply with the draft laws during World War I.

Justice Holmes compared that peaceful protest to a shout that would immediately lead to serious bodily injury and perhaps loss of life for larger numbers of people. That is obviously a false analogy.

Those who speak in support or opposition to candidates are comparable then to those who pass out leaflets in opposition to government policy. It is obviously false analogy to compare that speech designed to persuade fellow citizens in their voting to falsely yelling fire in a crowded theater.

It is easy for the government to determine whether a cry of fire is true or false, but a campaign ad isn't often clearly false. Even a false ad doesn't create the risk of death. When a government prosecutes those who falsely cry fire in a crowded theater, that prosecution will have the beneficial effect of deterring others from engaging in that same conduct. But when government criminalizes ads that it determines are false or limits how much can be spent on those ads, backed up by criminal penalties, that in fact will produce the harm of reducing the likelihood that others will speak about important public subjects—hence, weakening our democracy.

Justice Holmes quickly came to realize the errors of his ways. In subsequent Supreme Court decisions, he and Justice Brandeis dissented when the majority applied the clear and present danger test that the fire-in-the-theater analogy supported. They voted to protect peaceable free speech. They understood that in a free country, the way to address controversial speech was through speech by others with different views—not by shutting up people with the threat of jail.

It took a long 50 years for the Court to adopt the protections for free speech that Justice Holmes and Judge Learned Hand had advocated to no avail. And if this constitutional amendment passes, that glorious history of the understanding of the importance of free speech in a democracy will be undone.

It was only a few years after its 1969 ruling providing strong constitutional protections of free political speech that the Supreme Court ruled on its first campaign speech case; that is, Buckley v. Valeo. In that case the Court ruled that the independent expenditures could be limited. The decision wasn't the work of supposed conservative judicial activists. Wealthy individuals have been able to spend unlimited amounts on campaign-related speech since then. That isn't a novel development that dates only to Citizens United. Buckley also permitted nonprofit corporations to engage in independent expenditures designed to influence campaigns. Corporations and others could contribute to these nonprofit entities.

In context, Citizens United represents an advance over the prior law, especially in promoting transparency. Floyd Abrams, the Nation's foremost First Amendment litigator, wrote to the Judiciary Committee in questions for the record:

> What Citizens United did do, however, is permit corporations to contribute to PACs that are required to disclose all donors and engage only in independent expenditures.
>
> If anything, Citizens United is a pro-disclosure ruling which brought corporate money further into the light.

So I don't think my colleagues are correct in saying this amendment is about so-called ''dark money.'' And limiting speech is totally separate from disclosure of speech. This amendment says nothing about disclosure.

It is the constitutional amendment, not Citizens United, that fails to respect precedent. It doesn't simply overturn one case. The Supreme Court has repeatedly found that engaging in campaign speech is fully protected by the Bill of Rights. Time after time it has ruled correctly that because effective speech can only occur through the expenditure of money, government cannot restrict campaign expenditures by candidates or others. Repeatedly, the Court has recognized that effective campaign speech requires that individuals have the right to form groups that

will spend money on campaign speech. Those Supreme Court decisions were joined and sometimes written by great liberal Justices.

This proposal represents a radical departure from long-established free speech protections. It is at war with an entire body of jurisprudence. It extends well beyond corporations.

Despite the sponsors of this amendment limiting their criticism to one or two cases, the amendment would overturn not just those few cases but 12 Supreme Court decisions, according to that expert, Mr. Abrams. As the amendment has been redrafted, it may be only 11.5 cases now, depending upon what the word ''reasonable'' means. And why the word ''reasonable'' was left out in the first place and why it was included now, I don't know, but it is included now because people realize the extremities to which this constitutional amendment would take it. But even with the word ''reasonable,'' that extreme position would take us down a slippery slope, amending the Bill of Rights, and I don't think we want to go down that slope.

Justice Stevens, whom the committee Democrats relied on at length in support of the amendment, voted with the majority in three of the cases the amendment would overturn.

It is hard to imagine what would be more radical than the Congress passing a constitutional amendment to overturn a dozen Supreme Court decisions that have protected individual rights. Free speech would be dramatically curtailed. That is why the arguments made here on the Senate floor that matters were fine before Citizens United 4 years ago are beside the point.

Also off-point is the argument by another Democrat that the debate here concerns only whether Citizens United was correctly decided under the First Amendment and that the overall protection of free speech is not at issue whatsoever. The amendment before us doesn't just reverse Citizens United. It doesn't just take us back 4 years. It reverses decades of precedent that gave broad protection to free speech. That is why the stakes are so high and why we are spending so much time debating this constitutional amendment.

Yet another argument was raised on the floor that overturning Citizens United through a constitutional amendment is comparable to overturning earlier Supreme Court decisions on women's suffrage or poll taxes. In response to a written question from the Judiciary Committee, the same scholar, Mr. Abrams, forcefully rejected any such comparison. He wrote this back to us Senators:

> The notion that a Supreme Court opinion protecting First Amendment rights should be viewed as comparable to one depriving slaves or women of their rights is both intellectually flawed and morally repugnant.
>
> How can constitutional amendments assuring freedom of slaves or equality for women possibly be viewed as analogous to taking away—

Emphasis on ''taking away''—citizens' First Amendment rights?

This morning the lead sponsor of the amendment contended that the amendment wouldn't lead to banning books or putting people in jail. He also claimed that Congress had not provided for such results in earlier years and would not do so now. He said that even if Congress tried, it would be very unlikely that both Houses would pass such a measure. He maintained that even if such extreme measures were enacted, the Supreme Court would strike down them as unreasonable. It reminds you that the alien and sedition laws never put anybody in prison. But this sponsor did not deny that Congress could, in fact, pass legislation that would have the effect the opponents have raised. What does he think would happen if someone violated the reasonable spending limits? Some government agency would have to enforce them with criminal penalties. Violating them would subject people to jail for speaking. The Obama Justice Department, which would enforce those criminal laws, told the Supreme Court that if Citizens United had been decided as the sponsors of the amendment desire, it would prosecute book publishers.

In this country constitutional rights do not depend on the kindness of politicians not infringing them. Otherwise, we wouldn't have had the Alien and Sedition Acts. Those limits prevent Congress from violating rights in the first place.

The Bill of Rights was adopted precisely because the citizens rejected the argument that the Constitution's difficult passage to legislative enactment by itself was adequate to protect fundamental liberties such as free speech. And it is cold comfort that after the election is over and they have been barred from speaking, citizens can spend money to ask the Supreme Court to reverse their convictions.

I have made clear that this amendment abridges fundamental freedoms that are the birthright of Americans. The arguments made to support it are very unconvincing. The amendment will weaken, not strengthen, democracy. It will not reduce corruption but will open the door for elected officials to bend democracy rules to benefit themselves, and that is benefiting incumbency.

The fact that the Senate is considering such a dreadful amendment is a great testament to the wisdom of our Founding Fathers in insisting upon and adopting the Bill of Rights in the first place, a necessary forerunner to whether the Colonies would approve the Constitution in the first place.

Justice Jackson famously wrote:

> The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts.
>
> One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections.

We must preserve our Bill of Rights, including our right to free speech. We must not allow officials to diminish or ration that right. We must not let this proposal become part of the supreme law of the land.

I yield the floor.

Mr. ENZI. Mr. President, I wish to discuss legislation pending before the Senate which wages an unprecedented attack on a fundamental American freedom. The Framers of our Constitution were clear when they stated in the Bill of Rights . . . ''Congress shall make no law . . . prohibiting the free exercise of speech.'' However, this week, the Senate majority has sought to undermine this fundamental freedom by offering a constitutional amendment to give Congress more control over the free speech rights of Americans.

I opposed moving forward with this amendment because political speech is essential to the American way of life. Our Nation was founded on those who openly criticized the king and argued for a better form of government. All branches of our government rely on the ability for Americans to passionately defend their interests. Additionally, when we elect candidates for office we the electorate rely on open dialog about why he or she ought to serve a particular community or State. The Constitution would have never been adopted without the Bill of Rights. Political speech is exactly the type of expression the Founders sought to protect when they adopted the Bill of Rights—however, this proposal completely forgets about that freedom.

Giving the Federal Government the ability to regulate what we say is flat out dangerous. What is a reasonable limitation on political speech? The sponsors of this proposal can't answer that and it is reckless to assume that Federal courts will determine the correct answer. What concerns me the most is where does this regulation stop? The answer is not clear and at the very end of the day this constitutional amendment limits the way in which Americans can voice their concerns about their elected officials.

With all that the Senate needs to accomplish it is an embarrassment that the majority leader would bring this up now, not allow amendments and expect this institution to forget about the very freedoms our Founders sought to protect when they drafted our Federal Constitution.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I ask that the order for the quorum call be rescinded.

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

LAMEST LAMEDUCK SESSION

Mr. COBURN. Mr. President, I became a practicing physician over 30 years ago. I delivered well in excess of 4,000 babies. And right now in my Senate career and where the Senate is, I

feel as if I am the father in the waiting room. I keep wondering when we are going to make any progress, when we are actually going to have the delivery of something positive for the country.

What we are seeing this week is really disappointing to me because if you read just the headlines in the last 4 days, here are the headlines about Congress.

Here is today's Politico: ''The Lamest Lame Duck Looms Over Congress.''

''Lame Ducks Will Roost in a Do-Nothing December.''

''December will be the lamest lame-duck session in a long time.''

The Economist: ''Congress is useless.''

America's legislature has become something of a joke in recent years, a place where good policy ideas go to die and where decent policy ideas go to be twisted into something incomprehensible.

It is enough to make one lose faith in representative democracy, I tell you.

CNN:

Congress has taken off the whole year. But here's the current math: What is less than nothing? And if you do less than nothing, at what point does it become completely counterproductive and silly?

That is our debate. The sum total of our big ideas right now is not wanting to start any fights within our own party and unity above all else as we head into the midterm election.

What is the political solution? No substance, no ideas, no serious debate that might actually engage voters. Instead, each side suits up, armed with its slogans and its bromides.

This is a quote from CNN: ''Congress defined: 'Useless,' 'worthless,' a 'joke.'" That is according to the most recent response of the popular responses on CNN's Web site from 5,000 respondents on social media.

Also:

Still trying to get a pulse on the most common feelings toward Congress? The other words on the top 10 list are ''corrupt,'' ''incompetent,'' ''lazy,'' ''inept,'' ''idiots,'' ''selfish'' and ''dysfunctional.''

The article goes on to say: ''I'll describe Congress with two words,'' he said. ''Term limits!!''

The CNN article also had a Washington Post poll that said a majority of Americans feel their representatives in Congress are part of the problem.

From the Washington Post: ''Congress is making a lot of history by being so unpopular.''

The real topic of today is what is not happening in the Congress. I will describe where we are. This year we are going to have borrowed an excess of $500 billion that we won't pay for. We have a continuing resolution coming up with $49 billion worth of fake dollars in it. That way everybody can say they stayed within the requirements of the Ryan-Murray agreement. So there is no integrity in that.

We have done nothing to markedly increase the opportunity for jobs in America. What is not happening is a reversal of the decline in the median family income in this country, which is now at 1988 levels.

The big story is what is not happening. The big story is that Congress is not addressing the needs of the Nation. The big story is that Congress has not passed its first appropriations bill. The big story is what is not happening. It is not what is happening. What is happening is a political farce. Everybody knows it. It is all about the election, it is all about reemphasizing where we are, and the country suffers for it.

We know that there is no opportunity to actually amend the bill on the floor, but I have filed an amendment which would place term limits on Members of Congress. The No. 1 requirement—right now in this body—for most politicians on both sides is to get reelected. That is why we are not addressing the real issues; that is why we are not addressing the fraud in the Social Security disability system; that is why we threw $30 billion at the VA system rather than effectively rearrange and totally rewrite the VA health care system.

Cyber security is important for this country. Bills have passed out of the Homeland Security Committee. Bills have—these are all bipartisan bills—passed out of the Senate Select Intelligence Committee. What is not happening is that they are not coming to the floor even though that is a great threat to our country right now because what is important is what is important to the politicians and not what is important for the long run, the best for our country.

If we are going to amend the Bill of Rights and take free speech away from people in this country, we should at least do something to secure the future—so our own worst tendencies won't be exaggerated in the future—and put term limits on Members of Congress. This system is rigged for incumbents. It is totally rigged for incumbents.

At one point last year the approval rating for Congress got down to 8 percent. That means only 1 in 12 people in this country thought Congress—and it is a little better than that now. I think it is 12 or 14 percent; 1 in 6 or 7 people have confidence that we have their back and that our motivations are pure in terms of wanting to fix the problems with our country. They see the lack of leadership. They see the political posturing, and they don't like what they see because what they see is selfishness. They see politicians putting themselves first and the country second. That is where we are. It is the dirty little secret that people won't talk about but Americans outside of Washington innately know is true.

So we have a bill on the floor to amend—for the first time in history—the Bill of Rights to limit First Amendment speech. Why? Because the Supreme Court rulings have maybe changed the dynamics in terms of elections. Well, if you didn't care if you got reelected, you would not care about that.

So we are only going to be here in session—actively in Congress before the election in early November—for 7 or 8 more days so that everybody who is up for reelection, and those who are not, can go out and campaign and raise money so we can continue the progress of career politicians and the rigged incumbent advantage can stay in process.

So I know it is not in order to offer my amendment. It has been filed. One way to fix this is to put term limits on Members of the Senate. Oklahoma has term limits for its Members of Congress. Oklahomans believe in it. It is a 72-to-80 percent issue all across the country. Americans believe in it, but the politicians in Washington are never going to vote for it because it puts them second and the country first.

We have a Defense authorization bill that needs to be passed. It is critical for the future of our country. We are not talking about it, and we are not doing anything on it.

As I have mentioned, we have several cyber bills that need to be passed that have gone through committee—bipartisan bills—and they are not on the floor. We have significant appropriation bills that need to have the attention of the Members of Congress—and this is not the committee's fault.

The committee is a bipartisan committee and has done good work. This is a leadership problem within the Senate. They have done their work, but the bills can't come to the floor because we don't want to have to take up and defend those votes back home. So when you read what the press says about Congress, they are actually pretty nice to us given where we are today. We are lame ducks. We have taken the year off. We are worthless. We are a joke. We are useless, incompetent, corrupt, lazy, and inept. I don't think those words are too harsh. We are repeating votes that we have already voted on that are political votes that are designed to enhance turnout in certain groups.

So this place is a show place, and the downside is that the country suffers for it—our country. Whether you are a conservative male who is 66 years old like me or you are a liberal Latino female at 18, our country suffers because our eye is off the ball. Our eye is off the oath that we took. Our eye is off our commitment and the historical lineage that has been here before us as Members of Congress willing to do what was necessary to solve the problems for the country. What is not happening in the Senate is that there is no leadership. We say leader, but there is no leadership in the Senate.

The leadership of the Senate is now totally disconnected from what is needed by the country. So instead of the greatest deliberative body in the world, what we have in the Senate today is the greatest political body in the world that doesn't care about deliberation

and only cares about winning the next election. There are a lot of ways to cure that, and when you read and see the poll about Congress and read the words and look at it, the majority of Americans today believe that their Member of Congress is part of the problem. The average Member of Congress has a lower reelect than nonreelect.

The American people get it. The question is: What can they do about it? What you have to do is you have to eventually have term limits so that we take the inherent bias of the career politician out of the mix, and we make it not about the politicians but we return the Senate to its original intention; and that is, what is in the best interest of the country.

Quite frankly, for the last 3½ years, that is not what has been happening in this body. It is a soulful, shameful period in the history of our country. The thoughts and creative power of our Founders as they instituted a body that was meant to consider very straightforward, very solemnly, every issue that came—that was meant to drive consensus, to force consensus. We have no consensus when the whole goal is not to solve problems for the country but to win elections.

I would love to be able to take a poll of Democrats, Republicans, Whigs, Independents, and everybody else who has ever been in this body—it is less than 2,500, although I don't know the exact number—and see what they would say about how the Senate operates today and how it is not doing its job and what is not happening at a time when our country's economic growth is anemic at best, when job creation doesn't come anywhere close to what we need, where deficit spending is kind of a yawn, and the moral fact that every day we have mortgaged the future of the next two generations. I would love to hear what the other Senators who stood in this building would say about what we are doing today. I think there would be a rousing round of condemnation.

So I think it is important for the American people right now to look at the Senate and say: What are we doing? I mean, it is true that Social Security disability will go bankrupt next year. It is true that in less than 15 years Medicare will be bankrupt. It is true that in less than 18 years Social Security will be gone. Those are all true things. It is true that we are going to have a $500 billion deficit—at least $500 billion—which is about $1,400 a person. We are spending more than we are taking in this year, and we are charging it to the 2, 3, 4, 5, and 6-year-olds in this country today. Those are true statements.

Is that anywhere close to integrity? Is there any moral value in mortgaging the future of the next generation? Probably not.

I have listened to a lot of speeches on the floor this week. I hardly ever come down and talk except for maybe once every 2 weeks now since we have no opportunity to offer or debate our amendments.

I wonder what the American people must be thinking about what we are not doing, what we are not addressing, the problems that are unfixed that need a fix, that need a bipartisan solution, that need compromise, that need the power of the original Senate, with the rights of the minority and the majority running toward a compromise that gives us the best we can get based on where we are as a country. There is no opportunity for that anymore in this body. We don't pass muster, and we don't pass muster not because there are a lot of those on both sides of the aisle who don't want to pass muster but because the leadership isn't there.

The Senate has been run into the ground as far as its intended function and its intended working. I think that is highly unfortunate for our country. I think it is highly unfortunate for our children. In this time of world morass and trouble all around the world—conflict, complications, difficulty—and in this time when we are having trouble ourselves staying above water, in almost every aspect of what we are doing, we need a vigorous, alive, functioning Senate that is full of riveting debate about the issues of today that are presented to our country. Instead, we have political games, and we are going to have political games the rest of the week.

I wonder what our future holds when we have this kind of leadership. What does it portend for the country when the U.S. Senate no longer debates the current topics and issues before the country and spends all its times trying to get its Members reelected. That is a sad commentary, and it is a Senate that is very far away from the Senate I joined 10 years ago.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll.

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

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

Mr. BENNET. Mr. President, I first wanted to acknowledge the severity of the challenges we face as a country right now, whether it is military action to stop the threat of ISIS or the crisis in Ukraine. Colorado is waiting to hear from the President tonight. We are all concerned with that, as we should be.

Today on the floor of the Senate is a proposed constitutional amendment. While it is on the floor I wanted to take a minute to talk about it.

Tonight in Colorado, a swing State, families will endure an avalanche of political ads. Many of them will come from obscure interests with deceptive names such as America, Inc., the Government Integrity Fund Action Network, something called Citizens for a Working America, and so on and so forth. There will be no way to tell who these folks are, because under the laws of the United States many of these organizations do not have any obligation to disclose where their money comes from, a privileged status that individual Americans do not have when it comes to funding political campaigns. It is enough to make everyone in our State, in Colorado, hate their TV, much less American politics, and probably not in that order.

In Washington, on the other hand, which—I guess I should say only in Washington, which has become a Disneyland when it comes to any sense of reality, there are people defending the current system—the current campaign finance system—on the grounds that it is a great victory for free speech and a great victory for our democracy. It is the position—it is the position of the defenders of the current system that what we need in our politics is more money, not less, that more money is going to help our politics, not less.

I have never met a Coloradan who thinks what is wrong with our politics is that we do not have enough money. In fact, they believe the reverse. They believe the exact opposite. That is because they know our system of financing campaigns, far from being about elucidating the truth, is a system expressly designed to obscure the truth. From Colorado's perspective, it is a system that is really good for the special interests and the occupiers of the past, and really terrible for the American people and for our future.

Over the last several months, almost every one of us at some point has lamented the Senate's inability to address the big issues facing our Nation, whether it is reforming our broken immigration system, creating a more competitive Tax Code that encourages innovation and helps produce an economy that lifts middle-class family income again in the country. Energy, climate, education, and infrastructure are left unanswered as we barely summon the votes to approve another noncontroversial judge or nominee.

My colleagues, we share the pathetic distinction of being on target to becoming the least productive Congress ever. Ever. Close readers of American history will know this is a particularly ignominious achievement. How will it feel when the next history books are written to know that we managed to do even less than the do-nothing Congress? That is how you acquire a Congress that now has a 14-percent approval rating, below President Nixon even had during the height of Watergate.

This less-than-do-nothing Congress is not just failing the American people on the big issues. We have given up on those for now around here. We are struggling to pass basic appropriations bills, to keep the Highway Trust Fund solvent over the long term. Some of my colleagues in this Chamber, this land of flickering lights, have argued that the

tea party and obstruction are to blame. Others have argued that the majority's limits on debate and floor amendments are at the root of the problem. But I think it all starts with our broken campaign finance system, which has never been perfect but recently has become substantially worse.

First, let me say when I first studied the Court's most significant prior opinion on finance, the case of Buckley against Valeo, decided in the early 1970s, it seemed to me that if the Court had actually understood what had happened as a result of that decision, they might reconsider their holding that money is speech. But by then it was abundantly clear that the wealthier you are the louder your voice, an outcome that seemed to me at odds with a democracy grounded on the notion of one person, one vote. This is not to say we should expect to live in a country where everybody has equal speech. We could never succeed in ensuring that, and we would certainly fail if we tried. But we could address unfair practices and advantages. We could devise commonsense regulations of our campaign finance laws to make sure our government could actually function. We could hope to lift the voices in the town square and on every street corner in the country and reward the effort of each individual American, no matter what they believe, no matter who they were, who became involved in politics to help create the future of this country. We could do that. In fact, we did do that for decades. We could do it until Citizens United was decided, when the Court not only did not wince at its holding in Buckley, but doubled down, holding, among other things, that independent expenditures do not give rise to corruption or the appearance of corruption, an absurd proposition on its face to anyone who serves in the Congress.

Also, in McCutcheon, another opinion, the Supreme Court held that there is ''only one legitimate governmental interest for restricting campaign finances: preventing corruption or the appearance of corruption.''

That is it. It can't be regulated to do anything else.

The Court went on to hold that ''spending large sums of money in connection with elections, but not in connection with an effort to control the exercise of an officeholder's official duties, does not give rise to quid pro quo corruption. Nor does the possibility that an individual who spends large sums may garner 'influence or access to' elected officials or political parties.''

Think about that for a minute. The majority in McCutcheon doesn't believe that an individual who spends large sums of money would garner influence or access to elected officials? The Court doesn't think they are trying to influence our official duties? Could anyone in this Chamber agree with this conclusion with a straight face?

In fact, some do agree, but there isn't a single soul in Colorado who does.

But to me the more significant point is that the Court failed to recognize how unlimited and undisclosed campaign spending corrupts the very act of government. This extends far beyond the traditional notion of quid pro quo corruption.

In search pretty much in vain—not entirely but pretty much in vain—for the pitiful politician hiding cash in his icebox or somewhere beneath the south 40, the Court missed the real corruption. In doing so these decisions and the looming threat of unchecked spending have led to almost complete paralysis—the end of principled compromise on behalf of the public interest.

In his dissent in Citizens United, Justice Stevens warned of this potential problem when he wrote:

> The influx of unlimited corporate money into the electoral realm also creates new opportunities for the mirror image of quid pro quo deals: threats, both explicit and implicit. Starting today, corporations with large war chests to deploy on electioneering may find democratically elected bodies becoming much more attuned to their interests.

That is precisely what we found. Inertia has become the new reality in the Senate and in the House. Congress is now frozen by its own fear of taking on incumbent interests, whether it is our failure to address long-term deficits or to create a coherent energy policy.

We can see this corruption in the difficult decisions we avoid. It is the tough vote that we will not take. It is the bill we can't pass even in the face of urgent need. It is the deal that can't be reached. It is the speech that is never made. It is the story of the do-less than the do-nothing Congress.

This corruption, by its nature, is difficult to prove because it is invisible, but it suits the incumbent interests just fine.

The Court imagined a world where people with bags of money are wandering around Capitol Hill—and only then could you regulate it—trying to get people to do something for them. Ninety percent of what happens around here is people coming and trying to keep you from doing something, trying to keep things the same, trying to keep the incumbent interests embedded in our Tax Code, in our regulatory code, and in our statute book.

The Supreme Court was silent completely on that corruption. I would argue that is at the core of our dysfunction as a Congress.

There is a reason the dysfunction that is so hated by the people I represent coincided with the era of these Supreme Court opinions.

This is why everybody in Colorado continue to scratch their heads and wonder how we can be so disconnected from their set of priorities, so decoupled from their set of priorities—what they care about, for the future of their families, the future of their business—and how we can come here all week and just vote on judges.

To my knowledge, there are no super PACs devoted to votes on judges one way or another, which is maybe why that is what we spend our time doing.

I have a lot of respect for the Supreme Court, as I know the Presiding Officer does, and the separation of powers, and I know how serious it is to consider a constitutional amendment, an amendment to the Constitution, which is why it should be a last, not a first resort.

But the Court got it wrong when it came to the practical day-to-day operations of this Congress and the way its campaigns work, and its decisions have unleashed a new torrent of spending that is corroding the vibrancy of our democracy.

I think it is useful for us to take a moment to think about or to consider the practical effect of these decisions.

During the entire 2010 election cycle—that is the year Citizens United was decided—super PACs spent a total of $63 million in this country.

So far, September 10, in this election cycle, super PACs have spent $116 million. That is almost twice what was spent in 2010, and it is only the beginning of September. There are States where you cannot buy TV time because so much TV time has been bought by these outside groups.

For the three election cycles before Citizens United, outside spending totaled about $113 million. In contrast, in the three election cycles since Citizens United was decided, outside spending has totaled about $530 million. This is almost a fivefold increase in spending.

There probably are people around the country who aren't beneficiaries of this incredible speech. Unfortunately, folks in Colorado are because we are a swing State, as I mentioned at the beginning. You can't actually at this point watch anything else on television.

In 2012 the top 100 individual donors to super PACs—the top 100 people, people along with their spouses—represented 1 percent of all individual donors to super PACs, but their donations totaled 67 percent of the funding and therefore 67 percent of the spending.

But the spending doesn't only affect how this place works, as I mentioned earlier, it affects what we work on in Congress.

That is why Congress has repeatedly enacted reasonable limits on campaign spending, which have largely been upheld until very recently, until 2010.

In fact, as recently as 2003, in FEC v. Beaumont, the Supreme Court found that ''any attack on the federal prohibition of direct corporate political contributions goes against the current of a century of congressional efforts to curb corporations' potentially 'deleterious influences on federal elections.' ''

The Court made the point that our current laws grew out of the late 19th century belief ''that aggregated capital unduly influenced politics, an influence not stopping short of corruption.''

It is an influence that stops the work of the Senate and the House dead in its tracks.

This concern about aggregated capital and its effect on our democracy actually goes back to the earliest days of our country.

In the Federalist Papers James Madison wrote:

> We may define a republic to be, or at least may bestow that name on, a government which derives all its powers directly or indirectly from the great body of the people. . . . It is essential to such a government that it be derived from the great body of the society, not from an inconsiderable proportion, or a favored class of it.

So there is nothing unprecedented about seeking to regulate campaign spending. What is unprecedented is the ease by which the Supreme Court has undone decades of campaign finance laws, which has led to this dysfunction in Congress and the misery the folks in Colorado are suffering as they watch these ads.

What is unprecedented is the sheer volume of money that is flooding the Senate and congressional races. What is unprecedented is the corrupting influence this money is having on the institution of Congress.

Because of this new world of unlimited spending, Members of Congress are a lot less likely to seek compromise than they once were and work together if they know they may become the target of a super Pac from people who can write checks that are larger than my imagination.

Reasonable limits on campaign spending can help address this problem. We believed for decades and decades and decades that the Constitution allowed us to do that.

The Supreme Court has now decided that we can't, and we are looking at this choice.

I would say also on this point that notwithstanding my observations about the Court, it is also true that eight of nine Supreme Court Justices have said that disclosure requirements are constitutional, that disclosure does not require a change to the Constitution. I, for one, say at least let's pass that, Republicans and Democrats coming together and saying, You know what. We have always had an expectation about the First Amendment that we are going to be willing to stand and say who we are—or maybe we will not require people to say who they are, but we will just say at the end: Paid for people who are so embarrassed about what they are doing that they refuse to put their actual names on this advertisement.

But it seems to me that if we can be required to say: I am Senator so and so and I paid for this message, we ought to be able to say that about everybody who is advertising in political ads.

Changing these rules would bring more compromise and consensus building to this institution but, most important, above all else, it would help give individual families a greater say in the political process. We offer this amendment not as a one-size-fits-all solution but to allow Congress and the States to place reasonable limits on campaign spending to experiment with what works and put away what doesn't work, similar to the rules that had existed for decades, similar to the rules that existed when the Congress actually functioned, similar to the rules that existed when Democrats and Republicans didn't seem to have such difficulty working across the aisle.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

MORNING BUSINESS

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

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

ADDITIONAL STATEMENTS

HONORING OUR ARMED FORCES

SPECIALIST DEREK A. CALHOUN

• Mr. INHOFE. Mr. President, it is my honor to pay tribute to the life and sacrifice of Army SPC Derek A. Calhoun, of Oklahoma City, OK who died on June 23, 2007, of wounds suffered when his vehicle encountered an improvised explosive device while serving his Nation in Taji, Iraq.

Derek was born on September 8, 1983 in Oklahoma City, OK and attended Moore High School. After completing high school, he enrolled at Wright Business School where he received his associate degree. In 2005, he enlisted and was assigned to 2nd Battalion, 8th Cavalry Regiment, 1st Brigade Combat Team, 1st Cavalry Division, Fort Hood, TX.

Derek had been in Iraq for 8 months and was on his first tour of duty when he was killed. He was injured several months earlier when a car bomb exploded outside a building he was in. He had shrapnel in his wrist, abdomen and shoulder and spent the several months in the hospital having two surgeries. Because of his injuries, Derek was unable to use his right hand and was going through physical therapy to get his hands back to normal.

A funeral service was held on July 3, 2007 at South Lindsey Baptist Church in Oklahoma City, OK with internment in Moore City Cemetery with full military honors.

Derek is survived by his parents Alan and Lou Calhoun of Oklahoma City; one sister Lanesha Morris of Oklahoma City; grandparents Jean and JoAnn Calhoun of Choctaw, OK; three nieces Sierra, Cheyenne and Autumn Morris; and one nephew Takoda Morris. Derek is preceded in death by his grandparents Brooks and Eula Choate.

Today we remember Army SPC Derek A. Calhoun, a young man who loved his family and country, and gave his life as a sacrifice for freedom.

SPECIALIST RYAN S. DALLAM

Mr. INHOFE. Mr. President, it is my privilege also to honor the life and sacrifice of Army SPC Ryan S. Dallam, of Norman, OK who died with two other servicemembers on April 6, 2007, of wounds suffered from a roadside bomb while serving his Nation in Baghdad, Iraq.

Ryan was born September 22, 1982 in Norman and lived in Midwest City, OK for a time after his parents divorced. When his mother Laura went to teach on an American Indian reservation in AZ, he accompanied her and graduated from Show Low High School in 2002. He later attended Oklahoma City Community College.

His father Scott Dallam retired in 2003 after 23 years in the Army. A third generation soldier, Ryan joined the military during the early spring of 2005 and reported to Fort Leonard Wood, MO for basic training. As a member of the Headquarters Company, 1st/18th Infantry, 2nd Brigade Combat Team, 1st Infantry Division Schweinfurt, Germany, Ryan deployed to Iraq in September 2007 and he was scheduled to come home on leave the next week. His family was enjoying making plans to spend time with him when the chaplain arrived at their home with the unwelcome news.

A memorial service was held at First Christian Church in Norman on April 12, 2007 with interment at Fort Sill National Cemetery in Fort Sill, OK.

''He really liked what he was doing,'' Scott Dallam said. ''That makes us feel pretty good. He really enjoyed it and the camaraderie of being in the military and being around other soldiers.''

Ryan is survived by his mother Laura Dallam; father Scott Dallam; stepmother Leslie Dallam; and a younger brother and sister.

Today we remember Army SPC Ryan S. Dallam, a young man who loved his family and country, and gave his life as a sacrifice for freedom.

CORPORAL JARON D. HOLLIDAY

Mr. INHOFE. Mr. President, it is my privilege also to honor the life and sacrifice of Army CPL Jaron D. Holliday, of Tulsa, OK who died with two other servicemembers on August 4, 2007, of wounds suffered from a roadside bomb while serving his Nation in Hawr Rajab, Iraq.

Jaron always wanted to be in the Armed Forces and began researching which branch he wanted to go into when he was 11, his mother, Kelly Holliday, said. ''That was always his desire—to go into the military and serve,'' his mother said. ''When 9/11 happened, he was 15, and he said, 'If I were old enough to serve, I would.' ''

The oldest of eight siblings—seven boys and one girl—Jaron was home-

schooled and graduated through the Christian Home Education Fellowship of Oklahoma in 2004. He joined the Army in 2005 when he was 19 and was assigned to the 1st Squadron, 40th Cavalry Regiment, 4th Brigade Combat Team (Airborne), 25th Infantry Division, Fort Richardson, AK.

Funeral services were held August 16, 2010 at Tulsa Bible Church with interment at Memorial Park Cemetery, Tulsa, OK.

Jaron is survived by his parents John and Kelley Holliday and seven siblings.

''He was a people-watcher,'' his mother said. ''He loved people. He was the kind of person who, if he saw someone sitting by themselves looking depressed or upset, he made it his mission to make them smile before he left, and usually accomplished that goal.''

''We didn't want to waste time going to an amusement park or sitting in a movie theater because you can't look at each other and talk to each other in those places. We decided to make memories by just being together,'' said his mother.

Today we remember Army CPL Jaron D. Holliday, a young man who loved his family and country, and gave his life as a sacrifice for freedom.

SPECIALIST THOMAS R. LEEMHUIS

Mr. INHOFE. Mr. President, I also wish to remember Army SPC Thomas R. Leemhuis who died along with four other servicemembers on June 21, 2007 of wounds sustained when their vehicle struck an improvised explosive device in Baghdad, Iraq.

Tom was born in Lawton, OK on August 2, 1983 and attended Binger-Oney High School in Caddo County, OK before moving to nearby Anadarko after he graduated in 2002.

In 2005 he was inspired to join the Army after the death of his uncle Melvin Jody Stevens, a Vietnam veteran. Upon completing basic training he was assigned to 1st Battalion, 26th Infantry Regiment, 2nd Brigade Combat Team, 1st Infantry Division, Schweinfurt, Germany.

About 500 friends, relatives and fellow soldiers attended a memorial service at Binger-Oney High School Auditorium with internment at Williams Family Cemetery in Binger. At the service, Tom was remembered as a fun-loving young man who enjoyed cracking jokes and playing video games. ''His No. 1 football team was the Nebraska Cornhuskers, and he loved to wear his Nebraska hat around the University of Oklahoma,'' said his mother. ''He loved to push it to the limit.''

Tom had first thought of becoming a teacher and basketball coach when he got out of the military, but then decided to become a police officer because he hated drugs. He had decided to return to Binger after he completed his commitment with the Army because he wanted to make a difference there. He was extremely proud of the military and being a Native American.

Tom is survived by his mother Patty Leemhuis; father Paul Whitehorn of Birmingham, AL; a brother Paul Whitehorn Jr. of Binger, OK; and three sisters, Stephanie Leemhuis of Dublin, CA; Renee Whitehorn of Anadarko, OK; and Dream Cox of Birmingham, AL.

Today we remember Army SPC Thomas R. Leemhuis, a young man who loved his family and country, and gave his life as a sacrifice for freedom.

STAFF SERGEANT WILLIAM D. SCATES

Mr. INHOFE. Mr. President, I would also like to honor the life and sacrifice of Army SSG William D. Scates, of Oklahoma City, OK who died with three other servicemembers on August 11, 2007, of wounds suffered from a roadside bomb while serving his Nation in Arab Jabour, Iraq.

Born March 8, 1976 in Oklahoma City, Dan was a graduate of Western Heights High School and had a lifelong passion to join the military. ''When he was a little boy, he was always drawing pictures of soldiers. That's all he ever wanted to be,'' said his mother. He had been in the Oklahoma Army National Guard before joining the Active Duty Army where he was assigned to the 1st Battalion, 30th Infantry Regiment, 2nd Brigade Combat Team, 3rd Infantry Division, based at Fort Stewart, GA.

A memorial service was held September 1, 2007 in Oklahoma City with interment in Fort Bliss National Cemetery in El Paso, TX. His mother Moreana Whitson said her son wanted to be buried there because it was in El Paso where he met his wife Raquel, while in training.

Dan is survived by his wife Raquel; daughters Jade 9, and 7-month-old Kendra; his mother Moreana Whitson; his stepfather Randy Whitson; and two sisters Courtney Champagne of Idaho and Shannon Scates of Oklahoma City. He was preceded in death by his father William Leon Scates, who died when Dan was a child.

At the memorial service, the Rev. Michael Jackson noted that Dan ''as a child protected kids in the neighborhood from the bullies'' and said he was doing the same thing in Iraq.

The minister read a poem that Dan's mother had written some time ago about her son, who was serving his third tour of duty in Iraq.

''A long time ago, when you were just a little bitty fellar,'' she wrote, ''little did I know the hero in you. We are not here today to mourn,'' Jackson said. ''We are here to celebrate a hero who is going home to receive his greatest award . . . his greatest honor.''

''I believe he was a hero before he was born,'' Jackson said. ''Then he lived up to that calling, not just as an adult, but through his whole life.''

I extend our deepest gratitude and condolences to Dan's family. He lived a life of love for his family, friends, and our country. He will be remembered for his commitment to and belief in the greatness of our Nation. I am honored to pay tribute to this true American hero who volunteered to go into the fight and made the ultimate sacrifice of his life for our freedom.

PRIVATE FIRST CLASS JERIMIAH J. VEITCH

Mr. INHOFE. Mr. President, it is my privilege also to honor the life and sacrifice of Army PFC Jerimiah J. Veitch, of Dibble, OK who died with four other servicemembers on June 21, 2007, of wounds suffered when his vehicle was struck by a rocket propelled grenade while serving his Nation in Baghdad, Iraq. He was assigned to 2nd Battalion, 12th Infantry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division, Fort Carson, CO.

Born in Moore, OK, Jerimiah moved to San Jose, CA and then back to Dibble, OK with his mother Valorie Sanchez and stepfather Tony Sanchez before high school. According to his sister Amanda Testerman, he gave his all at Dibble High School where he graduated in 2005 so that he could play football and use the weight room.

A memorial service was held at Union Hill Baptist Church with interment in Dibble Cemetery in Dibble, OK.

At the funeral, LTC Steven Michael said that Jerimiah was only 5 foot 4 inches, but was ''strong as an ox, tenacious.'' One year he took second place in a State weightlifting competition, lifting more than 1,000 pounds in three lifts in the 132-pound weight class. More than 400 pounds of the total he lifted with a single deadlift.

After returning home from the Army he planned to go to Dibble, buy some land and build a house. He wanted to go to work for his stepfather in the roofing business. ''He is more of a son than anyone could ask for,'' his father said. ''He was my partner. He was the heart of our family.''

Jerimiah is survived by his mother Valorie Sanchez; stepfather Tony Sanchez; his sister Amanda Testerman; and two brothers Caleb and Jacob Veitch.

I extend our deepest gratitude and condolences to Jerimiah's family. He lived a life of love for his family, friends, and our country. He will be remembered for his commitment to and belief in the greatness of our Nation. I am honored to pay tribute to this true American hero who volunteered to go into the fight and made the ultimate sacrifice of his life for our freedom.

SERGEANT RYAN M. WOOD

Mr. INHOFE. Mr. President, it is my privilege also to honor the life and sacrifice of Army SGT Ryan M. Wood, of Oklahoma City, OK who died with two other servicemembers on June 21, 2007, of wounds suffered from a roadside bomb while serving his Nation in Baghdad, Iraq.

Born June 11, 1984 in Oklahoma City, OK, Ryan graduated from Putnam City North High School in 2002 and signed up for the Army after the September 11 terrorist attacks. ''The war gave Ryan a mission,'' said his sister, Candice Bunce. He was assigned to the 1st Battalion, 26th Infantry Regiment, 2nd Brigade Combat Team, 1st Infantry Division, Schweinfurt, Germany. ''He accomplished his mission and left this world with dignity and honor.''

Ryan was an accomplished artist who had received an acceptance letter from the University of Central Oklahoma to study art and political science. On his second tour to Iraq, he had the names of two other soldiers who died in combat tattooed on his chest.

His stepfather Scott Vincent said he hoped Wood's death will remind others that American soldiers are dying for their country in Iraq. ''The majority of them are proud to be there,'' he said. ''They don't want to be forgotten. They want to have the tools to do their job.''

Funeral services were held at the Church of the Servant in northwest Oklahoma City, OK.

Speaking at the funeral, Ryan's uncle Army Maj. John Litchfield said his nephew had a noble spirit that his men could sense. He spent 607 days in combat, his uncle said. ''Even as a teenager, that noble spirit would not allow you to sit by and accept the injustices of the world,'' he said.

''Ryan felt Iraq was a job we had to finish. It wasn't something we could walk away from,'' Scott Vincent said. ''He was dedicated to being there, and he was extremely well-loved by all his men.''

Ryan is survived by his mother Renee Wood-Vincent; father Bonner Wood; stepfather Scott Vincent; sister Candice Bunce; and numerous other relatives and friends.

Today we remember Army SGT Ryan M. Wood, a young man who loved his family and country, and gave his life as a sacrifice for freedom.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGES FROM THE HOUSE

At 12:53 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 669. An act to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

H.R. 3670. An act to amend the Communications Act of 1934 to expand and clarify the prohibition on provision of inaccurate caller identification information, and for other purposes.

H.R. 4067. An act to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014.

H.R. 4290. An act to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.

H.R. 4701. An act to provide for research with respect to Lyme disease and other tick-borne diseases, and for other purposes.

H.R. 5078. An act to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes.

ENROLLED BILL SIGNED

At 1:47 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 231. An act to reauthorize the Multinational Species Conservation Funds Semipostal Stamp.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

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

H.R. 669. An act to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3670. An act to amend the Communications Act of 1934 to expand and clarify the prohibition on provision of inaccurate caller identification information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4701. An act to provide for research with respect to Lyme disease and other tick-borne diseases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4290. An act to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5078. An act to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–6826. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Methoxyfenozide; Pesticide Tolerances'' (FRL No. 9913–99) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6827. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sweet Orange Peel Tincture; Exemption from the Requirement of a Tolerance'' (FRL No. 9909–83) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6828. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''C.I. Pigment Red 112; Exemption from the Requirement of a Tolerance'' (FRL No. 9914–14) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6829. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fluopicolide; Pesticide Tolerances'' (FRL No. 9914–37) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6830. A communication from the Manager of the BioPreferred Program, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Guidelines for Designating Biobased Products for Federal Procurement'' (RIN0599–AA18) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6831. A communication from the Associate Administrator of the Livestock, Poultry, and Seed Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Beef Promotion and Research; Reapportionment'' (AMS–LPS–13–0079) received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6832. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Decreased Assessment Rate'' (Docket No. AMS–FV–14–0054; FV14–906–3 IR) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6833. A communication from the Director of the Issuances Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Modernization of Poultry Slaughter Inspection'' (RIN0583–AD32) received during adjournment of the Senate in the Office of the President of the Senate on September 3, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6834. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of

Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Cotton Transition Assistance Program and General Provisions for Agriculture Risk Coverage and Price Loss Coverage Programs'' ((RIN0560–AI22) (7 CFR Part 1412)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6835. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Animal Welfare; Importation of Live Dogs'' ((RIN0579–AD23) (Docket No. APHIS–2009–0053)) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6836. A communication from the Chief of Staff, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Changes to Existing Conservation Program Regulations'' ((RIN0578–AA60) (Docket No. NRCS–2014–0006)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6837. A communication from the Director of Congressional Activities (Intelligence), Office of the Under Secretary of Defense, transmitting, pursuant to law, a report relative to the results of a study of security measures on United States military installations by June 24, 2014; to the Committee on Armed Services.

EC–6838. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Burton M. Field, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6839. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of one (1) officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6840. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report entitled ''Report on Proposed Obligations for Cooperative Threat Reduction''; to the Committee on Armed Services.

EC–6841. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Environmental Compliance Recordkeeping Requirements'' (RIN2506–AC34) received during adjournment of the Senate in the Office of the President of the Senate on September 3, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6842. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Federal Housing Administration (FHA): Handling Prepayments: Eliminating Post-Payment Interest Charges'' (RIN2502–AJ17) received in the Office of the President of the Senate on September 8, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6843. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Federal Housing Administration (FHA): Adjustable Rate Mortgage Notification Requirements and Look-Back Period for FHA–Insured Single Family Mortgages'' (RIN2502–AJ20) received in the Office of the President of the Senate on September 8, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6844. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Manufactured Housing Program Fee: Final Fee Increase'' (RIN2502–AJ19) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6845. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (Economic Policy), Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6846. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Russian Oil Industry Sanctions and Addition of Person to the Entity List'' (RIN0694–AG25) received during adjournment of the Senate in the Office of the President of the Senate on August 13, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6847. A communication from the Special Inspector General for the Troubled Asset Relief Program, transmitting, pursuant to law, the July 2014 Quarterly Report to Congress of the Special Inspector General for the Troubled Asset Relief Program; to the Committee on Banking, Housing, and Urban Affairs.

EC–6848. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–6849. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC–6850. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–6851. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Ukraine that was originally declared in Executive Order 13660 of March 6, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6852. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Understandings Reached at the 2005, 2012, and 2013 Nuclear Suppliers Group (NSG) Plenary Meetings and a 2009 NSG Intersessional Decision; Additions to the List of NSG Participating Countries'' (RIN0694–AD58) received during adjournment of the Senate in the Office of the President of the Senate on August 13, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6853. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC–6854. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the United Kingdom; to the Committee on Banking, Housing, and Urban Affairs.

EC–6855. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ethiopia; to the Committee on Banking, Housing, and Urban Affairs.

EC–6856. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–6857. A communication from the Acting Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2014–0002)) received in the Office of the President of the Senate on September 8, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6858. A communication from the Deputy Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Asset-Backed Securities Disclosure and Registration'' (RIN3235–AK37) received during adjournment of the Senate in the Office of the President of the Senate on September 4, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6859. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC–6860. A communication from the Assistant Secretary, Office of Electricity Delivery and Energy Reliability, Department of Energy, transmitting, pursuant to law, a report entitled ''2014 Smart Grid System Report''; to the Committee on Energy and Natural Resources.

EC–6861. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the semi-annual Implementation Report on Energy Conservation Standards Activities of the Department of Energy; to the Committee on Energy and Natural Resources.

EC–6862. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''National Air Toxics Program: The Second Integrated Urban Air Toxics Report to Congress''; to the Committee on Environment and Public Works.

EC–6863. A communication from the Acting Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Light Load Handling System and Refueling Cavity Design'' (NRC–2013–0148) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Environment and Public Works.

EC–6864. A communication from the Acting Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Maintenance Rule'' (NRC–2013–0179) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Environment and Public Works.

EC–6865. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, prospectuses that support the Administration's fiscal year 2015 Capital Investment and Leasing Program; to the Committee on Environment and Public Works.

EC–6866. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Sutter Basin Project in Sutter and Butte Counties, California, for the purpose of flood risk management; to the Committee on Environment and Public Works.

EC–6867. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled ''The 2014 Radiation Source Protection and Security Task Force Report''; to the Committee on Environment and Public Works.

EC–6868. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to Regulation Number 1; Correction'' (FRL No. 9914–08–Region 8) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Environment and Public Works.

EC–6869. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Washington: Kent, Seattle, and Tacoma Second 10-Year PM10 Limited Maintenance Plan'' (FRL No. 9915–40–Region 10) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Environment and Public Works.

EC–6870. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri; Infrastructure SIP Requirements for the 2008 Lead National Ambient Air Quality Standard'' (FRL No. 9915–28–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Environment and Public Works.

EC–6871. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Reasonably Available Control Technology for Nitrogen Oxides and Volatile Organic Compounds'' (FRL No. 9913–00–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Environment and Public Works.

EC–6872. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri, Certain Coals to Be Washed'' (FRL No. 9915–30–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Environment and Public Works.

EC–6873. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Placer County Air Pollution Control District, Negative Declarations'' (FRL No. 9914–75–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Environment and Public Works.

EC–6874. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Pollutant Discharge Elimination System (NPDES): Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting'' ((RIN2040–AC84) (FRL No. 9915–18–OW)) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Environment and Public Works.

EC–6875. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Hawaii; Infrastructure Requirements for the 2008 8-Hour Ozone and the 2010 Nitrogen Dioxide National Ambient Air Quality Standards'' (FRL No. 9914–62–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2014; to the Committee on Environment and Public Works.

EC–6876. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Florida; Infrastructure Requirement (Visibility) for the 1997 and 2006 PM, and 2008 8-Hour Ozone NAAQS'' (FRL No. 9915–65–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Environment and Public Works.

EC–6877. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District And Shasta County Air Quality Management District'' (FRL No. 9913–13–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2014; to the Committee on Environment and Public Works.

EC–6878. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Revisions to the Wyoming Air Quality Standards and Regulations; Ambient standards for Particulate Matter and for Lead.'' (FRL No. 9915–75–Region 8) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2014; to the Committee on Environment and Public Works.

EC–6879. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants Residual Risk and Technology Review for Flexible Polyurethane Foam Production'' (FRL No. 9914–30–OAR) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

EC–6880. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regulation of Fuels and Fuel Additives: Extension of Compliance and Attest Engagement Reporting Deadlines for 2013 Renewable Fuel Standards'' ((RIN2060–AS29) (FRL No. 9914–88–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

EC–6881. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Emergency Vehicle Rule—SCR Maintenance and Regulatory Flexibility for Nonroad Equipment'' ((RIN2060–AR46) (FRL No. 9914–63–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

EC–6882. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Commonwealth of Virginia; Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9914–70–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

EC–6883. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Ocean Dumping: Cancellation and Modification of Final Site Designations'' (FRL No. 9914–59–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

EC–6884. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana; Indiana PSD Increments'' (FRL No. 9914–94–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

EC–6885. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Idaho: Infrastructure Requirements for the 2010 Nitrogen Dioxide and 2010 Sulfur Dioxide National Ambient Air Quality Standards'' (FRL No. 9914–90–Region 10) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

EC–6886. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air

Quality Implementation Plans; Virginia; Revision to the Maintenance Plans for the Richmond 1990 1-Hour and Richmond-Petersburg 1997 8-Hour Ozone Maintenance Areas to Remove the State II Vapor Recovery Program'' (FRL No. 9914–49–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

EC–6887. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to the Definition of Volatile Organic Compounds'' (FRL No. 9914–54–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

EC–6888. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Finding of Failure to Submit a PSD State Implementation Plan Revision for PM2.5'' (FRL No. 9914–95–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

EC–6889. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Removal of Two Operating Permits and a Consent Agreement for the Potomac River Generating Station from the State Implementation Plan'' (FRL No. 9915–06–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

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

POM–320. A joint resolution adopted by the Legislature of the State of California applying to the United States Congress to call a convention of the states under Article V of the United States Constitution for the sole purpose of proposing an amendment to the United States Constitution that would limit corporate personhood for purposes of campaign finance and political speech; to the Committee on the Judiciary.

ASSEMBLY JOINT RESOLUTION NO. 1

Whereas, Corporations are legal entities that governments create and the rights that they enjoy under the United States Constitution should be more narrowly defined than the rights afforded to natural persons; and

Whereas, Corporations do not vote in elections and should not be categorized as persons for purposes related to elections for public office and ballot measures; and

Whereas, The United States Supreme Court, in Citizens United v. Federal Election Commission (2010) 130 S.Ct. 876, held that the government may not, under the First Amendment to the United States Constitution, suppress political speech on the basis of the speaker's corporate identity; and

Whereas, Article V of the United States Constitution requires the United States Congress to call a constitutional convention upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California, speaking on behalf of the people of the State of California, hereby applies to the United States Congress to call a constitutional convention pursuant to Article V of the United States Constitution for the sole purpose of proposing an amendment to the United States Constitution that would limit corporate personhood for purposes of campaign finance and political speech and would further declare that money does not constitute speech and may be legislatively limited; and be it further

Resolved, That this constitutes a continuing application to call a constitutional convention pursuant to Article V of the United States Constitution until at least two-thirds of the legislatures of the several states apply to the United States Congress to call a constitutional convention for the sole purpose of proposing an amendment to the United States Constitution that would limit corporate personhood for purposes of campaign finance and political speech and would further declare that money does not constitute speech and may be legislatively limited; and be it further

Resolved, That this application is for a limited constitutional convention and does not grant Congress the authority to call a constitutional convention for any purpose other than for the sole purpose set forth in this resolution; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1275. A bill to direct the Secretary of Commerce to issue a fishing capacity reduction loan to refinance the existing loan funding the Pacific Coast groundfish fishing capacity reduction program (Rept. No. 113–251).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

H.R. 2052. A bill to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to conduct an interagency review of and report to Congress on ways to increase the global competitiveness of the United States in attracting foreign direct investment (Rept. No. 113–252).

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. THUNE (for himself and Ms. STABENOW):

S. 2783. A bill to establish a demonstration program requiring the utilization of Value-Based Insurance Design to demonstrate that reducing the copayments or coinsurance charged to Medicare beneficiaries for selected high-value prescription medications and clinical services can increase their utilization and ultimately improve clinical outcomes and lower health care expenditures; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. MURPHY):

S. 2784. A bill to direct the Secretary of Transportation to carry out activities to improve rail safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. 2785. A bill to direct the Administrator of the Environmental Protection Agency to publish a health advisory and submit reports with respect to microcystins in drinking water; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself, Mr. DURBIN, Mr. BROWN, Mr. COONS, Mr. ROCKEFELLER, Ms. STABENOW, Mr. CARDIN, Mr. REED, Mr. MENENDEZ, Mr. MARKEY, Mr. MERKLEY, Ms. BALDWIN, Mr. LEVIN, and Ms. WARREN):

S. 2786. A bill to amend the Internal Revenue Code of 1986 to prevent earnings stripping of domestic corporations which are members of a worldwide group of corporations which includes an inverted corporation and to require agreements with respect to certain related party transactions with those members; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Mr. BLUNT):

S. 2787. A bill to expand and clarify the prohibition on inaccurate caller ID information; to the Committee on Commerce, Science, and Transportation.

By Mr. KAINE (for himself, Mrs. BOXER, Mr. CASEY, and Mr. WARNER):

S. 2788. A bill to provide support for the development of middle school career exploration programs linked to career and technical education programs of study; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself, Mr. LEAHY, Mr. DURBIN, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. REED, Mr. JOHNSON of South Dakota, Mr. BENNET, Mrs. SHAHEEN, Mr. CASEY, Mr. BLUMENTHAL, Ms. WARREN, and Mrs. HAGAN):

S. 2789. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Finance.

By Mr. HARKIN (for himself and Ms. MIKULSKI):

S. 2790. A bill to amend the Individuals with Disabilities Education Act to permit a prevailing party in an action or proceeding brought to enforce the Act to be awarded expert witness fees and certain other expenses; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Mr. PORTMAN):

S. 2791. A bill to amend the Energy Policy and Conservation Act to permit exemptions for external power supplies from certain efficiency standards, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself and Mr. MCCAIN):

S. Res. 540. A resolution recognizing September 15, 2014, as the International Day of Democracy, affirming the role of civil society as a cornerstone of democracy, and encouraging all governments to stand with civil society in the face of mounting restrictions on civil society organizations; to the Committee on Foreign Relations.

By Mr. COONS (for himself, Mr. FLAKE, Mr. MENENDEZ, and Mr. DURBIN):

S. Res. 541. A resolution recognizing the severe threat that the Ebola outbreak in West Africa poses to populations, governments, and economies across Africa and, if not properly contained, to regions across the globe, and expressing support for those affected by this epidemic; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 132

At the request of Mr. CARPER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 132, a bill to provide for the admission of the State of New Columbia into the Union.

S. 641

At the request of Mr. WYDEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 933

At the request of Mr. LEAHY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 933, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2018.

S. 1011

At the request of Mr. JOHANNS, the name of the Senator from Massachusetts (Ms. WARREN) 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. 1249

At the request of Mr. BLUMENTHAL, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1249, a bill to rename the Office to Monitor and Combat Trafficking of the Department of State the Bureau to Monitor and Combat Trafficking in Persons and to provide for an Assistant Secretary to head such Bureau, and for other purposes.

S. 1463

At the request of Mrs. BOXER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1463, a bill to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species.

S. 1535

At the request of Mr. SCHUMER, the names of the Senator from Texas (Mr. CRUZ), the Senator from Iowa (Mr. GRASSLEY) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1535, a bill to deter terrorism, provide justice for victims, and for other purposes.

S. 1690

At the request of Mr. LEAHY, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 1690, a bill to reauthorize the Second Chance Act of 2007.

S. 1945

At the request of Mr. LEAHY, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1945, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1955

At the request of Mr. ENZI, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1955, a bill to protect the right of law-abiding citizens to transport knives interstate, notwithstanding a patchwork of local and State prohibitions.

S. 2199

At the request of Ms. MIKULSKI, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 2199, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 2258

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. 2258, a bill to provide for an increase, effective December 1, 2014, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 2481

At the request of Mrs. SHAHEEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2481, a bill to amend the Small Business Act to provide authority for sole source contracts for certain small business concerns owned and controlled by women, and for other purposes.

S. 2543

At the request of Mrs. SHAHEEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2543, a bill to support after-school and out-of-school-time science, technology, engineering, and mathematics programs, and for other purposes.

S. 2546

At the request of Mr. ISAKSON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2546, a bill to repeal a requirement that new employees of certain employers be automatically enrolled in the employer's health benefits.

S. 2621

At the request of Mr. VITTER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2621, a bill to amend the Migratory Bird Hunting and Conservation Stamp Act to increase the price of Migratory Bird Hunting and Conservation Stamps to fund the acquisition of conservation easements for migratory birds, and for other purposes.

S. 2646

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2646, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 2687

At the request of Mrs. SHAHEEN, the names of the Senator from Colorado (Mr. BENNET) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 2687, a bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 2689

At the request of Ms. COLLINS, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Louisiana (Mr. VITTER), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 2689, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 2707

At the request of Mr. MORAN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2707, a bill to provide for coordination between the TRICARE program and eligibility for making contributions to a health savings account.

S. 2758

At the request of Mr. TESTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor

of S. 2758, a bill to authorize the Secretary of the Air Force to modernize C–130 aircraft using alternative communication, navigation, surveillance, and air traffic management program kits and to ensure that such aircraft meet applicable regulations of the Federal Aviation Administration.

S.J. RES. 41

At the request of Mr. MURPHY, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S.J. Res. 41, a joint resolution approving the location of a memorial to commemorate the more than 5,000 slaves and free Black persons who fought for independence in the American Revolution.

S. RES. 466

At the request of Ms. AYOTTE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 466, a resolution designating the week of October 27 through November 2, 2014, as ''National Drug Take-Back Week'', and designating October 2014 as ''National Prescription Opioid and Heroin Abuse Awareness Month''.

S. RES. 538

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 538, a resolution expressing the condolences of the Senate to the families of James Foley and Steven Sotloff, and condemning the terrorist acts of the Islamic State of Iraq and the Levant.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself, Mrs. BOXER, Mr. CASEY, and Mr. WARNER):

S. 2788. A bill to provide support for the development of middle school career exploration programs linked to career and technical education programs of study; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, the key to America's continued success lies in improving our Nation's educational system to meet the demands of the 21st century job market. Today, many students enter high school and college with little knowledge of the careers available to them outside of traditional pathways. With college costs continuing to rise, it is critical that students have exposure to the wide range of available work and career choices early in their academic careers so that, by the time they enter high school, they are more informed about future paths and what they need to do to pursue them.

Career and technical education, CTE, are a proven way to help students explore their own strengths and preferences, as well as how they match up with potential future careers. However, limited funding for middle school CTE programming often means students have to wait until high school for this exposure.

Studies have found that middle school students greatly benefit from career and technical education development programs that promote career exploration skills, as well as increase knowledge of career options and career pathways. Middle school is an important time for students to explore their own strengths, likes, and dislikes, and career and technical education exploration programs are great tools to educate them about the type of course or training that goes into a career field that matches their interests.

This is why I am pleased to introduce the Middle School Technical Education Program Act, which establishes a pilot program for middle schools to partner with postsecondary institutions and local businesses to develop and implement career and technical exploration programs. This legislation will provide support for middle schools to create career and technical education programs that will provide students with introductory courses, hands-on learning, or afterschool programs. Career guidance and academic counseling is vital to ensuring that our students understand the educational requirements for high-growth, in-demand career fields. Many times students receive this information too late in their academic careers.

We need to make middle school more career-relevant and expose students to the career pathways they may choose. This legislation also requires that programs helps students draft a high school graduation plan that demonstrates what courses would prepare them for a given career field. If we give students at a younger age applied career and technical opportunities, they will be more informed about future paths and what they need to do to pursue them. I hope this bill spurs discussion on how vital middle school is for exposing students to career choices.

By Mr. HARKIN (for himself, Mr. LEAHY, Mr. DURBIN, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. REED, Mr. JOHNSON of South Dakota, Mr. BENNET, Mrs. SHAHEEN, Mr. CASEY, Mr. BLUMENTHAL, Ms. WARREN, and Mrs. HAGAN):

S. 2789. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Finance.

Mr. HARKIN. Mr. President, throughout my career in public service I have focused on ensuring that each and every child with a disability is ensured the right to a good education. To this end, I have fought tirelessly to safeguard the rights of children with disabilities under the Individuals with Disabilities Education Act, IDEA, landmark legislation that has been improving the educational outcomes of millions of students across the nation since 1975 on the bedrock principles of inclusion and equality.

When Congress passed IDEA, we understood that our commitment to provide high-quality educational opportunities and serve the needs of students with disabilities in our classrooms entailed excess costs compared to others students, which would have a significant financial impact on States and school districts. That is why Congress committed to covering up to 40 percent of the excess cost of educating students with disabilities. However, we have failed to deliver on that promise, and the law has been consistently and grossly underfunded.

This is why I am pleased to introduce the IDEA Full Funding Act, which will allow us to make good on the full federal commitment. Given the current financial difficulties that many state and local governments are facing, this legislation is more essential than ever for ensuring that students with disabilities get the high-quality education and services they need in order to fulfill their potential.

Since enactment of IDEA, students with disabilities across the United States have made tremendous progress. Today, nearly 6.6 million students receive special education services designed to meet their individual needs. Ninety-five percent of students with disabilities attend a neighborhood school, and almost two-thirds of those students spend at least 80 percent of their day in the regular school environment. Nearly 350,000 infants and toddlers receive early intervention services. More than 6 out of 10 students with disabilities graduate high school with a regular diploma—twice the percentage of 25 years ago. Moreover, approximately half of students with disabilities enroll in postsecondary education. We must do our best to continue this progress and make good on our 39-year-old promise because there is still a long way to go. For instance, students with disabilities who graduate from high school have an employment rate that is less than half the employment rate of the general population.

Today, the Federal Government provides about 16 percent of the additional cost of educating a student with a disability, less than half the 40 percent that Congress committed to when we passed IDEA. In the current fiscal year, this means Federal funding for IDEA is almost $24 billion short, which forces states and school districts to make up the federal shortfall at a time when they are cash strapped.

The IDEA Full Funding Act will fully fund the federal commitment to IDEA by gradually increasing the federal government's share of the excess costs of educating students with disabilities to its committed level over 10 years. Specifically, this legislation will increase the Federal dollars appropriated from $11.5 billion in fiscal year 2014 to $35.6 billion in fiscal year 2023.

This bill is supported by 34 organizations including: ACCSES, the Association of Assistive Technology Act Programs, the Autism National Committee, the Autism Society of America, the Council of Parent Attorneys

and Advocates, the Collaboration to Promote Self-Determination, the Conference of Educational Administrators of Schools and Programs for the Deaf, the Disability Rights Education and Defense Fund, the Epilepsy Foundation, Easter Seals, the Kentucky Protection and Advocacy Division, the Jonathan Foundation for Children with Learning Disabilities, the National Association of School Psychologists, the National Association of State Directors of Special Education, the National Center for Learning Disabilities, the National Center for Special Education in Charter Schools, the National Down Syndrome Congress, the National Down Syndrome Society, the National Disability Rights Network, Perkins School for the Blind, TASH, the School Superintendents Association, the American Federation of Teachers, the American Speech Language Hearing Association, the Association of Educational Service Agencies, the Council of Great City Schools, the Council for Exceptional Children, the National Association of Elementary School Principals, the National Association of Secondary School Principals, the National Association of State Directors of Special Education, the National Education Association, the National School Boards Association, the National Rural Education Advocacy Coalition, and the National Rural Education Association.

By making good on our 39-year-old promise, we will supply schools with the necessary funding to enhance the quality and range of services available to students with disabilities. The funding increase will help to raise salaries for teachers and related services personnel, thereby allowing districts to enhance recruitment and retention high-quality staff. It will support school districts in increasing graduation rates and postsecondary enrollment rates of students with disabilities.

In these difficult times, it is essential for Congress to provide these revenues without increasing the deficit. The IDEA Full Funding Act is fully paid for by increasing income taxes for those with an adjusted gross income greater than $1,000,000 per year. This increase in funding for schools will have a powerful impact on the lives of children with disabilities by improving their educational and future employment outcomes.

I urge my colleagues on both sides of the aisle to support this long-overdue legislation.

By Mr. HARKIN (for himself and Ms. MIKULSKI):

S. 2790. A bill to amend the Individuals with Disabilities Education Act to permit a prevailing party in an action or proceeding brought to enforce the Act to be awarded expert witness fees and certain other expenses; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President: Ensuring that all students, regardless of background or ability, have access to an education that gives them the opportunity to live a successful and fulfilling life has always been a major focus of my career in public service. To achieve this goal, I have fought hard for students with disabilities to have access to the general education curriculum and the services and supports they need to succeed, and to safeguard their rights under the Individuals with Disabilities Education Act, IDEA. That is why I am pleased to reintroduce the IDEA Fairness Restoration Act. This critical legislation will remove the financial barrier that families, especially low- and middle-income families, face when they pursue their children's rights to the free, appropriate public education they deserve and are entitled to under the Fourteenth Amendment.

When Congress originally passed IDEA, we recognized the vital importance of parent and school collaboration in special education and required they jointly develop an Individualized Education Plan, IEP, to identify goals to promote the academic achievement of students with disabilities. Usually, this partnership serves students well. There are, however, times when parents believe schools have not fulfilled their responsibilities to provide an appropriate education to their children. In these cases, IDEA provides parents the right to challenge the schools through mediation and due process. The educational needs of children with disabilities can be quite complex and when there is a disagreement between the family and the school it may be necessary for experts to lend their help in determining what interventions and supports are best for the child. For families asking for mediation or a due process hearing, the use of expert services can be costly, ranging on average from $100 to $300 per hour. In one case, a single mother whose son struggled with dyslexia and written expression disorders had to borrow $1,400 to pay an independent evaluator to testify at a hearing. She also had to pay for the expert's time spent being cross-examined by the school district for two days. Without access to expert witnesses, families may be unable to make an argument for the educational needs of their children.

When Congress amended IDEA in 1986, it recognized the financial barriers that parents face in pursuing due process to resolve disagreements with their school and specified in the Conference Committee Report that when the court finds in favor of the parents a judge could award attorney's fees, including ''reasonable expenses and fees of expert witnesses and the reasonable costs of any test or evaluation which is found to be necessary for the preparation of the parent or guardian's case.'' For years, parents who prevailed in judicial proceedings were awarded these fees, as Congress intended. But in 2006, the U.S. Supreme Court ruled in Arlington Central School District v. Murphy that courts could no longer award these fees because Congress made its intention explicit in the Conference Report rather than in statute. As a result, many parents are discouraged and even prevented from pursuing meritorious cases to secure the rights of their children. Low- and middle-income families are particularly put at a disadvantage by this ruling.

The IDEA Fairness Restoration Act clarifies Congress' express intent that parents should recover expert witness fees, as they currently can do with attorneys' fees, if they prove that the school system has wrongfully denied their child an appropriate education as defined by IDEA. By including ''reasonable expenses and fees of expert witnesses and the reasonable costs of any test or evaluation which is found to be necessary for the preparation of the parent or guardian's case'' and reestablishing the right of judges to award such fees to parents who prevail in IDEA cases, as Congress intended, this legislation will level the playing field and restore the ability of low- and middle-income parents to be effective advocates for their children's educational needs.

This bill is supported by 18 advocacy organizations including: ACCSES, the Autism National Committee, the Autism Society of America, the Council of Parent Attorneys and Advocates, the Conference of Educational Administrators of Schools and Programs for the Deaf, Collaboration to Promote Self-Determination, the Disability Rights Education and Defense Fund, the Epilepsy Foundation, Easter Seals, the Kentucky Protection and Advocacy Division, the Jonathan Foundation for Children with Learning Disabilities, Our Children Left Behind, the National Center for Learning Disabilities, the National Center for Special Education in Charter Schools, the National Down Syndrome Congress, the National Down Syndrome Society, the National Disability Rights Network, and TASH.

This legislation is an essential step for protecting the rights of students with disabilities and ensuring that all families, regardless of their financial resources, can advocate for and protect their children's rights through due process, consistent with Congressional intent and I urge my colleagues to support this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 540—RECOGNIZING SEPTEMBER 15, 2014, AS THE INTERNATIONAL DAY OF DEMOCRACY, AFFIRMING THE ROLE OF CIVIL SOCIETY AS A CORNERSTONE OF DEMOCRACY, AND ENCOURAGING ALL GOVERNMENTS TO STAND WITH CIVIL SOCIETY IN THE FACE OF MOUNTING RESTRICTIONS ON CIVIL SOCIETY ORGANIZATIONS

Mr. CARDIN (for himself and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 540

Whereas in 2007, September 15 of each year was established by the United Nations as the International Day of Democracy, a day set aside to review the state of democracy in the world;

Whereas democracy is a means of government that makes manifest the free exercise of certain inalienable rights, among them being the freedom of assembly, the freedom of association, the freedom of the press, and the freedom of speech;

Whereas democracy allows for participatory governance, mobilizing citizens to strive for their version of the good and instilling hope that the aspirations of the people may one day be realized;

Whereas an analysis of 84 independent studies shows that democracy has a favorable impact on the formation of human capital, the rate of inflation, the level of economic freedom, and the stability of political institutions;

Whereas democracy promotes tolerance and respect by recognizing the human dignity of all people and is necessary to the full realization of the values enshrined in the Universal Declaration of Human Rights;

Whereas the Organisation for Economic Co-operation and Development (OECD) defines ''civil society'' as associations around which society voluntarily organizes itself and which represent a wide range of interests and ties, including community-based organizations, indigenous peoples' organizations, and non-government organizations (NGOs);

Whereas a vibrant civil society is an essential element of democratic societies and plays a key role in providing transparency, ensuring the legitimacy of elections, advocating for marginalized groups, and making clear the will of the people;

Whereas, since 2012, the International Center for Not-for-Profit Law has identified 69 new restrictive measures in over 50 countries hindering the ability of civil society organizations (CSOs) to freely operate;

Whereas of the 98 countries for which data is available, research presented in a 2013 article for the Journal of Democracy explains that 12 prohibit and 39 restrict foreign funding of domestic NGOs;

Whereas in 2000, the Community of Democracies was founded ''to bring together governments, civil society, and the private sector in the pursuit of a common goal: supporting democratic rules and strengthening democratic norms and institutions around the world'';

Whereas in 2011, the United States joined other like-minded governments to establish the ''Lifeline: Embattled Civil Society Organizations Fund'' to provide small grants to CSOs for immediate needs and to support short-term advocacy projects;

Whereas, through the Open Government Partnership, 63 countries have committed to protecting the ability of CSOs to operate in a manner that is consistent with the rights to freedom of expression, association, and opinion;

Whereas in September 2013, on the sidelines of the United Nations General Assembly, the United States launched a coordinated multilateral effort encouraging countries to stand with civil society and push back against growing restrictions on CSOs;

Whereas the United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association stands on the front lines of civil society protection, documenting extensive global threats to civil society and strengthening international norms; and

Whereas the United States remains committed to its stand with civil society by developing new mechanisms to combat restrictions on civil society and bolster civil society's efforts to support democracy around the world: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of the International Day of Democracy;

(2) recognizes the importance of civil society to the healthy development of nations;

(3) celebrates the invaluable contributions civil society has made to the creation, strength, and preservation of vibrant democracies and democratic institutions;

(4) reaffirms the commitment of the United States to the protection, advancement, health, and sustainability of democracy throughout the world;

(5) condemns the use of restrictions, coercion, threats, or force to impede the activities of civil society organizations;

(6) recognizes the important multilateral work of the Community of Democracies, the ''Lifeline: Embattled Civil Society Organizations Fund'', the Open Government Partnership, and the United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association to protect global civil society;

(7) recognizes the important role diplomacy plays in defending global civil society and creating new openings for civic space;

(8) emphasizes the value of programs of the United States Government in protecting civil society and defending civic space, including the work by the Senior Advisor for Civil Society and Emerging Democracies and the Bureau of Democracy, Human Rights, and Labor of the United States Department of State, and the United States Agency for International Development (USAID);

(9) calls on private sector partners and other governments to develop new tools and leverage existing technologies to support the efforts of civil society; and

(10) encourages the people of the United States and the world to observe the International Day of Democracy, September 15, 2014, with appropriate programs and activities.

Mr. CARDIN. Mr. President, today I rise to recognize the important role civil society plays in the promotion of democracy as we observe International Day of Democracy this September 15.

Twenty-five years ago, I stood in Berlin as the wall was coming down. I will never forget that moment when the will of the people was finally recognized. It's true that we have seen extraordinary progress over the years. But in too many parts of the globe, basic rights continued to be denied to those fighting for democratic ideals.

Today, there is an unprecedented global crackdown on civil society organizations seeking to express their voice and exercise their rights. We've seen pervasive restrictions on civil society organizations enforced around the globe. Russia, in its worst political crackdown in post-Soviet history, has stamped the label of ''foreign agent'' on any civil society organization that receives support from other countries. Ethiopia's 2009 Charities and Societies Proclamation continues to hinder the work of human rights organizations and other civil society groups that receive more than 10 percent of their funding from foreign organizations. In 2012, Sudanese security forces violently attacked civil society representatives who were protesting against government restrictions. Egypt has prosecuted over 40 international aid implementers, sentencing them to prison for up to five years. In Laos, activist Sombath Somphone—a leader who dedicated his career to expanding civic space in Laos—has been missing for nearly two years after video footage documented his abduction at a police checkpoint. In 2013, government harassment in Sri Lanka forced the German Friedrich Ebert Stiftung Foundation to close its office.

The developments that we see today have several notable features. First, the pushback against democracy is a global phenomenon and countries like Russia have established antidemocratic practices that are being emulated elsewhere. Second, global democratic reversals are not merely temporary aberrations but are likely to pose challenges for years to come. Finally, the global response has thus far been inadequate to meet these threats.

Moreover, democratic achievements cannot be taken for granted. A few days ago, Hungary's National Investigative Office raided the offices of two organizations which help distribute civil society funds from the government of Norway. Thirteen NGOs are currently under investigation in Budapest, including the Hungarian Civil Liberties Union, HCLU, the local office of Transparency International, and the Roma Media Centre. These raids signal further deterioration of good governance, the rule of law, and human rights in Hungary.

I regret that the Hungarian government is pursuing practices at odds with the historic path to freedom Hungary pursued 25 years ago when that country opened the door for East German refugees and courageously helped pave the way for the end of communism. At a time when we need more democracy in Europe, not less, Hungary's actions are not only harmful for democracy in Hungary, they undermine efforts to build democratic institutions throughout the region.

To call attention to widespread infringements upon civil society, I, as Chair of the U.S. Commission on Security and Cooperation in Europe and a member of the Senate Foreign Relations Committee, introduced the International Day of Democracy resolution. This resolution urges the recognition of the International Day of Democracy,

affirms the role of civil society as a cornerstone of democracy, and encourages all governments to stand with civil society in the face of mounting restrictions on civil society organizations.

We cannot take success for granted; every day we must work to protect democratic progress. As we observe the International Day of Democracy this September 15, the international community must push back on these grave threats to civil society as well as protect the efforts by these organizations to build strong democratic institutions.

I would like to thank my colleagues for joining me in support of the International Day of Democracy.

SENATE RESOLUTION 541—RECOGNIZING THE SEVERE THREAT THAT THE EBOLA OUTBREAK IN WEST AFRICA POSES TO POPULATIONS, GOVERNMENTS, AND ECONOMIES ACROSS AFRICA AND, IF NOT PROPERLY CONTAINED, TO REGIONS ACROSS THE GLOBE, AND EXPRESSING SUPPORT FOR THOSE AFFECTED BY THIS EPIDEMIC

Mr. COONS (for himself, Mr. FLAKE, Mr. MENENDEZ, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 541

Whereas Ebola hemorrhagic fever is an extremely infectious virus that causes severe illness with a fatality rate that can well exceed 50 percent;

Whereas Ebola is spread through contact with blood, secretions, or other bodily fluids of infected humans and animals and can have an incubation period of up to 21 days;

Whereas the Ebola virus first appeared in the Democratic Republic of the Congo in 1976 and has afflicted communities in Africa at least 20 times since then;

Whereas the current Ebola outbreak first occurred in February 2014 in forested areas of southeastern Guinea and subsequently spread to Liberia, Sierra Leone, Nigeria, and Senegal, and the Democratic Republic of the Congo recently discovered the outbreak of a separate strain of the virus;

Whereas this is the first outbreak of Ebola in West Africa and the biggest and most complex to date, due to its emergence in populated, transient border areas, making containment a significant challenge;

Whereas, to date, Ebola had infected more than 3,600 people in West Africa and caused almost 2,000 deaths;

Whereas the current Ebola outbreak has occurred in countries with some of the weakest health systems in the world facing severe shortages of healthcare workers, laboratories essential for testing and diagnosis, clinics and hospitals required for treatment, and medical supplies and protective gear, such as latex gloves and face masks required to prevent contamination of health facilities;

Whereas these weak and inadequate healthcare facilities, a lack of health staff trained in Ebola response, and misconceptions about the virus have resulted in numerous infections of health workers and patients unable to receive appropriate response and care;

Whereas effective countermeasures for stemming the spread of Ebola, such as isolation, meticulous infection control practices, case investigation, and contact tracing require more trained personnel and resources than are currently available in West Africa;

Whereas, although Ebola can be contained with good public health and burial practices, it continues to spread due to a lack of accurate public information, insufficient treatment facilities, limited local language capacities required for health education, and an unwillingness to allow those infected to be isolated from family members;

Whereas governments are collaborating closely with international donors and taking strong measures to contain the virus, including announcing states of emergency and establishing emergency response centers;

Whereas the limitations on transportation and travel and closing of businesses have had a devastating economic impact throughout the region and may cause social instability and exacerbate the humanitarian crisis if not properly managed and offset;

Whereas the international community has committed to support solutions to the current limitations on air traffic and establish a common operational platform to address acute problems associated with food security, protection, water, sanitation and hygiene, primary and secondary health care, and education, as well as the longer-term recovery effort that will be needed in the face of the complex social consequences of this emergency;

Whereas the Governments of the Democratic Republic of the Congo and Uganda have sent experts familiar with such outbreaks to Liberia to assist with the outbreak response, and the Government of Ghana has agreed to serve as the international community's logistics and coordination center and is providing a vital corridor for supplies and personnel;

Whereas, after visiting affected communities in West Africa, Centers for Disease Control and Prevention Director Tom Frieden said on September 2, 2014, ''There is a window of opportunity to tamp this down, but that window is closing . . . we need action now to scale up the response.'';

Whereas the United States Government has provided more than $101,400,000 in support through the Centers for Disease Control and Prevention, the United States Agency for International Development, the World Health Organization, and the United States Armed Forces since February 2014;

Whereas the United States Government helped to fund the development of the Zmapp biopharmaceutical experimental drug that was given to 2 United States health workers afflicted with the virus and was recently donated to 3 Liberian doctors with encouraging effect and has prompted calls for further research and development of such vaccines;

Whereas, on August 5, 2014, the United States Government deployed a multi-agency Disaster Assistance Response Team composed of staff from Federal agencies, including the United States Agency for International Development, the Centers for Disease Control and Prevention, the Department of Defense, the Department of Health and Human Services, and the Forest Service to coordinate the United States Government's response efforts;

Whereas the World Health Organization published on August 28, 2014, a roadmap for scaled-up response that aims to stop the virus in 6 to 9 months and calls for 750 international and 12,000 local health workers to contribute to the halt of the Ebola outbreak; and

Whereas, earlier this year, the United States Government joined with partner governments, the World Health Organization, other multilateral organizations, and nongovernmental actors to launch the Global Health Security Agenda, a 5-year commitment to prevent, detect, and effectively respond to infectious disease threats such as Ebola: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the severe immediate threat that Ebola poses to populations, governments, and economies in Africa;

(2) recognizes that the limited capacity of the initial outbreak countries of Guinea, Sierra Leone, and Liberia to combat the epidemic has been exhausted and the potential threat to regions beyond Africa if this, the largest of all Ebola outbreaks, is not contained;

(3) expresses support for those affected by this epidemic and affirms its sympathy for victims of Ebola and their families;

(4) supports the Governments of Guinea, Liberia, Sierra Leone, Nigeria, Senegal, and the Democratic Republic of the Congo for their ongoing efforts to combat the Ebola virus in their countries and regionally;

(5) urges citizens of affected countries to respect preventative guidelines provided by their governments and medical professionals from Africa and around the world in order to stem the outbreak;

(6) supports the work of the Centers for Disease Control and Prevention, the United States Agency for International Development, the Department of Defense, the Department of Health and Human Services, the Department of State, the Forest Service, and other United States Government agencies providing technical, logistical, and material support to address the Ebola crisis in West Africa;

(7) encourages deepened United States and international commitments to the global Ebola response;

(8) welcomes the delivery of assistance and increased engagement from donors such as the Economic Community of West African States (ECOWAS) and the African Union, the World Bank, the European Union, and the Government of Canada;

(9) expresses support for the promotion of investments in global health in order to ensure that governments can better prevent and detect, contain, and eventually eliminate outbreaks of disease while also providing other essential health services;

(10) supports the World Health Organization's Ebola Response Roadmap and a common operational platform in response to the crisis;

(11) encourages the Governments of Guinea, Liberia, Nigeria, Senegal, and Sierra Leone to work together and with other nations and regional and subregional organizations to establish institutional emergency response systems to more effectively respond to this and future outbreaks of Ebola and other highly infectious diseases;

(12) welcomes proactive measures taken by governments in West Africa to formulate national plans of action in response to the crisis; and

(13) recognizes the work of thousands of African, United States, and international officials and volunteers on the ground in West Africa, particularly healthcare workers, who are working diligently and at great risk to help address this multidimensional crisis, and encourages other healthcare workers and logisticians to volunteer.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3790. Mr. CRUZ submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 19, proposing an amendment to the Constitution of the

United States relating to contributions and expenditures intended to affect elections; which was ordered to lie on the table.

SA 3791. Mr. REID proposed an amendment to the joint resolution S.J. Res. 19, supra.

SA 3792. Mr. REID proposed an amendment to amendment SA 3791 proposed by Mr. REID to the joint resolution S.J. Res. 19, supra.

SA 3793. Mr. REID proposed an amendment to the joint resolution S.J. Res. 19, supra.

SA 3794. Mr. REID proposed an amendment to amendment SA 3793 proposed by Mr. REID to the joint resolution S.J. Res. 19, supra.

SA 3795. Mr. REID proposed an amendment to the joint resolution S.J. Res. 19, supra.

SA 3796. Mr. REID proposed an amendment to amendment SA 3795 proposed by Mr. REID to the joint resolution S.J. Res. 19, supra.

SA 3797. Mr. REID proposed an amendment to amendment SA 3796 proposed by Mr. REID to the amendment SA 3795 proposed by Mr. REID to the joint resolution S.J. Res. 19, supra.

SA 3798. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3799. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3790. Mr. CRUZ submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; which was ordered to lie on the table; as follows:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE—

''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.''.

SA 3791. Mr. REID proposed an amendment to the joint resolution S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; as follows:

In Section 1, strike ''and the electoral process'' and insert ''the electoral process and to prevent corruption''

SA 3792. Mr. REID proposed an amendment to amendment SA 3791 proposed by Mr. REID to the joint resolution S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; as follows:

At the end, insert the following:

'', which shall not be limited to bribery or quid pro quo corruption''

SA 3793. Mr. REID proposed an amendment to the joint resolution S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; as follows:

In Section 1, strike ''electoral processes'' and insert ''the electoral processes and to prevent corruption in government''

SA 3794. Mr. REID proposed an amendment to amendment SA 3793 proposed by Mr. REID to the joint resolution S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; as follows:

At the end, insert the following:

'', which shall not be defined solely as bribery or quid pro quo corruption''

SA 3795. Mr. REID proposed an amendment to the joint resolution S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; as follows:

In Section 1, strike ''and electoral processes'' and insert ''process and prevent corruption in the electoral system''

SA 3796. Mr. REID proposed an amendment to amendment SA 3795 proposed by Mr. REID to the joint resolution S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; as follows:

In the amendment, strike ''system'' and insert ''process''.

SA 3797. Mr. REID proposed an amendment to amendment SA 3796 proposed by Mr. REID to the amendment SA 3795 proposed by Mr. REID to the joint resolution S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; as follows:

At the end, add the following:

'', which shall not be constrained to bribery or quid pro quo corruption''

SA 3798. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVI, add the following:

SEC. 2614. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2011 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorization set forth in the table in subsection (b), as provided in section 2602 of that Act (124 Stat. 4453), and extended by section 2612 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1003), shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2011 National Guard and Reserve Project Authorization

State	Installation or Location	Project	Amount
Virginia	Fort Story	Army Reserve Center	$11,000,000

SA 3799. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; which was ordered to lie on the table; as follows:

After section 3, add the following:

SEC. 3A. FLEXIBILITY FOR WORKING PARENTS.

Section 6(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(d)) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

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

''(2) Notwithstanding the other provisions of this subsection, an employee and an employer may voluntarily negotiate compensation and benefits to provide flexibility to best meet the needs of such employee and employer, consistent with the other provisions of this Act.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on September 10, 2014, at 10 a.m., in room SR–328A of the Russell Senate Office Building.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WARNER. 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 September 10, 2014, at 2:30 p.m. in room SR–253 of the Russell Senate Office Building, to conduct a hearing entitled, ''Freight Rail Service: Improving the Performance of America's Rail System.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 10, 2014, at 10:30 a.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorize to meet during the session of the Senate on September 10, 2014, at 9:30 a.m. to conduct a hearing entitled ''Cybersecurity, Terrorism, and Beyond: Addressing Evolving Threats to the Homeland.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 10, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing entitled ''Irrigation Projects in Indian Country.''

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on September 10, 2014, at 10 a.m., in room SR–301 of the Russell Senate Office Building.

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

SPECIAL COMMITTEE ON AGING

Mr. WARNER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on September 10, 2014, in room SD–562 of the Dirksen Senate Office Building at 2:15 p.m., to conduct a hearing entitled ''Indebted for Life: Older Americans and Student Loan Debt.''

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Clinton Fuchs, a detailee on the Senate Judiciary Committee, be granted floor privileges for the duration of the 113th Congress. This is a request on behalf of Senator LEAHY.

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

EMERGENCY MEDICAL SERVICES FOR CHILDREN REAUTHORIZATION ACT OF 2014

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 480, S. 2154.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2154) to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Emergency Medical Services for Children Reauthorization Act of 2014''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 1910(d) of the Public Health Service Act (42 U.S.C. 300w–9(d)) is amended—

(1) by striking ''and $30,387,656'' and inserting ''$30,387,656''; and

(2) by inserting before the period '', and $20,213,000 for each of fiscal years 2015 through 2019''.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2154), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

GOLD STAR FATHERS ACT OF 2014

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 549, S. 2323.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2323) to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The bill (S. 2323) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2323

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Gold Star Fathers Act of 2014''.

SEC. 2. PREFERENCE ELIGIBLE TREATMENT FOR FATHERS OF CERTAIN PERMANENTLY DISABLED OR DECEASED VETERANS.

Section 2108(3) of title 5, United States Code, is amended by striking subparagraphs (F) and (G) and inserting the following:

''(F) the parent of an individual who lost his or her life under honorable conditions while serving in the armed forces during a period named by paragraph (1)(A) of this section, if—

''(i) the spouse of that parent is totally and permanently disabled; or

''(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse;

''(G) the parent of a service-connected permanently and totally disabled veteran, if—

''(i) the spouse of that parent is totally and permanently disabled; or

''(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse; and''.

SEC. 3. EFFECTIVE DATE.

The amendment made by this Act shall take effect 90 days after the date of enactment of this Act.

PRESIDENTIAL AND FEDERAL RECORDS ACT AMENDMENTS OF 2014

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 487, H.R. 1233.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 1233) to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

H.R. 1233

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Presidential and Federal Records Act Amendments of 2014''.

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

Sec. 1. Short title; table of contents.

Sec. 2. Presidential records.
Sec. 3. National Archives and Records Administration.
Sec. 4. Records management by Federal agencies.
Sec. 5. Disposal of records.
Sec. 6. Procedures to prevent unauthorized removal of classified records from National Archives.
Sec. 7. Repeal of provisions related to the National Study Commission on Records and Documents of Federal Officials.
Sec. 8. Pronoun amendments.
Sec. 9. Records management by the Archivist.
Sec. 10. Disclosure requirement for official business conducted using non-official electronic messaging account.

SEC. 2. PRESIDENTIAL RECORDS.

(a) PROCEDURES FOR CONSIDERATION OF CLAIMS OF CONSTITUTIONALLY BASED PRIVILEGE AGAINST DISCLOSURE.—

(1) AMENDMENT.—Chapter 22 of title 44, United States Code, is amended by adding at the end the following:

"§ 2208. Claims of constitutionally based privilege against disclosure

''(a)(1) When the Archivist determines under this chapter to make available to the public any Presidential record that has not previously been made available to the public, the Archivist shall—

''(A) promptly provide notice of such determination to—

''(i) the former President during whose term of office the record was created; and

''(ii) the incumbent President; and

''(B) make the notice available to the public.

''(2) The notice under paragraph (1)—

''(A) shall be in writing; and

''(B) shall include such information as may be prescribed in regulations issued by the Archivist.

''(3)(A) Upon the expiration of the 60-day period (excepting Saturdays, Sundays, and legal public holidays) beginning on the date the Archivist provides notice under paragraph (1)(A), the Archivist shall make available to the public the Presidential record covered by the notice, except any record (or reasonably segregable part of a record) with respect to which the Archivist receives from a former President or the incumbent President notification of a claim of constitutionally based privilege against disclosure under subsection (b).

''(B) A former President or the incumbent President may extend the period under subparagraph (A) once for not more than 30 additional days (excepting Saturdays, Sundays, and legal public holidays) by filing with the Archivist a statement that such an extension is necessary to allow an adequate review of the record.

''(C) Notwithstanding subparagraphs (A) and (B), if the 60-day period under subparagraph (A), or any extension of that period under subparagraph (B), would otherwise expire during the 6-month period after the incumbent President first takes office, then that 60-day period or extension, respectively, shall expire at the end of that 6-month period.

''(b)(1) For purposes of this section, the decision to assert any claim of constitutionally based privilege against disclosure of a Presidential record (or reasonably segregable part of a record) must be made personally by a former President or the incumbent President, as applicable.

''(2) A former President or the incumbent President shall notify the Archivist, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate of a privilege claim under paragraph (1) on the same day that the claim is asserted under such paragraph.

''(c)(1) If a claim of constitutionally based privilege against disclosure of a Presidential record (or reasonably segregable part of a record) is asserted under subsection (b) by a former President, the Archivist shall consult with the incumbent President, as soon as practicable during the period specified in paragraph (2)(A), to determine whether the incumbent President will uphold the claim asserted by the former President.

''(2)(A) Not later than the end of the 30-day period beginning on the date [of] *on* which the Archivist receives notification from a former President of the assertion of a claim of constitutionally based privilege against disclosure, the Archivist shall provide notice to the former President and the public of the decision of the incumbent President under paragraph (1) regarding the claim.

''(B) If the incumbent President upholds the claim of privilege asserted by the former President, the Archivist shall not make the Presidential record (or reasonably segregable part of a record) subject to the claim publicly available unless—

''(i) the incumbent President withdraws the decision upholding the claim of privilege asserted by the former President; or

''(ii) the Archivist is otherwise directed by a final court order that is not subject to appeal.

''(C) If the incumbent President determines not to uphold the claim of privilege asserted by the former President, or fails to make the determination under paragraph (1) before the end of the period specified in subparagraph (A), the Archivist shall release the Presidential record subject to the claim at the end of the 90-day period beginning on the date on which the Archivist received notification of the claim, unless otherwise directed by a court order in an action initiated by the former President under section 2204(e) of this title or by a court order in another action in any Federal court.

''(d) The Archivist shall not make publicly available a Presidential record (or reasonably segregable part of a record) that is subject to a privilege claim asserted by the incumbent President unless—

''(1) the incumbent President withdraws the privilege claim; or

''(2) the Archivist is otherwise directed by a final court order that is not subject to appeal.

''(e) The Archivist shall adjust any otherwise applicable time period under this section as necessary to comply with the return date of any congressional subpoena, judicial subpoena, or judicial process.''.

(2) CONFORMING AMENDMENTS.—(A) Section 2204(d) of title 44, United States Code, is amended by inserting '', except section 2208,'' after ''chapter''.

(B) Section 2205 of title 44, United States Code, is amended—

(i) in the matter preceding paragraph (1), by striking ''section 2204'' and inserting ''sections 2204 and 2208 of this title''; and

(ii) in paragraph (2)(A), by striking ''subpena'' and inserting ''subpoena''.

(C) Section 2207 of title 44, United States Code, is amended in the second sentence by inserting '', except section 2208,'' after ''chapter''.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 22 of title 44, United States Code, is amended by adding at the end the following:

''2208. Claims of constitutionally based privilege against disclosure.''.

(4) RULE OF CONSTRUCTION.—Nothing in the amendment made by paragraph (2)(C) shall be construed to—

(A) affect the requirement of section 2207 of title 44, United States Code, that Vice Presidential records shall be subject to chapter 22 of that title in the same manner as Presidential records; or

(B) affect any claim of constitutionally based privilege by a President or former President with respect to a Vice Presidential record.

(b) DEFINITIONS.—Section 2201 of title 44, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''memorandums'' and inserting ''memoranda'';

(B) by striking ''audio, audiovisual'' and inserting ''audio and visual records''; and

(C) by inserting '', whether in analog, digital, or any other form'' after ''mechanical recordations''; and

(2) in paragraph (2), by striking ''advise and assist'' and inserting ''advise or assist''.

(c) MANAGEMENT AND CUSTODY OF PRESIDENTIAL RECORDS.—Section 2203 of title 44, United States Code, is amended—

(1) in subsection (a), by striking ''maintained'' and inserting ''preserved and maintained'';

(2) in subsection (b), by striking ''advise and assist'' and inserting ''advise or assist'';

(3) by redesignating subsection (f) as subsection (g);

(4) by inserting after subsection (e) the following new subsection:

''(f) During a President's term of office, the Archivist may maintain and preserve Presidential records on behalf of the President, including records in digital or electronic form. The President shall remain exclusively responsible for custody, control, and access to such Presidential records. The Archivist may not disclose any such records, except under direction of the President, until the conclusion of a President's term of office, if a President serves consecutive terms upon the conclusion of the last term, or such other period provided for under section 2204 of this title.''; and

(5) in subsection (g)(1), as so redesignated, by striking ''Act'' and inserting ''chapter''.

(d) RESTRICTIONS ON ACCESS TO PRESIDENTIAL RECORDS.—Section 2204 of title 44, United States Code, is amended by adding at the end the following new subsection:

''(f) The Archivist shall not make available any original Presidential records to any individual claiming access to any Presidential record as a designated representative under section 2205(3) of this title if that individual has been convicted of a crime relating to the review, retention, removal, or destruction of records of the Archives.''.

(e) DISCLOSURE REQUIREMENT FOR OFFICIAL BUSINESS CONDUCTED USING NON-OFFICIAL ELECTRONIC MESSAGING ACCOUNT.—

(1) AMENDMENT.—Chapter 22 of title 44, United States Code, as amended by subsection (a)(1), is further amended by adding at the end the following new section:

"§ 2209. Disclosure requirement for official business conducted using non-official electronic messaging accounts

[''(a) IN GENERAL.—An officer or employee of an executive agency may not create or send a Presidential record using a non-official electronic messaging account unless such officer or employee—

''(1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the Presidential record; or

''(2) forwards a complete copy of the Presidential record to an official electronic messaging account of the officer or employee within five days after the original creation or transmission of the Presidential record.]

''(a) IN GENERAL.—The President, the Vice President, or a covered employee may not create

or send a Presidential or Vice Presidential record using a non-official electronic message account unless the President, Vice President, or covered employee—

''(1) copies an official electronic messaging account of the President, Vice President, or covered employee in the original creation or transmission of the Presidential record or Vice Presidential record; or

''(2) forwards a complete copy of the Presidential or Vice Presidential record to an official electronic messaging account of the President, Vice President, or covered employee not later than 20 days after the original creation or transmission of the Presidential or Vice Presidential record.

''(b) ADVERSE ACTIONS.—The intentional violation of subsection (a) *by a covered employee* (including any rules, regulations, or other implementing guidelines), as determined by the appropriate supervisor, shall be a basis for disciplinary action in accordance with subchapter I, II, or V of chapter 75 of title 5, as the case may be.

''(c) DEFINITIONS.—In this section:

''(1) COVERED EMPLOYEE.—The term 'covered employee' means—

''(A) the immediate staff of the President;

''(B) the immediate staff of the Vice President;

''(C) a unit or individual of the Executive Office of the President whose function is to advise and assist the President; and

''(D) a unit or individual of the Office of the Vice President whose function is to advise and assist the Vice President.

''**[**(1)**]***(2)* ELECTRONIC MESSAGES.—The term 'electronic messages' means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals.

''**[**(2)**]***(3)* ELECTRONIC MESSAGING ACCOUNT.—The term 'electronic messaging account' means any account that sends electronic messages.

[''(3) EXECUTIVE AGENCY.—The term 'executive agency' has the meaning given that term in section 105 of title 5.''.**]**

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 22 of title 44, United States Code, as amended by subsection (a)(3), is further amended by adding at the end the following new item:

''2209. Disclosure requirement for official business conducted using non-official electronic messaging accounts.''.

SEC. 3. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.

(a) ACCEPTANCE OF RECORDS FOR HISTORICAL PRESERVATION.—Section 2107 of title 44, United States Code, is amended to read as follows:

''§ 2107. Acceptance of records for historical preservation

''(a) IN GENERAL.—When it appears to the Archivist to be in the public interest, the Archivist may—

''(1) accept for deposit with the National Archives of the United States the records of a Federal agency, the Congress, the Architect of the Capitol, or the Supreme Court determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government;

''(2) direct and effect the transfer of records of a Federal agency determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government to the National Archives of the United States, as soon as practicable, and at a time mutually agreed upon by the Archivist and the head of that Federal agency not later than thirty years after such records were created or received by that agency, unless the head of such agency has certified in writing to the Archivist that such records must be retained in the custody of such agency for use in the conduct of the regular business of the agency;

''(3) direct and effect, with the approval of the head of the originating Federal agency, or if the existence of the agency has been terminated, with the approval of the head of that agency's successor in function, if any, the transfer of records, deposited or approved for deposit with the National Archives of the United States to public or educational institutions or associations; title to the records to remain vested in the United States unless otherwise authorized by Congress; and

''(4) transfer materials from private sources authorized to be received by the Archivist by section 2111 of this title.

''(b) EARLY TRANSFER OF RECORDS.—The Archivist—

''(1) in consultation with the head of the originating Federal agency, is authorized to accept a copy of the records described in subsection (a)(2) that have been in existence for less than thirty years; and

''(2) may not disclose any such records until the expiration of—

''(A) the thirty-year period described in paragraph (1);

''(B) any longer period established by the Archivist by order; or

''(C) any shorter period agreed to by the originating Federal agency.''.

(b) MATERIAL ACCEPTED FOR DEPOSIT.—Section 2111 of title 44, United States Code, is amended to read as follows:

''§ 2111. Material accepted for deposit

''(a) IN GENERAL.—When the Archivist considers it to be in the public interest the Archivist may accept for deposit—

''(1) the papers and other historical materials of a President or former President of the United States, or other official or former official of the Government, and other papers relating to and contemporary with a President or former President of the United States, subject to restrictions agreeable to the Archivist as to their use; and

''(2) recorded information (as such term is defined in section 3301(a)(2) of this title) from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions.

''(b) EXCEPTION.—This section shall not apply in the case of any Presidential records which are subject to the provisions of chapter 22 of this title.''.

(c) PRESERVATION OF AUDIO AND VISUAL RECORDS.—

(1) IN GENERAL.—Section 2114 of title 44, United States Code, is amended to read as follows:

''§ 2114. Preservation of audio and visual records

''The Archivist may make and preserve audio and visual records, including motion-picture films, still photographs, and sound recordings, in analog, digital, or any other form, pertaining to and illustrative of the historical development of the United States Government and its activities, and provide for preparing, editing, titling, scoring, processing, duplicating, reproducing, exhibiting, and releasing for non-profit educational purposes, motion-picture films, still photographs, and sound recordings in the Archivist's custody.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 21 of title 44, United States Code, is amended by striking the item for section 2114 and inserting the following:

''2114. Preservation of audio and visual records.''.

(d) LEGAL STATUS OF REPRODUCTIONS; OFFICIAL SEAL; FEES FOR COPIES AND REPRODUCTIONS.—Section 2116(a) of title 44, United States Code, is amended by inserting ''digital,'' after ''microphotographic,'', each place it appears.

SEC. 4. RECORDS MANAGEMENT BY FEDERAL AGENCIES.

Section 3106 of title 44, United States Code, is amended to read as follows:

''§ 3106. Unlawful removal, destruction of records

''(a) FEDERAL AGENCY NOTIFICATION.—The head of each Federal agency shall notify the Archivist of any actual, impending, or threatened unlawful removal, defacing, alteration, corruption, deletion, erasure, or other destruction of records in the custody of the agency, and with the assistance of the Archivist shall initiate action through the Attorney General for the recovery of records the head of the Federal agency knows or has reason to believe have been unlawfully removed from that agency, or from another Federal agency whose records have been transferred to the legal custody of that Federal agency.

''(b) ARCHIVIST NOTIFICATION.—In any case in which the head of a Federal agency does not initiate an action for such recovery or other redress within a reasonable period of time after being notified of any such unlawful action described in subsection (a), or is participating in, or believed to be participating in any such unlawful action, the Archivist shall request the Attorney General to initiate such an action, and shall notify the Congress when such a request has been made.''.

SEC. 5. DISPOSAL OF RECORDS.

(a) DEFINITION OF RECORDS.—Section 3301 of title 44, United States Code, is amended to read as follows:

''§ 3301. Definition of records

''(a) RECORDS DEFINED.—

''(1) IN GENERAL.—As used in this chapter, the term 'records'—

''(A) includes all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them; and

''(B) does not include—

''(i) library and museum material made or acquired and preserved solely for reference or exhibition purposes; or

''(ii) duplicate copies of records preserved only for convenience.

''(2) RECORDED INFORMATION DEFINED.—For purposes of paragraph (1), the term 'recorded information' includes all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form.

''(b) DETERMINATION OF DEFINITION.—The Archivist's determination whether recorded information, regardless of whether it exists in physical, digital, or electronic form, is a record as defined in subsection (a) shall be binding on all Federal agencies.''.

(b) REGULATIONS COVERING LISTS OF RECORDS FOR DISPOSAL, PROCEDURE FOR DISPOSAL, AND STANDARDS FOR REPRODUCTION.—Section 3302(3) of title 44, United States Code, is amended by striking ''photographic or microphotographic processes'' and inserting ''photographic, microphotographic, or digital processes''.

(c) LISTS AND SCHEDULES OF RECORDS TO BE SUBMITTED TO THE ARCHIVIST BY HEAD OF EACH GOVERNMENT AGENCY.—Section 3303(1)

of title 44, United States Code, is amended by striking ''photographed or microphotographed'' and inserting ''photographed, microphotographed, or digitized''.

(d) EXAMINATION BY ARCHIVIST OF LISTS AND SCHEDULES OF RECORDS LACKING PRESERVATION VALUE; DISPOSAL OF RECORDS.—Section 3303a(c) of title 44, United States Code, is amended by striking ''the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives'' and inserting ''the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate''.

(e) PHOTOGRAPHS OR MICROPHOTOGRAPHS OF RECORDS CONSIDERED AS ORIGINALS; CERTIFIED REPRODUCTIONS ADMISSIBLE IN EVIDENCE.—Section 3312 of title 44, United States Code, is amended—

(1) in the first sentence, by striking ''Photographs or microphotographs of records'' and inserting ''Photographs, microphotographs of records, or digitized records''; and

(2) in the second sentence, by striking ''photographs or microphotographs'' and inserting ''photographs, microphotographs, or digitized records'', each place it appears.

SEC. 6. PROCEDURES TO PREVENT UNAUTHORIZED REMOVAL OF CLASSIFIED RECORDS FROM NATIONAL ARCHIVES.

(a) CLASSIFIED RECORDS.—Not later than 90 days after the date of the enactment of this Act, the Archivist shall prescribe internal procedures to prevent the unauthorized removal of classified records from the National Archives and Records Administration or the destruction or damage of such records, including when such records are accessed or searched electronically. Such procedures shall include, at a minimum, the following prohibitions:

(1) An individual, other than covered personnel, may not view classified records in any room that is not secure, except in the presence of National Archives and Records Administration personnel or under video surveillance.

(2) An individual, other than covered personnel, may not be left alone with classified records, unless that individual is under video surveillance.

(3) An individual, other than covered personnel, may not review classified records while possessing any cellular phone, electronic personal communication device, or any other devices capable of photographing, recording, or transferring images or content.

(4) An individual seeking access to review classified records, as a precondition to such access, must consent to a search of their belongings upon conclusion of their records review.

(5) All notes and other writings prepared by an individual, other than covered personnel, during the course of a review of classified records shall be retained by the National Archives and Records Administration in a secure facility until such notes and other writings are determined to be unclassified, are declassified, or are securely transferred to another secure facility.

(b) DEFINITIONS.—In this section:

(1) COVERED PERSONNEL.—The term ''covered personnel'' means any individual—

(A) who has an appropriate and necessary reason for accessing classified records, as determined by the Archivist; and

(B) who is either—

(i) an officer or employee of the United States Government with appropriate security clearances; or

(ii) any personnel with appropriate security clearances of a Federal contractor authorized in writing to act for purposes of this section by an officer or employee of the United States Government.

(2) RECORDS.—The term ''records'' has the meaning given that term under section 3301 of title 44, United States Code.

SEC. 7. REPEAL OF PROVISIONS RELATED TO THE NATIONAL STUDY COMMISSION ON RECORDS AND DOCUMENTS OF FEDERAL OFFICIALS.

(a) IN GENERAL.—Sections 3315 through 3324 of title 44, United States Code, are repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of title 44, United States Code, is amended by striking the items relating to sections 3315 through 3324.

SEC. 8. PRONOUN AMENDMENTS.

Title 44, United States Code, is amended—

(1) in section 2116(c), by striking ''his'' and inserting ''the Archivist's'';

(2) in section 2201(2), by striking ''his'' and inserting ''the President's'', each place it appears;

(3) in section 2203—

(A) in subsection (a), by striking ''his'' and inserting ''the President's'';

(B) in subsection (b), by striking ''his'' and inserting ''the President's'';

(C) in subsection (c)—

(i) in the matter preceding paragraph (1)—

(I) by striking ''his'' and inserting ''the President's''; and

(II) by striking ''those of his Presidential records'' and inserting ''those Presidential records of such President''; and

(ii) in paragraph (2), by striking ''he'' and inserting ''the Archivist'';

(D) in subsection (d), by striking ''he'' and inserting ''the Archivist'';

(E) in subsection (e), by striking ''he'' and inserting ''the Archivist''; and

(F) in subsection (g), as so redesignated, by striking ''he'' and inserting ''the Archivist'';

(4) in section 2204—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking ''his'' and inserting ''a President's''; and

(ii) in paragraph (5), by striking ''his'' and inserting ''the President's''; and

(B) in subsection (b)—

(i) in paragraph (1)(B), by striking ''his'' and inserting ''the President's''; and

(ii) in paragraph (3)—

(I) by striking ''his'' the first place it appears and inserting ''the Archivist's''; and

(II) by striking ''his designee'' and inserting ''the Archivist's designee'';

(5) in section 2205—

(A) in paragraph (2)(B), by striking ''his'' and inserting ''the incumbent President's''; and

(B) in paragraph (3), by striking ''his'' and inserting ''the former President's'';

(6) in section 2901(11), by striking ''his'' and inserting ''the Archivist's'';

(7) in section 2904(c)(6), by striking ''his'' and inserting ''the Archivist's'';

(8) in section 2905(a)—

(A) by striking ''He'' and inserting ''The Archivist''; and

(B) by striking ''his'' and inserting ''the Archivist's'';

(9) in section 3103, by striking ''he'' and inserting ''the head of such agency'';

(10) in section 3104—

(A) by striking ''his'' the first place it appears and inserting ''such official's''; and

(B) by striking ''him or his'' and inserting ''such official or such official's'';

(11) in section 3105, by striking ''he'' and inserting ''the head of such agency'';

(12) in section 3302(1), by striking ''him'' and inserting ''the Archivist''; and

(13) in section 3303a—

(A) in subsection (a)—

(i) by striking ''him'' and inserting ''the Archivist'', each place it appears; and

(ii) by striking ''he'' and inserting ''the Archivist'';

(B) in subsection (c), by striking ''he'' and inserting ''the Archivist'';

(C) in subsection (e), by striking ''his'' and inserting ''the Archivist's''; and

(D) in subsection (f), by striking ''he'' and inserting ''the Archivist''.

SEC. 9. RECORDS MANAGEMENT BY THE ARCHIVIST.

(a) OBJECTIVES OF RECORDS MANAGEMENT.—Section 2902 of title 44, United States Code, is amended—

(1) in paragraph (4), by striking ''creation and of records maintenance and use'' and inserting ''creation, maintenance, transfer, and use'';

(2) in paragraph (6), by inserting after ''Federal paperwork'' the following: ''and the transfer of records from Federal agencies to the National Archives of the United States in digital or electronic form to the greatest extent possible''; and

(3) in paragraph (7), by striking ''the Administrator or''.

(b) RECORDS CENTERS AND CENTRALIZED MICROFILMING SERVICES.—

(1) AMENDMENT.—Section 2907 of title 44, United States Code, is amended—

(A) in the section heading by inserting ''**or digitization**'' after ''**microfilming**''; and

(B) by inserting ''or digitization'' after ''microfilming''.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 29 of title 44, United States Code, is amended in the item relating to section 2907 by inserting ''or digitization'' after ''microfilming''.

(c) GENERAL RESPONSIBILITIES FOR RECORDS MANAGEMENT.—Section 2904 of title 44, United States Code, is amended—

(1) in subsection (b), by striking ''The Administrator'' and inserting ''The Archivist'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''their'' and inserting ''the'';

(ii) by striking ''subsection (a) or (b), respectively'' and inserting ''subsections (a) and (b)'';

(iii) by striking ''and the Administrator''; and

(iv) by striking ''each''; and

(B) in paragraph (8), by striking ''or the Administrator (as the case may be)''; and

(3) subsection (d) is amended to read as follows:

''(d) The Archivist shall promulgate regulations requiring all Federal agencies to transfer all digital or electronic records to the National Archives of the United States in digital or electronic form to the greatest extent possible.''.

(d) INSPECTION OF AGENCY RECORDS.—Section 2906 of title 44, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''their respective'' and inserting ''the'';

(ii) by striking ''the Administrator of General Services and'';

(iii) by striking ''designee of either'' and inserting ''the Archivist's designee'';

(iv) by striking ''solely''; and

(v) by inserting after ''for the improvement of records management practices and programs'' the following: ''and for determining whether the records of Federal agencies have sufficient value to warrant continued preservation or lack sufficient value to justify continued preservation'';

(B) in paragraph (2)—

(i) by striking ''the Administrator and''; and

(ii) by striking the second sentence; and

(C) in paragraph (3)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''the Administrator or''; and

(II) by striking ''designee of either'' and inserting ''Archivist's designee''; and

(ii) in subparagraph (A), by striking ''the Administrator, the Archivist,'' and inserting ''the Archivist''; and

(2) in subsection (b)—

(A) by striking ''the Administrator and''; and

(B) by striking ''designee of either'' and inserting ''Archivist's designee''.

(e) REPORTS; CORRECTION OF VIOLATIONS.—Section 2115 of title 44, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''their respective'' and inserting ''the'';

(B) by striking ''and the Administrator''; and

(C) by striking ''each''; and

(2) in subsection (b)—

(A) by striking ''either'';

(B) by striking ''or the Administrator'', each place it appears; and

(C) by striking ''inaugurated'' and inserting ''demonstrably commenced''.

(f) RECORDS MANAGEMENT BY THE ARCHIVIST.—.

(1) AMENDMENT.—The heading for chapter 29 of title 44, United States Code, is amended by striking ''**AND BY THE ADMINISTRATOR OF GENERAL SERVICES**''.

(2) CONFORMING AMENDMENT.—The table of chapters at the beginning of title 44, United States Code, is amended in the item related to chapter 29 by striking ''and by the Administrator of General Services''.

(g) ESTABLISHMENT OF PROGRAM OF MANAGEMENT.—Section 3102(2) of title 44, United States Code, is amended by striking ''the Administrator of General Services and''.

SEC. 10. DISCLOSURE REQUIREMENT FOR OFFICIAL BUSINESS CONDUCTED USING NON-OFFICIAL ELECTRONIC MESSAGING ACCOUNT.

(a) AMENDMENT.—Chapter 29 of title 44, United States Code is amended by adding at the end the following new section:

''§ 2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts

''(a) IN GENERAL.—An officer or employee of an executive agency may not create or send a record using a non-official electronic messaging account unless such officer or employee—

''(1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record; or

''(2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee [within five days] *not later than 20 days* after the original creation or transmission of the record.

''(b) ADVERSE ACTIONS.—The intentional violation of subsection (a) (including any rules, regulations, or other implementing guidelines), as determined by the appropriate supervisor, shall be a basis for disciplinary action in accordance with subchapter I, II, or V of chapter 75 of title 5, as the case may be.

''(c) DEFINITIONS.—In this section:

''(1) ELECTRONIC MESSAGES.—The term 'electronic messages' means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals.

''(2) ELECTRONIC MESSAGING ACCOUNT.—The term 'electronic messaging account' means any account that sends electronic messages.

''(3) EXECUTIVE AGENCY.—The term 'executive agency' has the meaning given that term in section 105 of title 5.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 29 of title 44, United States Code, is amended by adding at the end the following new item:

''2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts.''.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The committee amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 1233), as amended, was passed.

NATIONAL DRUG TAKE-BACK WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 466, and the Senate now proceed to its consideration.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 466) designating the week of October 27 through November 2, 2014, as ''National Drug Take-Back Week'', and designating October 2014 as ''National Prescription Opioid and Heroin Abuse Awareness Month''.

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

Mr. REID. 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.

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

The resolution (S. Res. 466) was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 3, 2014, under ''Submitted Resolutions.'')

APPROVING THE LOCATION OF AN AMERICAN REVOLUTION MEMORIAL

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.J. Res. 120, which was received from the House and is at the desk.

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

The clerk will report the House joint resolution by title.

The bill clerk read as follows:

A joint resolution (H.J. Res. 120) approving the location of a memorial to commemorate the more than 5,000 slaves and free Black persons who fought for independence in the American Revolution.

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

Mr. REID. I ask unanimous consent that the joint resolution be read three times and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The joint resolution (H.J. Res. 120) was read the third time and passed.

MEASURE READ THE FIRST TIME—H.R. 5078

Mr. REID. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

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

The bill clerk read as follows:

A bill (H.R. 5078) to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes.

Mr. REID. I now ask for a second reading but, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following the vote on the motion to invoke cloture on S.J. Res. 19, the Senate proceed to executive session and consider Calendar Nos. 544, 977, 685, 867, 976, 917, 914 and 758; that there be 2 minutes for debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that any rollcall votes, following the first in the series, be 10 minutes in length; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table, without any intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate resume legislative session.

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

Mr. REID. For the information of Senators, we expect the nominations considered in this agreement to be confirmed by voice vote.

ORDERS FOR THURSDAY, SEPTEMBER 11, 2014

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30

a.m. tomorrow, September, 11, 2014, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following the prayer and pledge, there be a moment of silence to pay tribute to the thousands of Americans whose lives were taken on September 11, 2001; that following any Leader remarks, the Senate resume consideration of the motion to proceed to S. 2199 postcloture; that all time during adjournment, recess or morning business count postcloture to the motion to proceed to S. 2199; and finally that the filing deadlines for first-degree amendments to S.J. Res. 19 be 12 noon tomorrow, and second-degree amendments be at 1 p.m. tomorrow afternoon.

The PRESIDING OFFICER. Without objection.

PROGRAM

Mr. REID. Mr. President, ultimately we hope to move forward on the paycheck fairness act and vote on cloture on the constitutional amendment early tomorrow afternoon.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order following the remarks of Senator SESSIONS, which will last for 30 minutes.

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

The PRESIDING OFFICER. The Senator from Alabama.

IMMIGRATION

Mr. SESSIONS. I thank the Presiding Officer and appreciate the opportunity to share some thoughts on an important subject tonight.

Earlier this week I spoke about the President's promise that he would issue an Executive amnesty, a grant of amnesty to 5 or 6 million people by some form of Executive order with his own pen. The planned amnesty would include work permits, photo ID's, and Social Security numbers for millions of people who illegally entered the U.S., illegally overstayed their visas, or defrauded U.S. immigration authorities.

The Senate Democratic Conference has supported and enabled the President's actions and blocked—so far—every effort to stop it. Not even one of our Democratic colleagues has backed the House legislation that would stop this Executive amnesty or demanded that Senator REID bring it up for a vote at least. Every Senate Democrat is therefore the President's partner in his planned lawless acts. Plainly the President must execute the law that was passed by Congress, and the law does not allow for unlawful immigrants to work in the U.S. It doesn't allow for many other things they are suggesting the President may plan to do by Executive order.

Tonight I would like to talk about the influence of special interests on our nation's immigration laws and how it is creating unwise and unlawful policies. How did we get to the point where elected officials, activist groups, the ACLU, and global CEOs are openly working to deny American workers the immigration protections to which they are legally entitled?

How did we get to the point where the Democratic Party is prepared to nullify and wipe away the immigration laws of the United States of America? And we are at that point, colleagues.

Just yesterday Majority Leader REID wrote in a tweet something that was shocking. He said:

> Since House Republicans have failed to act on immigration, I know the President will. When he does, I hope he goes real big.

That is the majority leader of the Senate. He intends to do nothing in the Senate to stop the President's actions. But colleagues, we know better. This body is not run by one man. We don't have a dictator in the great Senate. Every Member has a vote. And the only way Senator REID could do such a thing to block this Senate from voting in a way that would stop the President's Executive actions is to not support him in his plan.

Every Senator needs to stand up and represent their constituents, not big business, not the ACLU, not activist groups, not political interests but the American interests, the workers' interests. That is what we need to expect from them, and we don't have but a few weeks, it looks like, to get it done.

Let this sink in for a moment. The majority leader of the Senate is bragging that he knows the President will circumvent Congress to issue Executive amnesty to millions, and he is encouraging the President to ensure this amnesty includes as many people as possible. And the White House has acknowledged that 5 to 6 million is the number they are looking at.

Has one Senate Democrat stepped forward to reject Mr. REID's statement? Has one Senate Democrat stepped forward to say: I support the legislation passed by the House of Representatives that would secure the border and block this Executive amnesty? Have they ever said they support that? Have they ever said: I will do everything in my power to see that the House legislation gets a vote in the Senate so the American people can know what is going on? No. All we hear is silence.

In effect, the entire Senate Democratic Congress has surrendered the jobs, wages, and livelihoods of their constituents to a group of special interests meeting in secret at the White House—what Congress has refused to pass and the American people have rejected. They are plotting at the White House—maybe even more so today—to move forward with Executive action anyway, no matter what the people think, no matter what Congress, the people's House, votes on.

Politico reports that ''White House officials conducted more than 20 meetings in July and August with legal experts, immigration advocates and business leaders to gather ideas on what should be included in the order.'' Now that is a quote from Politico. Twenty meetings with legal experts, immigration advocates, and business leaders to gather ideas on what should be included in the President's order. So who are these so-called expert advocates and business leaders? They are not the law enforcement officers; they are not our ICE officers; they are not our Border Patrol officers; they are not the American working man and woman; they are not unemployed Americans. They weren't in the room. You can be sure of that. Their opinions weren't sought.

No, White House officials are meeting with the world's most powerful corporate immigration lobbyists and activists who think Border Patrol is for the little people. We know better. The administration is meeting with the elite, the cosmopolitan set who scorn and mock the concerns of everyday Americans who are concerned about their schools, jobs, wages, communities, and hospitals. These great and powerful citizens of the world, we know, don't care much about old fashioned things like national boundaries, national sovereignty, immigration control, let alone the constitutional separation of powers or even the consistent and even-handed enforcement of plain law, passed by the elected representatives of the American people in due fashion.

Well, don't you get it? They believe they are always supposed to get whatever it is they want. They are used to that. They spend hundreds of millions of dollars. In fact, one report says they have spent $1.5 billion since 2007 trying to pass their desired immigration bill—$1.5 billion. They think whatever they want is good for America. They tried and tried and tried to pass the bill through Congress, but the American people said: No, no, no. So they decided to just go to the President. They decide to go to President Obama, and we will insist that he implement these measures through Executive fiat. And Senate Democrats have apparently said: Well, that is just a wonderful idea. We support that. Just do it. Go big. But, Mr. President, wait a little bit. Wait until after the election. We don't want the voters to hold us accountable for what you are doing. We want to pretend we in the Senate have nothing to do with it.

One of the groups that has joined the chorus of special interests demanding Executive action on immigration is FWD.us, run by Facebook CEO Mark Zuckerberg. He just turned 30, and I understand he is worth about $28 billion.

Mr. Zuckerberg has been very busy recently. One of his fellow billionaires,

Mr. Carlos Slim—maybe the world's richest man—invited Mr. Zuckerberg down to Mexico City to give a speech. What did Mr. Zuckerberg promote in his speech? Well, this is a report of it.

I guess I will first note that young Mr. Zuckerberg maybe doesn't know there is a deep American tradition—a tradition in most developed nations—that you don't go to a foreign capital to criticize your own government. I suppose he doesn't know about that. They probably didn't teach him about that when he was at one of the elite schools he attended.

This is what he said in Mexico City:

> We have a strange immigration policy for a nation of immigrants. And it's a policy unfit for today's world.

Well, the ''masters of the universe'' are very fond of open borders as long as these open borders don't extend to their gated compounds and fenced-off estates.

I have another article from late last fall that was printed in Business Insider about Mr. Zuckerberg's actions. The headline is ''Mark Zuckerberg Just Spent More Than $30 Million Buying 4 Neighboring Houses For Privacy.'' The article says:

> Mark Zuckerberg just made an unusual purchase.
>
> Well, four purchases.
>
> Facebook's billionaire founder bought four homes surrounding his current home near Palo Alto, Mercury News Reports. The houses cost him more than $30 million, including one 2,600 square-foot home that cost $14 million. (His own home is twice as large at 5,000 square-feet and cost half as much.)
>
> Larry Page made a similar move a few years ago so he could build a 6,000-square-foot mansion. But Zuckerberg's reason is different. He doesn't want to live in excess, he just wants a little privacy.

That is a world the average American doesn't live in.

So Mr. Zuckerberg, who has become the top spokesman for expanding the admission of foreign workers, championed the Senate immigration bill for which all of our Democratic colleagues voted. One of the things the bill did was double the supply of low-wage foreign workers brought into the United States for companies such as Facebook.

We have been told for a long time—and most of us have heard this repeatedly—that there is a shortage of STEM and IT workers. STEM stands for science, technology, engineering, and mathematics. This has been the central selling point of these massive demands for increases in foreign worker programs across the board—programs that bring in workers for every sector in the U.S. economy. But we know otherwise from the nation's leading academics, people who studied this issue and are professionals in it. I have a recent op-ed here from USA TODAY which reports that there is actually not a shortage but a surplus of Americans who have been trained in the STEM and IT fields and that this is why wages have not increased since 1999.

If you have a shortage of workers in a field such as information technology or science and mathematics, wages go up, do they not? If wages are not up and are basically down since 1999, I think the case for our free-market friends is pretty clear—we don't have a shortage.

So rich high-tech companies are using the H–1B visa program to keep wages down and to hire less expensive workers from abroad. Indeed, the same companies demanding more guest workers are laying off American workers in droves.

I would like to read some excerpts from that op-ed published in USA TODAY. The article was recently co-authored by five of the nation's experts on labor markets and the guest worker program. I think it tells a story that has not been refuted. We have partisans and advocates who have been claiming there is a shortage in these fields, but the experts say no. And since they have been speaking out on this issue, we have seen no real data that would dispute what they say in this article dated July 27, 2014.

Headline: ''Bill Gates' tech worker fantasy.''

Subheadline: ''Silicon Valley has created an imaginary staffing shortage.''

> Business executives and politicians endlessly complain that there is a ''shortage'' of qualified Americans and that the U.S. must admit more high-skilled guest workers to fill jobs in STEM fields: science, technology, engineering and math. This claim is echoed by everyone from President Obama and Rupert Murdoch to Mark Zuckerberg and Bill Gates.
>
> Yet within the past month, two odd things occurred: Census reported that only one in four STEM degree holders is in a STEM job, and Microsoft announced plans to downsize its workforce by 18,000 jobs.

The five writers of this article—referring to themselves—go on to say:

> None of us have been able to find any credible efforts to support the IT industry's assertions of labor shortages.

The article was written by Ron Hira, Paula Stephan, Hal Salzman, Michael Teitelbaum, who has recently written a book on this subject, and Norm Matloff. These are labor economic experts who have studied these issues for years. Many of them have testified before Congress. They say:

> None of us have been able to find any credible evidence to support the IT industry's assertions of labor shortages.

What a statement that is.

They go on to write—they all signed this article together—that:

> If a shortage did exist, wages would be rising as companies try to attract scarce workers. Instead, legislation that expanded visas for IT personnel during the 1990s has kept average wages flat over the past 16 years. Indeed, guest workers have become the predominant source of new hires in these fields.

The 'predominate source of new hires' in information technology fields is coming through guest worker programs from abroad.

They go on to say:

> Those supporting even greater expansion seem to have forgotten about the hundreds and thousands of American high-tech workers who are being shortchanged—by wages stuck at 1998 levels, by diminished career prospects and by repeated rounds of layoffs.

They go on to say:

> There is an ample supply of American workers who are willing and qualified to fill high-skill jobs in this country. The only real disagreement is whether the supply is two or three times larger than the demand.

There is no doubt we have a surplus of IT workers. The question is whether the supply is two or three times as big as the number of job openings.

They go on to say:

> Unfortunately, companies are exploiting the large existing flow of guest workers to deny American workers access to STEM careers and middle-class security that should come with them. Imagine, then, how many more Americans would be frozen out of the middle class if politicians and tech moguls succeeded in doubling or tripling the flow of guest workers into STEM occupations.

That is exactly what the bill before this Senate—the bill the House of Representatives rejected—would have done. It would have doubled the number of guest workers coming into America just to take jobs—coming in for the very purpose of taking a job that we need Americans to be taking.

The article goes on:

> Another major, yet often overlooked, provision in the pending legislation—

That is the bill President Obama is pushing for, the Gang of 8 bill

> would grant automatic green cards to any foreign student who earns a graduate degree in a STEM field, based on assertions that foreign graduates of U.S. universities are routinely being forced to leave. Such claims are incompatible with the evidence that such graduates have many paths to stay and work, and indeed the ''stay rates'' for visiting international students are very high and have shown no sign of decline. The most recent study finds that 92 percent of Chinese Ph.D. students stay in America to work after graduation.

So that just meant we have thousands and thousands of students graduating from schools and being sent home. That is not accurate, according to the experts who study the data.

The article continues:

> The tech industry's promotion of expanded temporary visas (such as the H–1B) and green cards is driven by a desire for cheap, young and immobile labor. It is well documented that loopholes enable firms to legally pay H–1Bs below their market value and to continue the widespread age discrimination acknowledged by many in the tech industry.

I talked to a gentleman whom I knew a little bit who worked at a computer company. He is well into his forties, maybe close to 50. I asked him what kind of security there is. He said, Well, in the tech industry these companies go and fall. I said, What happens if you were to lose your job? He said, At my age, it would be very difficult.

That was a poignant moment for me. This man, with a family, raising children, doing the right thing, is worried at his age whether he can get a job, when the majority of people being hired in these fields are H–1B guest workers.

The USA Today op-ed concludes by saying:

IT industry leaders have spent lavishly on lobbying to promote their STEM shortage claims among legislators. The only problem is that the evidence contradicts their self-interested claims.

I think this is a dramatic article. It is an article by undisputed experts in their field. To my knowledge no one has disputed it. The false, tech world fantasy claims, the USA Today op-ed referred to, is an imaginary shortage, not a real shortage.

So I would pose a question to Mr. Zuckerberg, who is a brilliant man with so many fabulous qualities, and I respect that. But I read in the news that Facebook, his company, is now worth more than $200 billion. Is that not enough money to hire American workers for a change? Your company now employs roughly 7,000 people. Let's say you want to expand your workforce 10 percent or hire another 700 workers. Are you claiming you can't find 700 Americans who would take these jobs if you paid a good wage and decent benefits?

Let me just say one more thing: Facebook has 7,000 workers. Microsoft just laid off 18,000. Why doesn't Mr. Zuckerberg call his friend Mr. Gates and say: Look, I have to hire a few hundred people; do you have any resumes you can send over here? Maybe I will not have to take somebody from a foreign country for a job an unemployed U.S. citizen might take.

It is a serious matter. I want to continue to talk about this. There is this myth that we have surging employment in the high-tech industry. According to a recent Reuters report, U.S. employers announced 50,000 layoffs in August of 2013, up 34 percent from the previous month, then up 57 percent through August 2012.

As Byron York reported, Hewlett-Packard, a high-tech company, laid off 29,000 employees in 2012—29,000. In August of 2013, Cisco announced plans to lay off 4,000 workers in addition to the 8,000 cut in the last 2 years, and Cisco was right in the White House this summer with a group of other companies demanding more workers from abroad. Cisco was signing a letter with a bunch of other companies; United Technologies has announced 3,000 layoffs this year; American Express cut 5,400 jobs; Procter and Gamble announced 5,700 jobs cut in 2012; T-Mobile announced plans to lay off 2,250 employees in 2012.

The shortage is not there. The experts tell us and the plain facts, if we look around, indicate that.

But instead FWD.us and other immigration lobbyists are working with the White House to extract Executive orders from the President that provide them with the same financial benefits that were included in the Senate bill that was rejected by the House of Representatives. One proposal would increase by as much as 800,000 the number of foreign workers admitted for the explicit purpose of taking jobs in the United States.

This is an article that talks about that. It is a matter of importance. The Associated Press article, the title of it: ''Obama Weighs Broader Move on Legal Immigration.''

President Barack Obama is considering key changes in the nation's immigration system requested by tech, industry and powerful interest groups—

Not by the American people was he being requested to do this, not by the national interests but by powerful special interest groups that are referred to here.

It goes on to say:

After recent White House meetings, top officials have compiled specific recommendations from business groups and other advocates.

''Other advocates.'' Who are they? We know the ACLU has been there. We know La Raza has been meeting there on a regular basis. It goes on. The article says:

One of the more popular requests is a change in the way green cards are counted that would essentially free up some 800,000 additional visas the first year, advocates say.

Other requests would extend work permits to the spouses of all temporary H–1B skilled workers who have not been able to work. But how about the fact that a single mom might like that job? An unemployed single mom or a single mom who has a job prospect that would pay $3 more than the job she is now working while trying to raise a family? Or an unemployed father? Maybe they would like those jobs first.

So these actions fall on the heels of previous Executive action in which the President already acted unilaterally earlier this year to grant companies an additional 100,000 guest workers. He has already done that. In just the first year of this order, we added 100,000 guest workers by providing work authorizations to the foreign spouses of temporary guest workers. So he would increase the supply of guest workers by approximately 30,000 each year thereafter—this at a time when we have 58 million working-age Americans who are not working. Since 2009 the number of adults has increased by 13 million, while the number of people actually working has decreased by 7 million.

Median household income has dropped $2,300 since 2009. According to the National Employment Law Project, wages are down across all occupations. According to a CBS report titled ''Why American workers feel increasingly poor'':

Real median hourly wages have declined across low, middle and high income levels from 2009 to 2013, the study found. No matter if workers were in the lowest bracket ($8.84 to $10.85 an hour) or the highest ($31.40 to $86.34) median hourly wages declined when you take into account the impact of inflation.

It goes on:

Across all occupations, real median hourly wages slipped 3.4 percent since 2009. While even better-paid workers saw median hourly earnings erode, the worst hit segments were at the bottom—

The people who got hurt the most were at the bottom—

with declines in their wages of more than 4 percent.

We have business CEOs, lobbyists, activists, immigration groups, and clever politicians who are able to demand that we have to have more workers in America even when we have a decline in wages and a decline in jobs. But what does the President do? His administration issues an Executive order to provide foreign spouses—the citizens of other countries, not American citizens—with 100,000 jobs in the United States, precious jobs that many Americans would love to have. How many American spouses struggling to support their families would benefit from one of those jobs? How many single moms would benefit from a chance to earn a better paycheck?

Our Senate Democratic friends talk about paycheck fairness repeatedly. Yet they are supporting policies that take jobs and wages directly from American women by the millions.

Immigration policy is supposed to serve the national interest and the people of the United States, not the interests of a few activist CEOs and the politicians who are catering to them. We have had 40 years of mass immigration combined with falling wages, a shrinking workplace, and exploding welfare rolls. We know that, don't we, friends and colleagues? It is time for a shift in emphasis. It is time to get our own people back to work and our communities out of poverty and our schools back on their feet.

Harvard professor Dr. George Borjas—probably the leading academic in this entire area and has been for many years—estimates that our current immigration rate results in an annual loss of more than $400 billion in wages for Americans competing with immigrant labor. Between 2000 and today the government issued nearly 30 million visas to temporary foreign workers and permanent immigrants, largely lower skilled and lower wage.

A recent Reuters poll showed that Americans wish to see record immigration reduced, not increased, by a huge 3-to-1 margin, as the Gang of 8 bill would have done.

Another poll from pollster Kellyanne Conway recently showed that 80 percent of Americans think companies should hire from among the existing unemployed rather than bringing in new workers from abroad to fill these jobs. Yet Senate Democrats have unanimously supported legislation to double the annual supply of labor brought into the United States.

Some people think this is agricultural work. Not so. The increase in immigration under that bill would be more than 90 percent nonagricultural work. These jobs are going to be taken by anyone. So what about the good, decent and patriotic citizens of our country who fight our wars, who obey our laws, who follow our rules, and want a better future for their children? Should their needs not come first?

As the National Review explained, ''we are a nation with an economy—not an economy with a nation.'' We cannot put the parochial demands of a few powerful CEOs ahead of an entire nation's hopes, dreams, and aspirations.

The basic social contract is that citizens agree to follow the law, pay their taxes, devote their love and loyalty to their country, and in exchange the nation commits to preserve and protect and serve their interests, safeguard their freedom, and return to them in kind their first allegiance of loyalty.

The job of elected officials is to answer to the people who sent them to Washington, not to scorn them, not to demean them, not to mock them, not to sell their jobs and dreams to the highest bidder.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:39 p.m., adjourned until Thursday, September 11, 2014, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

MICHELE THOREN BOND, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (CONSULAR AFFAIRS), VICE JANICE L. JACOBS, RESIGNED.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

MICHAEL YOUNG, OF PENNSYLVANIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2020. (REAPPOINTMENT)