

debt limit bills passed between 1978 and 2002 contained amendments not related to the debt or budget. Only twice—in 1980 and in 1995—did Congress successfully pass amendments opposed by the president. But as Carter's defeat shows, Congress has used the debt limit to repeal a key legislative priority of a president.

In response, the Obama White House provided us with information on the negative impact on the economy during the 2011 debt-ceiling impasse, but did not comment on the examples listed above.

#### THE PINOCCHIO TEST

Cleary, Obama's sweeping statement does not stand up to scrutiny, even with his caveat. Time and again, lawmakers have used the "must-pass" nature of the debt limit to force changes in unrelated laws. Often, the effort fails—as the GOP drive to repeal ObamaCare almost certainly will. But Kowalcky and LeLoup speculate that one reason why Congress has not eliminated the debt limit, despite the political problems it poses, is because lawmakers enjoy the leverage it provides against the executive branch.

There's an old reporter's rule that you want to avoid using the word "unprecedented." Otherwise, a professor might call or e-mail the next day to dispute it.

Let's add this rule for politicians: Never say "never."

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 I ask unanimous consent that the order for the quorum call be rescinded.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

#### HELIUM STEWARSHIP

##### AUCTION AMOUNTS ACT

Mr. MURPHY. Madam President, I rise today to engage my colleagues Senator WYDEN, Senator MURKOWSKI, and Senator MORAN in a colloquy regarding legislation the Senate adopted yesterday for the modernization of the Federal helium reserve. I first would like to commend the leadership of the Senate Energy and Natural Resources Committee for their commitment to this effort and to thank my friend from Kansas for his partnership in this process. I know how long and hard the Chairman and Ranking Member and their staffs have worked on this complex piece of legislation, and they deserve our appreciation.

I think it is important that we discuss one of the aspects of the proposed new auction program. The text before us today creates an auction and Section 6(b)(5)(A) allows the Secretary to auction less than the statutorily mandated amount if the Secretary deter-

mines the adjustment necessary to minimize market disruptions. The Secretary may make such adjustments only after only after submitting a written justification to the congressional committees of jurisdiction. I wish to ask Chairman WYDEN whether he believes this provision will be exercised?

Mr. WYDEN. Mr. President, I thank my friend from Connecticut for his help in crafting this bill and I appreciate that he has taken the time to raise this issue. One of the primary goals in drafting this legislation was to ensure stability of supply. The Senator is correct. The Secretary may lower the amount of helium that is auctioned if he or she determines the adjustment is necessary to minimize market disruptions that pose a threat to the economic wellbeing of the United States and only after submitting a written justification to Congress. I expect the Secretary would exercise this provision if those criteria are met.

Mr. MURPHY. Mr. President, I again wish to thank the Chairman and the Ranking Member for their tireless efforts and their willingness to work with us on these important issues. I yield the Floor to the Senator from Kansas, Mr. MORAN.

Mr. MORAN. Mr. President, I rise to echo the Senator from Connecticut's comments and to ask the Committee leaders for one more clarification.

The issue is the definition of "excess refining capacity" and its requirement that it be made available at commercially reasonable rates as a condition of continued participation in the sales and auctions provided for in this legislation. I ask Senator MURKOWSKI if it is the intent of the legislation that the BLM consider the economic impacts of defining "excess refining capacity" once the auction level reaches 100% of the Federal helium reserve.

Ms. MURKOWSKI. Yes, it is our expectation that BLM will consider economic impacts throughout the implementation of this bill and develop regulations for this and other provisions in the bill accordingly. I do not anticipate that the definition of "excess refining capacity" would change over the course of the law's implementation, however. Our intent is to ensure that refiners with excess refining capacity make that capacity available at commercially reasonable rates. As the auction system is phased in, I look forward to working with my Senate colleagues and the BLM to ensure that market disruptions are avoided and American taxpayers are protected.

Mr. MORAN. Mr. President, I thank the Committee leadership for their dedication and cooperation, and I yield the Floor.

#### REMEMBERING MARYLAND NAVY YARD VICTIMS

Mr. CARDIN. Madam President, the fatal shooting at the Washington Navy Yard last week is a senseless tragedy. I mourn the loss of life and offer my

prayers to all who have been affected by this heinous act, especially the families of the victims. Our Navy and their civilian colleagues work day and night to protect the American public. An attack on the people tasked with keeping this Nation safe is unacceptable. I thank our Federal, State and local first responders and law enforcement for swiftly and dutifully responding to this appalling attack despite the personal dangers. I thank our dedicated doctors, nurses, and staff at the MedStar trauma center who helped care for the injured that day.

Today I want to remember the six Marylanders who died in this terrible tragedy, and to express my condolences to their family and friends.

Sylvia Frasier was 53 years old and lived in Waldorf, MD, in Charles County. She was a computer expert and served as the enterprise information assurance manager at Naval Sea Systems Command. And she worked a second job as well, working several evenings a week as a customer service manager at the Wal-Mart in Waldorf. The assistant manager at the store said she often gave co-workers rides home, and he once asked her, "How come you work a second job?" She just said, "I love it. I like working with people." Her co-worker said that Sylvia could talk to customers and turn negatives into positives, and that they will miss seeing her smile and gold-colored hair at the store. She leaves behind her two parents and six siblings.

John Roger Johnson was 73 years old and lived in Derwood, MD, in Montgomery County. He was a civilian contractor and performed environmental assessments of systems used to located mines. He also provided support to the NAVSEA's Command Information Officer. He often greeted colleagues with a "How ya doin', buddy?" He leaves behind a wife and four daughters, and his 11th grandchild is due in November.

Frank Kohler was 50 years old and lived in Tall Timbers, MD, in St. Mary's County. He was a computer systems specialist. Frank had been the president of the Rotary Club. He had earned the nickname of "King Oyster" for his service, and received a crown and robe, leading the national oyster shucking competition. He leaves behind a wife and two daughters.

Vishnu Pandit was 61 years old and lived in North Potomac, MD, in Montgomery County. He was born in Bombay, India, and moved to the United States in his early 20's. His family said in a statement that "He took great pride in being employed by the United States Navy, which he very proudly served in various capacities as a civilian for over 25 years. He felt extremely privileged to have contributed to the superiority of the U.S. Navy and the country that he served." He leaves behind a wife and two sons.

Kenneth Bernard Proctor was 46 years old and lived in Waldorf, MD, in Charles County. He worked as a civilian utilities foreman, and had worked